



Leicester
City Council

SPECIAL MEETING OF THE CABINET

DATE: FRIDAY, 24 SEPTEMBER 2010

TIME: 10.00am

**PLACE: COUNCIL CHAMBER, TOWN HALL, TOWN HALL
SQUARE, LEICESTER**

Members of the Cabinet

Councillor Patel (Chair)

Councillor Dempster (Vice-Chair)

Councillors Bhatti, Dawood, Naylor, Osman, Palmer, Russell, Wann and
Westley

Members of the Cabinet are invited to attend the above meeting to
consider the items of business listed overleaf.

for Director of Corporate Governance

MEMBERS OF THE PUBLIC:

**YOU ARE VERY WELCOME TO ATTEND TO OBSERVE THE PROCEEDINGS.
HOWEVER, PLEASE NOTE THAT YOU ARE NOT ABLE TO PARTICIPATE IN
THE MEETING.**

*Officer contact: Heather Kent/ Julie Harget
Democratic Support,
Leicester City Council
Town Hall, Town Hall Square, Leicester LE1 9BG
Tel: 0116 229 8816/8809 Fax: 0116 229 8819
email: Heather.Kent@Leicester.gov.uk*

INFORMATION FOR MEMBERS OF THE PUBLIC

ACCESS TO INFORMATION AND MEETINGS

You have the right to attend Cabinet to hear decisions being made. You can also attend Committees, as well as meetings of the full Council. Tweeting in formal Council meetings is fine as long as it does not disrupt the meeting. There are procedures for you to ask questions and make representations to Scrutiny Committees, Community Meetings and Council. Please contact Democratic Support, as detailed below for further guidance on this.

You also have the right to see copies of agendas and minutes. Agendas and minutes are available on the Council's website at www.cabinet.leicester.gov.uk or by contacting us as detailed below.

Dates of meetings are available at the Customer Service Centre, King Street, Town Hall Reception and on the Website.

There are certain occasions when the Council's meetings may need to discuss issues in private session. The reasons for dealing with matters in private session are set down in law.

WHEELCHAIR ACCESS

Meetings are held at the Town Hall. The Meeting rooms are all accessible to wheelchair users. Wheelchair access to the Town Hall is from Horsefair Street (Take the lift to the ground floor and go straight ahead to main reception).

BRAILLE/AUDIO TAPE/TRANSLATION

If there are any particular reports that you would like translating or providing on audio tape, the Democratic Services Officer can organise this for you (production times will depend upon equipment/facility availability).

INDUCTION LOOPS

There are induction loop facilities in meeting rooms. Please speak to the Democratic Services Officer at the meeting if you wish to use this facility or contact them as detailed below.

General Enquiries - if you have any queries about any of the above or the business to be discussed, please contact Heather Kent or Julie Harget, Democratic Support on (0116) 229 8816/8809 or email heather.kent@leicester.gov.uk or call in at the Town Hall.

Press Enquiries - please phone the Communications Unit on 252 6081

PUBLIC SESSION

AGENDA

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

Members are asked to declare any interests they may have in the business to be discussed and/or indicate that Section 106 of the Local Government Finance Act 1992 applies to them.

3. ANY OTHER URGENT BUSINESS

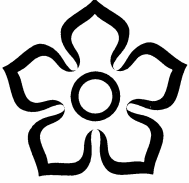
Appendix AOUB1

APPLICATION BY THE CHIEF CONSTABLE FOR ORDER UNDER SECTION 13 OF THE PUBLIC ORDER ACT, 1986

Councillor Patel submits a report for Cabinet to consider an application by the Chief Constable for an Order to be made under Section 13 of the Public Order Act, 1986. Cabinet is asked to consider the recommendations in Paragraph 2 of the report.

The Leader has agreed to accept this item as urgent business on the grounds that if an application is received from the Chief Constable for an Order to be made under Section 13 of the Public Order Act, 1986, it is likely that this will need to be dealt with as a matter of urgency.

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Leicester
City Council

- WARDS AFFECTED

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:

Cabinet

24th September, 2010

Application by the Chief Constable for Order under Section 13 of the Public Order Act, 1986

Report of the Chief Executive

1. PURPOSE OF REPORT

For Cabinet to consider an application by the Chief Constable for an Order to be made under Section 13 of the Public Order Act, 1986.

2. RECOMMENDATIONS

Cabinet is recommended:

- a. To note the law relating to any proposed prohibition of public processions, including the Council's responsibilities for the maintenance of human rights of citizens, in particular the freedom of expression and freedom of assembly and association.
- b. Consider the Chief Constable's request dated 24th September, 2010 for an Order to be made under Section 13 of the Public Order Act, 1986, shown as an **Appendix** to this report;
- c. Consider whether an Order in the terms proposed in the Chief Constable's application would be a proportionate response in the public interest for the purposes of maintaining public order by way of temporary curtailment of the human rights of any person who is interested in supporting the procession or supporting likely counter-demonstration and assembly;
- d. Determine whether or not to seek the Secretary of State's consent to the making of such an Order.
- e. If so determined, authorise the Chief Executive, in consultation with the Director of Legal Services, to submit an appropriate application to the Secretary of State, and if consent is given execute the Order;
- f. Agree, in accord with Cabinet Rule 12(d), that there be no call in of Cabinet's decisions on this matter because of the need for urgent action to be taken.

3. REPORT

3.1 Application received from the Chief Constable

Leicestershire Police have liaised closely with the Leicester community and the City Council in relation to the proposed holding of a procession in the City by the English Defence League on Saturday 9th October. It is known that counter-demonstrations are being planned and the Police have also received an application from Unite Against Fascism to stage a counter-march.

An application by the Chief Constable under Section 13 of the 1986 Act was received on the 24th September, 2010 and is shown in full attached as an **Appendix** to this report.

3.2 The law relating to any proposed prohibition of public processions

If at any time the Chief Constable reasonably believes that, because of particular circumstances existing in the City, his ability to impose conditions on any proposed public procession under Section 12 of the Public Order Act, 1986 will not be sufficient to prevent serious public disorder, he shall apply to the Council in accord with Section 13 of the 1986 Act for an Order prohibiting the holding of all public processions, or any class of public procession (subject to exemptions), in the City or any part of the City. The Order must not exceed 3 months.

On receiving the application from the Chief Constable the Council may, **with the consent of the Secretary of State**, make an Order either in terms of the application or with some modification as may be approved by the Secretary of State.

Organising a procession or taking part in a procession which is banned by such an Order is a criminal offence.

The starting point for all public authorities; that is the Police, Local Authority and Home Office must be facilitation of peaceful protest. This is a legal duty. Human rights implications must be taken into account.

The Chief Constable must initiate the application. The decision to impose restrictions is a Police decision not a Local Authority decision. If the Council has information to inform that threat and risk assessment, they should feed it into the Police but the decision has to be an operational Policing decision against the legal test set out in the Public Order Act 1986.

The Chief Constable must reasonably believe that the circumstances are such that they will not be able to prevent public disorder by the imposition of conditions. A ban on a march is the ultimate restriction

The Police must make an application to the Council and it is for the Council to make the Order but with the consent of the Secretary of State.

Financial implications must not be taken into account when considering whether or not to make an Order.

3.3 Human rights implications

If the Chief Constable does make an application to the City Council to make an Order under Section 13 of the Public Order Act, 1986, this Authority will need to take into account its obligations under the Human Rights Act, 1998 when considering it.

The 1998 Act incorporates the European Convention of Human Rights into English law. Amongst other things, Article 10 of the Conventions provides everyone with a right to freedom of expression, and Article 11 provides for freedom of assembly and association. No restrictions shall be placed on the exercise of these rights other than provided by law and are necessary in a democratic society in the interests of national security or public safety for the prevention of disorder or crime for the protection of health or morals or for the protection of rights and freedom of others.

Human rights legislation does not prevent this Authority from making an Order under Section 13 but does require the Authority to take into account human rights when considering the Police application and ensure that its decision is proportionate to the risks involved and that its action in making an Order is the minimum necessary to secure those interests which may properly be protected under the Conventions.

4. FINANCIAL, LEGAL AND OTHER IMPLICATIONS

4.1. Financial Implications

None for the purpose of this report.

4.2 Legal Implications

Covered in the report.

5. OTHER IMPLICATIONS

OTHER IMPLICATIONS	YES/NO	Paragraph /references with supporting information
Equal Opportunities	Yes	See Chief Constable's application
Policy	No	
Sustainable and Environmental	No	
Crime and Disorder	Yes	See Chief Constable's application
Human Rights Act	Yes	Para 3
Elderly/People on Low Income	No	
Corporate Parenting	No	
Health Inequalities Impact	No	

6. BACKGROUND PAPERS – LOCAL GOVERNMENT ACT 1972

Relevant legislation and the Chief Constable's application shown as an Appendix to this report.

7. CONSULTATIONS

Sheila Lock, Chief Executive
Perry Holmes, Director of Corporate Governance
Jeff Miller, Director of Regeneration, Transport and Highways
Alistair Reid, Strategic Director, Culture and Regeneration
Adrian Russell, Director of Environmental Services
Maggie Shutt, Festivals and Events Manager

8. REPORT AUTHOR

Peter Nicholls, Director of Legal Services, 29 6302.

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From: Simon Cole, BA (Hons) Dunelm, MA, DipCrim (Cantab)
Chief Constable



Leicestershire
Constabulary

Police HQ
St Johns
Enderby, Leicester
LE19 2BX

Tel: (0116) 248 2003
Fax: (0116) 248 2004

24th September 2010

Dear Sheila,

Ref. an application to the City of Leicester Council for an order prohibiting a public procession under Section 13 Public Order Act 1986

I enclose an application for an order to prohibit a public procession under Section 13 Public Order Act 1986. As you know the English Defence League (EDL) proposes to process and assemble within the city of Leicester on the 9th October 2010. This has attracted a notice to counter protest by Unite Against Fascism (UAF).

I outline my summary for making the application in the documentation accompanying this letter. I fear that to allow a procession to take place will bring about serious disorder, threaten to disrupt the life of the community and thereby endanger the community cohesion that the city has enjoyed over many years.

Clearly the intelligence picture and threat assessment continues to develop as we approach the due date. However, it was necessary for me to consider making the application at this stage as officers and staff within my Force require planning and preparation time in order to manage the procession and/or assembly professionally and effectively. It would be helpful to know whether the city council is of the view that an application to ban the procession should be made to the Home Secretary or not.

I look forward to learning of the Council's decision.

Yours Sincerely

A handwritten signature in black ink, appearing to read 'S. Cole'.

Simon Cole
Chief Constable
Leicestershire Constabulary

**Application from the Chief Constable of Leicestershire to City of Leicester
Council for an order prohibiting a public procession under S13 Public Order Act
1986.**

INTRODUCTION

This document sets out the grounds upon which I am applying for the prohibition of processions in Leicester City centre (within the boundaries of the Leicester City Unitary area) from 00:01 hours on Friday 8th October 2010 until 23:59 hours on Sunday the 10th October 2010. I base this on a comprehensive assessment of the following;

- That the English Defence League (EDL) and Unite Against Fascism (UAF) have notified my Force of their intention to conduct processions in Leicester on Saturday 9th October 2010. I have reasonable grounds to believe that acts of serious disorder are likely to occur and that I will be unable to prevent this through the application of powers granted to me under Section 12 of the Public Order Act 1986.
- Experience of similar events nationally has led not only to serious disorder occurring in the vicinity of such processions but has affected community cohesion.
- Current information indicates that approximately 5,000 protesters are likely to attend Leicester on this date and cause disproportionate disruption to the life of the community.

LOCAL BACKGROUND

Leicester is perceived to be the most ethnically diverse community outside of London and is likely to be the first plural city in the UK before 2020. Over 26% of the school population within the city are Muslim. The city includes 32 mosques and 118 Muslim organisations. In some of the city's wards over 90% of the resident population are from black minority ethnic groups.

Leicester has managed to maintain good community cohesion over the past 30 years but intelligence shows that there are a number of threats that may undermine this. One example of this is highlighted by the number of Islamophobic hate crimes doubling in Leicester over the last twelve months from 21 reported cases to 42. Muslim communities in Leicester are geographically concentrated and reside in some of the most deprived areas of the city.

COMMUNITY INTELLIGENCE

A comprehensive intelligence and threat assessment has been completed independently and with partner agencies that indicates a "MAJOR THREAT" to public order in Leicester. Illustrated below is just a small amount of the material that is available in the public domain that demonstrates the scale of the threat posed by this event and the potential impact of a procession on the community of Leicester.

A number of videos have appeared on 'YouTube' that claim to be from the EDL. They have been referred to my officers by members of the community for assessment of criminality. This material widely publicises the March on the 9th October. An example includes an emotive presentation of Leicester and is accompanied with words that support the EDL ethos. Members of the community assert that this material is misleading and divisive.

Screen shots and links to various videos purporting to be from the EDL.

Look at what Britian is coming to? Do you want your children to be forced to live in an Islamic Britian?WE HAVE TO MAKE A STAND I WILL GO TO PRISON OR EVEN DIE FOR THE SAKE OF MY CHILD'S FUTURE! WHO IS WITH ME?

Link

<http://www.youtube.com/watch?v=hBS6UIKzMY8>

Below are screen shots from other video's supporting / advertising the EDL march

The UAF will counter our Demo, these people are in league with the Islamics and if we do not stop them, they will do all the can to help in the introduction of Sharia Law in to Britain... They are enemies of Democracy and its our duty as freemen to STOP them...



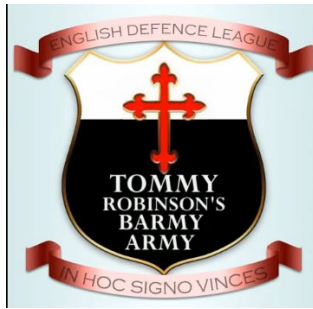
<http://www.youtube.com/watch?v=4N8LGhBRMSc&NR=1>

In the screen shot below there is a notable association with East Midland's football clubs with logos displayed in the top right hand corner of the image.



http://www.youtube.com/watch?v=93O_BS2xINs&feature=fvst

The image below states in Latin "with this as your standard you shall have victory". There are images of key UAF supporters with a soundtrack of "**** You" playing over the top. It is entitled as follows:-
EDL - A message to UAF and SWP.




<http://www.youtube.com/watch?v=WFyrL26u4oc>


Intelligence dated the 8th September 2010 indicates that the EDL intend to come to Leicester and attack a mosque before marching into the Highfields area which represents the highest resident population of the Muslim community. This reflects previous intentions of EDL processions, such as that within Leicester, where actions were targeted to cause disruption to the Muslim community by provoking serious public disorder.


Screen shots and links purporting to be from Counter EDL organisations


Many of the counter videos to the EDL march appearing on websites such as 'Youtube' are associated with the UAF. Although the majority of EDL videos are aimed at the wider community with an anti Islamic message the counter EDL videos are aimed specifically at the EDL and its membership. Most are making the links between the members of EDL and their association with extreme right wing organisations such as BNP and Combat 18 and associating them with Nazi insignia and gestures. The screen shot below shows the extent of videos associated around the event, the majority of which have an anti-EDL message.


Search options "edl leicester" results 1 - 20 of about 56


- 


EDL Leicester promo.wmv
EDL will be coming to Leicester in October on a date TBC... Make sure you are there.
by MrReece123 | 2 weeks ago | **805 views**
- 


EDL Leicester Preview
EDL organizer Jeff Marsh told the Nazis from the EDL Swansea Division that they'd be arrested if they attended any future EDL protests, now he ...
by CV2290 | 3 months ago | **2,711 views**
- 


EDL Leicester Preview
In Feb 2008 future EDL co-founder Paul Ray was arrested and released on bail on suspicion of inciting racial hatred, the charges against him were ...
by CV2290 | 2 weeks ago | **412 views**
- 


EDL Promo video for Leicester.wmv
COME AND JOIN US IN THIS BATTLE AGAINST RADICAL ISLAM. LEICESTER IS A HOTBED OF ISLAMIC ANTI-BRITISH RACISTS WHO WANT TO DO HARM ON A ...
by TheScepter | 2 weeks ago | **1,078 views**
- 


EDL Leicester Challenge
English Defence League protesters have been photographed giving Nazi salutes in Manchester, Birmingham, Leeds, London, Dudley and Stoke, but the ...
by bnprifo | 11 months ago | **16,225 views**
- 


EDL Leicester Promo, part 1
Part 1 of a radio documentary about the EDL, BNP, KKK, so-called British Peoples Party and Social Volunteer Force and other right-wing extremists ...
by eesatery | 1 year ago | **11,874 views**
- 

EDL Leicester Promo
Here come the Huns Two World Wars and One World Cup EDL Leicester Luton Bradford BNP Dudley Aston Lake Freedoms British Nazi Party NF Front Ten ...
by CV2290 | 2 months ago | **4,387 views**
- 

EDL Leicester + Luton Previews
The EDL seem to think they achieved some sort of moral "high-ground" after their protest in Bolton - conveniently ignoring how EDL supporters ...
by eesatery | 6 months ago | **26,583 views**
- 


EDL Leicester Riot Preview
English Defence League protesters giving Nazi salutes at last year's "protest" in Birmingham. Video of the EDL rioting and using racist insults ...
by UKFightback | 1 year ago | **29,573 views**
- 


EDL Leicester Preview
The EDL Welsh division - the Welsh Defence League - was founded by convicted knife criminal and Cardiff City hooligan Jeff Marsh (who was jailed ...
by eesatery | 5 months ago | **11,544 views**
- 


EDL Leicester & Luton Promos
This video was originally made by founding EDL member Paul Ray, and was posted on an EDL YouTube channel called LutonLionheart. I have NOT fe ...
by eesatery | 5 months ago | **9,956 views**
- 


EDL Leicester Riot Preview


 - EDL Leicester + Luton Previews
 - EDL Insult British War Dead


by horkisoox | 17 videos
- 


EDL - Dudley - The Return.wmv
As promised the EDL will continue to return to Dudley until our mission is complete.
by LEDEFox1 | 3 months ago | **3,256 views**
- 


EDL Openly Display Guns and Knives
People oppose the EDL because of what it is, not because of what some EDL activists say they'd like it to be, and the facts are simple - the EDL ...
by CV2290 | 4 weeks ago | **4,268 views**
- 


EDL + BNP vs British Army Muslims
BNP, NF and EDL supporters often pretend there is no such thing as a moderate Muslim, and pretend that all Muslims support Jihadi terrorism, but ...
by UKFightback | 1 year ago | **20,450 views**
- 

EDL - Casuals United promote Nazi music
After organising disastrous EDL protests in Swansea, Newport, Wrexham and Cardiff etc. football hooligan group Casuals United used their blog to ...
by bnprifo | 1 month ago | **3,209 views**
- 

EDL + BNP vs Indian & Muslim War Heroes
One fact extremist groups like the BNP, NF, EDL, SIOE and IslamUK will probably never tell you is that during the Second World War 2.5 million ...
by eesatery | 10 months ago | **4,108 views**
- 

New EDL Logo Unveiled
New EDL Logo Unveiled! www.youtube.com/EDL_Leicester Luton Bradford March for England 6th Anti-Fascion UAF Harrow Council Mosque Hate Meet
by FightbackUK | 2 weeks ago | **138 views**
- 

EDL + BNP vs British Military History, 1
One fact right-wing groups like the EDL, BNP, NF, SIOE and extremist Muslims like IslamUK and Insp 47 have will probably never tell you is that ...
by bnprifo | 11 months ago | **3,115 views**
- 


EDL + BNP vs British Military History, 2
One fact right-wing groups like the EDL, BNP, NF, SIOE and extremist Muslims like IslamUK and Insp 47 have will probably never tell you is that ...
by bnprifo | 11 months ago | **2,389 views**
- 


EDL + BNP Defend Christian Values
In July 2010 the Northampton Chronicle reported that BNP member and right-wing activist Darren Francis was jailed for having a sexual relationship ...
by eesatery | 1 month ago | **379 views**


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Advertisement


Featured Videos

- 

English defence league Leicester
edited video since last was removed.
by UKFightback | 1 week ago | **580 views**
- 


EDL - No Fear.wmv
The EDL will show no fear in their continuing battle against MU.
by LEDEFox1 | 11 months ago | **2,839 views**
- 

BNP Nick Griffin Humiliated on Monitoring Group
Sikh Hindu Parsi Muslim Asian Apartheid UK Luton L...
by UKFightback | 11 months ago | **24,786 views**
- 


NICK GRIFFIN LAUGHING STOCK
Monitoring Group Sikh Hindu Parsi Muslim Asian Apartheid UK Luton L...
by UKFightback | 11 months ago | **62,754 views**
- 

BNP Nick Griffin Humiliated on Monitoring Group
Sikh Hindu Parsi Muslim Asian Apartheid UK Luton L...
by UKFightback | 11 months ago | **40,827 views**


Videos near "Leicester"




EDL Leicester promo.wmv



EDL Leicester Preview



EDL Leicester Preview



EDL Promo video for L...

See more videos near "Leicester"

1 2 3 Next

Some search results that contain duplicates have been omitted. If you like, you can repeat the search with the omitted results included.

UAF information in the public domain

Previously UAF have mustered national support and have been supported by a number of organisations some of which are drawn from the extreme left wing. This has been added to by a local campaign by them to recruit local people including those from Hindu and Sikh communities to counter protest.

A UAF planning meeting at the local Adult Education Centre was disrupted on Thursday 9th September 2010 by 2 EDL members resulting in the arrest of both EDL members for assault and public order offences.

Information provided by local community members

An extensive consultation process has been ongoing since the announcement by the EDL that they intended to protest in Leicester. This has been conducted across a hugely diverse range of groups and communities. Independent Advisory groups have been convened and the overwhelming feedback received, thus far, clearly shows that a procession is likely to trigger serious disorder and divisions between communities.

A group calling itself the Muslim Defence League (MDL) or Muslim Defence Force (MDF) have indicated their intention to counter protest and attract young asian males to engage in violent confrontation.

The video asserts that the EDL visit towns and cities around the country. The visits are normally accompanied by attacks on Mosques and Muslim women and children.

Muslim Defence Force (MDF) (UAF)

<http://www.youtube.com/watch?v=quEuWLSLb-8>

Information provided by Al Aqsa

Al Aqsa is a locally based, large active Muslim organisation. Emails have been distributed under the name “Friends of Al Aqsa” which have referred to the activities of the EDL as ‘obscene’, ‘racist’ and ‘racist hooliganism’ and have been intended to rally opposition to the march.

DISCUSSIONS WITH ‘ORGANISERS’ OF GROUPS INTENDING TO PROTEST

Officers from my Force are currently in an ongoing dialogue with the representatives of the EDL, UAF and other counter protesting groups.

On 17th September 2010, initial discussions have been held with the EDL which confirmed their intention to march. They estimate an attendance of 2,500.

National experience shows that whilst the EDL utilise a tactic of putting forward a police liaison official this person often is unable to speak on behalf of the wider group and thereby secure their compliance during procession or assembly. The EDL have provided a short email expressing their intention to process. The email is lacking in detail with regards the applicant’s intent. No address is given.

FACTORS SUPPORTING A PROCESSION

Articles 9, 10 and 11 of the Human Rights Act afford protection for individuals and groups on the grounds of religion, freedom of expression, and assembly. These are qualified rights. (Public authorities may place such restrictions as are necessary in democratic society for the protection of public order (Article 9) or the prevention of

disorder or crime (Articles 10 and 11.)) Public authorities have a duty under the Act not to prevent, hinder or apply unreasonable indirect restrictions on peaceful protests and to take reasonable measures to protect peaceful protests in certain circumstances. The articles place a responsibility on us to facilitate peaceful protest and expression.

The written applications from both the EDL and the UAF made no mention of an intention to create disorder or divide the community.

Although the stated intentions of the EDL are peaceful the experience elsewhere evidences that extreme elements are attracted to these events and act as a trigger for the commission of serious acts of disorder.

FACTORS AGAINST A PROCESSION

S13 of the Public Order Act 1986 states that a Chief Officer may apply to the Council of a District for an order prohibiting a procession where circumstances existing in the District mean that powers under Section 12 would not be sufficient to prevent serious public disorder.

To be effective a Section 12 Notice needs to be given to the persons organising or taking part in the procession. In this case it is expected that no one individual will identify themselves as responsible for the whole of a group of protestors therefore practically preventing the application of the law.

Experience also shows that it is extremely difficult to impose conditions spontaneously on a large number of people.

It also seems to me from the evidence described above that the potential for public disorder is so great that even if conditions under S12 could be communicated they would not prevent serious public disorder.

Therefore I have given careful consideration to my powers under section 12(1) Public Order Act 1986 and do not believe that placing additional restrictions on organisers or representatives would reduce the risk of serious public disorder.

The risk of serious public disorder is as follows. My professional assessment of the evidence gathered indicates that the EDL's presence in Leicester will create division and provoke a violent reaction within the local community. This will undermine all that has been done in the recent past to retain community cohesion within Leicester City and the surrounding areas. Although the EDL publicly presents itself as being against extremism, in reality previous protests have witnessed provocative behaviour, including anti Islamic chanting, the targeting of Asian businesses and the abuse of ethnic minority groups. There is also local intelligence which suggests that a local mosque will be attacked. The decision to hold the event in Leicester is seen by community leaders as being profoundly insulting.

The railway station is situated near the central mosque and community leaders have voiced considerable concern regarding the potential for conflict.

Section 71 of the Race Relations Act 1976 (as amended by the Race Relations (amendment) Act 2000) places a duty on public authorities to promote racial equality. An Equality Impact Assessment (EIA) has been drafted in relation to the impact of the procession planned by the EDL and the counter procession by UAF. The assessment is the subject of ongoing review. It concludes that, in the context of Leicester, where wards close to the city centre have upwards of 90% Muslim households, that allowing a procession by the EDL is likely to provoke a violent reaction and will not promote equality of opportunity and good race relations. Indeed it is liable to have the opposite effect and damage community relations. The EIA reinforces my application to request a ban of procession.

I am aware of the freedoms of expression, thought and assembly enshrined in Articles 9, 10 and 11 of the Human Rights Act. I am also aware that these are qualified rights that may be subject to restrictions if necessary in a democratic society. I am of the view that the prohibition of the procession is necessary in the particular circumstances of this case.

Dated this day of September 2010

Signed:

Simon Cole

Chief Constable
Leicestershire Constabulary