

# Legalities

The Cut the Ties campaign has been prominent in London and as a result the police recognise and react to our actions swiftly. Although it is not definitely the case you should be aware that rebels have been arrested on Cut the Ties actions for the crime of “coming equipped to cause criminal damage” and picked up for carrying stickers whilst walking with rebels carrying fire extinguishers. All charges were subsequently dropped but it is worth being aware of this possibility when planning your action.

- Anyone doing actions should have completed [Non Violent Direct Action \(NVDA\)](#) training and [Know Your Rights \(KYR\)](#) training. Both are regularly hosted online, and you can find out how to register via the links above.
- All groups taking action that could potentially result in police involvement should read [the guidance from XR Arrestee & Legal Support](#), and request a legal briefing from [xr-legal@riseup.net](mailto:xr-legal@riseup.net).



Should rebels be arrested during your action the table below outlines the types of charge you could be facing and the possible sentence.

Behaviour	Location	Potentially relevant legal issues
Assembling, occupying, being present	Public spaces where protest conditions are in place	Sections 12 and 14 (Protest conditions)
Obstructing / occupying / squatting ('die-ins', swarming etc).	Public roads, pavements, verges	Obstruction of the Highway; Public Nuisance
Obstructing / occupying / squatting ('die-ins', swarming etc)	Private roads / private property (e.g. shops, banks, etc)	(Civil) Trespass; Aggravated Trespass; (Civil) Private nuisance
Setting up stalls and distributing leaflets (but no commercial activities or littering)	Public spaces	Obstruction of the Highway
Banner drops	Buildings/street railings etc	Criminal Damage; Aggravated Criminal Damage
Spray painting / chalk spraying	Public or private property	Criminal Damage
Damaging windows (including by sticking things on them)	Public or private property	Criminal Damage
Being present (in any role, including banner holding, leafleting or livestreaming) when an action is carried out, especially criminal damage actions	Public or private spaces	Same offence as the “arrestable” activists under Joint Enterprise
Flyposting (even using water-soluble paste)	Private or public spaces (e.g. windows, bus shelters, etc).	Flyposting offences; Criminal Damage
Flyposting (even using water-soluble paste)	Near/on roads	See Banners and Roads - Legal Support Briefing
Leaving behind objects	Public land, or private land which is accessible to the public	Littering; Fly-tipping
Blocking entry to doors	Private land (e.g. inside a shop or bank / outside shop or bank)	Aggravated Trespass
Subvertising	Existing advertising spaces	Criminal Damage; Flyposting offences
Playing loud music / samba bands etc.	Public spaces	Public Nuisance; Breach of copyright; (Civil) Private Nuisance Bye-laws/location-specific restrictions
Use of fire / flammable objects (e.g. flares)	Public or private property	● Criminal Damage; Aggravated Criminal Damage; ● Arson; Section 80 of the Explosives Act - see Uncommon Forms of Protest - Legal Support Briefing ● Section 22a of the Road Traffic Act - see Banners and Roads - Legal Support Briefing
Locking on / gluing on	Public land (including roads, pavements etc)	● Locking on ● Criminal Damage ● Obstruction of the Highway

Behaviour	Location	Potentially relevant legal issues
Locking on / gluing on	Private land	● Locking on ● Criminal Damage ● (Civil) Trespass ● Aggravated Trespass
Having lock on equipment or any item intended to be used for locking on	Public land; private land other than a dwelling	Being equipped to lock on
Any behaviour (scaling, painting, banner drops) which has the potential to injure someone else (e.g. falling objects etc)	Private or public land	● Aggravated Criminal Damage
Any behaviour that the police deem is obstructing them in their lawful duty	Private or public spaces	● Obstruction of a Police Officer
Chanting/shouting/communicating (e.g. via banner/signs) messages which others could find threatening	Private / public spaces	● Breach of the peace; Affray; Violent Disorder
Obstructing a work place, such as a construction or drill site, and preventing people from working	Public Land	● Obstruction of the highway ● Section 241 of Trade Union and Labour Relations Act