

'Piggy in the middle'

**A dialogical approach to the policing of
protest and the balancing of human rights**

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Abstract

The right to peacefully protest is an intrinsic part of a democratic society and embedded in UK history and tradition. The police are responsible for managing public order and facilitating peaceful protest, and this has not been without criticism. On occasions the police have found themselves in opposition to protest groups and there have been incidents of disorder as a result. In response, the development of police liaison officers in the UK has presented the police with a tactic that provides a gateway for dialogue between the police and those involved in protest, both prior to and during an event. There has been scant research into the use of dialogue between the police and protesters and the deployment of liaison officers. This research supports and contributes to this sparse body of research by providing further evidence of the value of dialogue between protesters and the police and advocates the role of Police Liaison Teams (PLT) as the conduit between protesters and police decision-making commanders.

The right to peaceful protest however is not absolute and must be balanced with the rights of those upon whom the protest may impact, such as businesses and local communities. The role of the police is as arbitrators in managing this legislative balancing act, however there is a dearth of research into the role that the police undertake in balancing competing qualified human rights in protest events. This research seeks to address this lacuna by arguing that implementing a dialogical approach allows the police to balance such competing rights. Using semi-structured interviews with forty-eight police commanders, liaison officers, members of protest groups, businesses and other interested parties, this thesis provides evidence over two contrasting case studies; the policing of the badger cull in Devon and Cornwall and the policing of an English Defence League (EDL) march in Liverpool. This research argues that the police are emplaced not in opposition to those wishing to protest but as *“piggy in the middle,”* arbitrating between all interested parties and balancing the competing human rights of all those affected by the protest event. In addition to utilising the Elaborated Social Identity Model and the Flashpoints Model, both approaches which are further explored, the thesis also considers procedural justice theory as a base for examining dialogical policing. Further, this research argues that all three approaches are epistemologically compatible and combined provide a sound theoretical foundation from which a dialogical approach with both protest groups and other interested parties may be analysed. Furthermore, this thesis argues that there is value for all interested parties in engaging in dialogue and proposes that the application of a dialogical approach assists the police to balance the rights of all those engaged in the event and reduce conflict, by providing an open, proportionate and procedurally fair response.

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1. Introduction

“There may be times when we are powerless to prevent injustice, but there must never be a time when we fail to protest”
(Elie Wiesel, Nobel Lecture, 11th December 1986)

This research explores the contribution that a dialogical approach has made to the policing of protest and the balancing of competing human rights at protest events in the UK. Everyone has the right to freedom of thought, expression and peaceful assembly in the UK, and these rights are protected in legislation by the Human Rights Act 1998. However, the challenge for the police has been to balance these rights of peaceful protest with the rights of those who want to enjoy privacy and their possessions. This role of arbitrator includes maintaining the Queen’s Peace and upholding order through implementing public order legislation. On occasions, the policing of protest has witnessed outbreaks of disorder, where protesters¹ and police officers have come into conflict. UK history provides notable examples of such incidents, including the G20 London summit protests of April 2009 and a subsequent call for “a national overhaul of the policing of protests” (Lewis, Laville and Walker, 2009). Her Majesty’s Inspectorate of Constabulary (HMIC), responsible for independently assessing police forces and policing “in the public interest” (HMIC, 2017) examined the police response to protests that ensued at the G20 London summit. HMIC concluded that “the police have been deficient in communicating with protestors” (HMIC, 2009b p.73) and recommended that “the police should seek to inform themselves about the culture and general conduct of particular protest crowds” (HMIC, 2009b p.90).

In response, strategies were developed to enable engagement and communication with protest groups, pre, during and post-events (National Policing Improvement Agency, 2010). A key tactical option emerged with the development of dialogue officers as a tactical option, deployed as Police Liaison Teams (PLT) at protests events, identifiable by the wearing of distinctive light blue bibs and utilised to provide a “link between the police, protest organisers and protesters by focusing on negotiation, mediation, initiation, communication and sensing” (College of Policing, 2016b). Gorringer, Stott, and Rosie (2012) and D. Waddington (2012) advocated the use of PLT as an instrumental police option in the avoidance of unnecessary use of force in moments

¹ The use of the word “protester” was open to conjecture during the research conducted and is further discussed in later chapters. Where it appears in this research, the term “protester” is used as a collective noun to encompass all the individuals and groups identified in this research who were opposing, marching or demonstrating. It is recognised that participants in this research disassociated themselves from being labelled as such, preferring terms such as “protector,” “hunt sab,” “activist” or “demonstrator.”

of tension. Some critics have opposed the role since their first deployments, with claims that PLT are “suspiciously friendly” and in fact “spies in blue bibs” (NetPol, 2014).

This thesis will therefore examine the dialogical approach employed by the police in liaising with those engaged in protest prior to and during two contrasting events; protests against the badger cull in South West England in 2016 and an English Defence League march in Liverpool in 2017. Through the examination of data gathered from 48 semi-structured interviews conducted across both cases studies, the thesis will consider how a dialogical approach was extended to engage all those affected by the protest events. Further, the thesis will examine the contribution that this dialogical approach made to the balancing of the human rights of all those whom the events impacted upon.

The thesis will examine the concept of peaceful *protest* and consider a *dialogical* approach to policing them. Both terms will be explored within the following chapters. However, for clarity at the outset within this thesis; the term *protest* will refer to all forms of public expression (Liberty, 2016) whether in the form of a march, static demonstration, press conference, public or private meeting, counterdemonstration or sit-in; and *dialogical* will include all the terms identified to describe dialogue undertaken between the police and interested parties, such as liaison, negotiation, communication and engagement (for example, Waddington, 2012; 2016; Tyler and Blader, 2003; Stott, West, and Radburn, 2018).

A dialogical approach to policing protest events through the use of designated liaison officers in the UK can be traced back to origins in Sweden (Stott, 2009; Waddington, 2012; 2016). This chapter will by way of introduction provide a historical examination of the development of PLT as a tactical option in the UK through documentary research, mapping historical origins in Sweden (Holgersson, 2010) and the introduction of a dialogical approach to the policing of protest events in the UK (HMIC, 2009a). The chapter will conclude by outlining the scope and framework for this research.

Dialogue policing in Sweden

The US-EU Summit of leaders of the United States and European Union took place between 15th and 16th June 2001 in Gothenburg, Sweden. The summit attracted protests and demonstrations, including demonstrations against then US President George W. Bush, against Swedish membership in the European Union, and a demonstration “for another Europe” (Wahlström, 2011). Although most demonstrations passed peacefully and without incident, isolated incidents

of disorder were reported on the eve of the summit, with reports of over 200 arrested as environmentalists and anti-globalisation activists “clash with Swedish riot police” (Webb, 2001).

As the US and European leaders held their summit, confrontations continued between demonstrators and the police, which resulted in two days of riots with numerous demonstrators and police officers injured, extensive damage caused and reports that one demonstrator had been shot. The actions of those engaged in violence was condemned, and British Prime Minister Tony Blair described it an “outrage” that peaceful demonstrations had turned into “thuggery” (Black and White, 2001). However, there were also allegations that the police had overreacted during the events, and “complaints of police heavy-handedness from the organisers of protests that were supposed to be peaceful” (Black and White, 2001). The initial support the police had received from the public and the media for their heroic restoration of order gave way to critical scrutiny of their actions (Wahlström, 2011) both during the summit and in their planning prior to the policing of the events.

Wahlström (2011) noted that there was a significant criticism of the Swedish police in that they failed to differentiate between the separate groups within the body of demonstrators and police each group proportionately. Hedkvist (2004, p.5) observed that the police “tried to control the political resistance expressed by the many organizations, political parties and grassroots networks in the demonstrations.” Instead of identifying individual groups within the whole protest, demonstrators were policed as a single group and all participants were prevented from marching, threatened with arrest and contained by the police (Dissent!, 2001). When the demonstrators responded with pressure on the police cordon, “the police made a quite blunt attack with horses and dogs that triggered a riot on the main avenue in Gothenburg” (Wahlström, 2001 p.23).

At the behest of the Swedish government, the Gothenburg Committee was formed to investigate the policing of the events of June 2001, and their report criticised the preparation, tactics and organisation of the policing of demonstrations and highlighted “serious deficiencies in crowd management training for the police as well as deficiencies in terms of know-how” (Holgersson, 2010 p.15). The Gothenburg Committee highlighted a lack of police understanding and application of crowd psychology theories, such as Elaborated Social Identity Model (for example, Reicher, 1996; Drury and Reicher 1999) and the effects of police action on a group of demonstrators. Holgersson explained;

“If the police carry out a collective intervention against demonstrators, it creates an ‘us versus them’ situation which may lead to that a group which started out as heterogeneous will unite through the perception of the police as an assailant. This leads to a considerable risk that the conflict may escalate and that the police may be obliged to resort to increasingly robust methods. This may have the effect of increasing group solidarity still further in the group.” (Holgersson, 2010 p.50).

The Gothenburg Committee observed that the dialogue between the police and demonstration leaders was clearly deficient, and concluded that the issues that arose would appear to be as a result of a “lack of communication with demonstrators on the part of the police” (Betänkande av Göteborgskommittén, 2002 p.3). Wahlström (2011) noted that dialogue had only been implemented by the police at a late stage in the planning for protest. Adang (2011, p.71) described the events that occurred in Gothenburg as “the dialogue that failed.” Dialogue policing was at this time in its infancy and had not yet been established as a police tactic in Sweden, and Adang observed that the dialogue officers that were deployed established only a limited trust with demonstration group leaders.

The Committee therefore recommended that the police should develop dialogue as a working method to ensure “dialogue between the Swedish Police, political organisations and other opinion-shaping groups prior to major events” (Betänkande av Göteborgskommittén, 2002 p.5) to break down mutual suspicion. The Committee recommended selecting specific police officers to be assigned to conduct dialogue, and that these officers should be suited to the task and adequately trained, to build communication with protest groups. Ottina (2011) observed that this demonstrated a willingness by the Swedish government to acknowledge a role for protesters that highlighted their implicit values and recognised their power. In response, the Swedish National Police Board implemented a national model, which saw the implementation of a specific role in the Special Police Tactics Unit of “dialogue officer” with a Sweden-wide policing remit (Menzies, 2013). Holgersson (2010, p.6) noted that the officers provided “a link between the police command and organizers of demonstrations and manifestations before, during and after an event.” Holgersson further observed that the dialogue officers afforded police commanders a better understanding of different groups within the crowds, their cultural norms and legitimate intentions, and equipped the police to more readily facilitate peaceful protests, communicate intentions and proportionately intervene when crimes were committed.

Since their inception, the role of dialogue officer has become integral to the policing of protest in Sweden, and research has been conducted into the effectiveness of these designated and

trained officers (for example, Holgersson, 2010; Wahlström 2011; Baker, 2014; Stott et.al. 2016). Holgersson (2010) provided examples of incidents where dialogue officers had contributed to facilitating communication between commanders and demonstrators in Sweden and concluded (p.26) that “it was possible to avert and minimise confrontations through the work of the dialogue police officers.” In the context of protest policing in Sweden, a dialogical approach can therefore be viewed as one where two-way communication is encouraged between police and protesters, with an emphasis on relationship building to promote trust.

The development of police liaison in the UK

The Group of Twenty (G20), founded in 1999 and comprising 19 countries plus the European Union, is an international forum concerned with cooperation on financial and economic issues. A G20 leaders’ summit has been held annually since the inaugural Washington summit in 2008. The second summit took place on 2nd April 2009 in London, hosted by British Prime Minister Gordon Brown, and saw the attendance of over 20 heads of state to the city (G20, 2017). The summit also attracted widespread protests, many gatherings which were initially planned and organised online. Media reports over a week prior to the summit identified a wide range of groups who intended to demonstrate. These included marches from four London underground stations organised by G20 Meltdown; a protest by the London Anarchists; a Stop the War Coalition anti-war campaign focusing on Barack Obama's first presidential visit to Britain, a climate camp; and a march supported by the Trades Union Congress (Weaver, 2009).

On the eve of the summit, 10 separate protests and marches took place at seven London sites. Most passed off peacefully, however violent confrontations were witnessed between protesters and the police at the Bank of England and at Bishopsgate. Outbreaks of serious violence included the storming of a London office of the Royal Bank of Scotland, missiles being launched by demonstrators and an attack on a branch of the HSBC bank. BBC news reported 63 arrests, police officers and protesters injured, the death of a man who had collapsed (later identified as Ian Tomlinson), and that mounted police and “riot officers using shields” had pushed demonstrators back (Brown, 2009). The police were reported to have used "containment" and then "controlled dispersal" to address the situation (Brown, 2009).

The Metropolitan Police Service (MPS) were given a limited time to plan the police operation to deliver a safe and secure environment for the G20 summit, and the tight timescale provided a challenge for such a large operation with so many world leaders in attendance (HMIC, 2009a). HMIC (2009a) reported that the MPS planned and responded effectively regarding security,

notified protest and disorder. The policing of the protest was remarkably successful and, aside from a few high-profile incidents, passed without drama (Home Affairs Committee, 2009). However, the police management of protests in the City of London was the subject of criticism, those incidents that did occur had the potential to “seriously damage the public’s faith in the police” (Home Affairs Committee, 2009 p.2). Adang (2011) observed that the police were criticised for failures in communication. Adang noted that there had been little engagements between the police and the various groups who wished to protest prior to the event. Adang observed that although a legal team from the climate camp had meet with the police, this occurred the day before the camp, and the team were reluctant to provide the police with details of their intentions or numbers attending the protest event.

The policing of protest in the UK was at this time already under scrutiny. The Joint Committee on Human Rights, a cross parliamentary committee appointed by the House of Lords and the House of Commons to consider matters relating to human rights in the UK (Parliament, 2017), had issued a call for evidence in April 2008, and published their final report on 23rd March 2009, just over a week before the summit. The report concluded;

“We have found no systematic human rights abuses in the policing of protest but we have some concerns which can be addressed by legal and operational changes. Making these changes would further protect the rights of people who wish to protest in the UK.”

(Joint Committee on Human Rights, 2009 p.5).

The report emphasised a need to include human rights inputs in police training and advocated an approach to the policing of protest of “no surprises” for the police, protesters and for those the target of the protest. The report stated that the police should foster dialogue with protest groups and that protest groups “should also, where possible, engage with the police at an early stage in their planning, in order to facilitate peaceful protest” (Joint Committee on Human Rights, 2009 p.5).

Subsequently, the House of Commons Home Affairs Committee, a cross party committee largely tasked with examining the policies and work of the Home Office and associated public bodies (Parliament, 2017), reported on the policing of the G20. Their report, published in June 2009, provided recommendations for the future policing of protest events. The Committee accused police commanders of using language that served “to create a ‘them and us’ attitude” (Home Affairs Committee, 2009 p.11) in relation to protest groups prior to the G20. The Committee concluded that the police should train specific officers in communicating with protester groups.

The Committee stated that large protests should contain at least one officer trained and able to communicate with the groups, which would enable communications with the protesters “to take place on a consistent, codified basis, and increase the opportunities for large groups of protesters to be policed by consent” (Home Affairs Committee, 2009 p.12). In response, at the request of the MPS Commissioner Sir Paul Stephenson, HMIC conducted a review of the policing methods used on the day and published *Adapting to Protest* in July 2009 (HMIC, 2009a). The report addressed fundamental issues in the police’s approach to protests;

“During the review it has become clear that a number of police officers / police commanders have approached peaceful protest in terms of ‘is the protest lawful / unlawful?’ A better approach is to consider how to facilitate the peaceful protest but then to look at the implications.”
(HMIC, 2009a p.6)

HMIC concluded that the current national training manuals were severely lacking in the police response to the whole range of protest activity, specifically on the containment and release of peaceful protesters. The report stated that a key part of police training must be “the ability to differentiate between ‘disorderly’ and ‘peaceful’ protesters” (HMIC, 2009a p.59) to assist decision-making both for individual officers’ use of force, and the collective use of force as deployed by a commander during an event.

At the same time as publishing their first report, HMIC commissioned Dr Clifford Stott to provide an overview of literature on crowd psychology which impacts on the management of groups in a public order setting (HMIC, 2009b). Stott (2009) proposed a reform of public order training to reflect modern theories of crowd psychology based on the Elaborated Social Identity Model of crowd behaviour (ESIM). Stott argued that ESIM was the leading theory for understanding crowd behaviour, and replaced classic theory (for example, Le Bon, 1895) which was still perceived as the theoretical basis formulating police commanders’ rationale in the twenty first century (Hoggett and Stott 2010a; 2010b). Stott recommended (2009, p.1) an increase in the police’s “capability for ‘dialogue’ and communication with crowds and formally recognise these as primary tactical options for public order policing.” Stott also advocated the Swedish police approach to dialogue policing and the positive results documented in reducing disorder.

HMIC published a second report in November 2009, posing the question (2009b, p.5) “How best should the police as a service adapt to the modern day demands of public order policing whilst retaining the core values of the British model of policing?” HMIC advocated a new approach to policing crowds, stating (p.86) that there was “considerable evidence of the practical benefits of

a policing approach based upon principles of the Elaborated Social Identity Model.” HMIC also identified police deficiency in engaging with protesters and recommended that the police should adopt a no surprises approach in their communication with protesters and consider implementing a dialogical model like that adopted by the Swedish police. Further, HMIC identified a “confusion” regarding the legal framework for the policing of protest and provided an immediate recommendation that the police should ensure that public order training “consistently incorporates relevant human rights principles and standards” (p.63). HMIC observed that such training should not simply provide understanding of the Articles engaged at a protest event but should also educate commanders in the decision-making process required in balancing the rights of opposing groups.

The HMIC reports prompted a significant change in police public order training throughout the UK. Public order training was at that time governed in the UK by the National Policing Improvement Agency (NPIA), a non-departmental public body established to support police by providing expertise in such areas as information technology, information sharing, and recruitment (Government UK, 2017). In response to HMIC recommendations, a three-day development course was written by the NPIA to provide an update for operationally competent police commanders. The training was bespoke for public order silver (tactical) and bronze (operational) commanders, ensuring that public order command nationally reflected “the uniquely British Model of Policing that places high value on tolerant policing and policing by consent: the strategic driver” (NPIA, 2010 p.3). The course was mandated for all existing commanders and addressed areas such as crowd psychology, human rights and use of force. The course also required commanders to consider several different communication models advocated by HMIC in liaising with protest groups, and to consider applying such approaches in their commanding of protest pre, during and post protests events. Some of the approaches identified were based on experiences encountered from outside England and Wales (for example, in Sweden and Northern Ireland). Others found their origins within other areas of policing, such as the role of Family Liaison Officer (NPIA, 2010), a role where the officer interacted with the family during a major investigation, such as a murder enquiry, and provided close liaison with the police Senior Investigating Officer “to ensure families are treated appropriately, professionally and with respect for their needs” (NPIA, 2008).

The NPIA subsequently adapted the communication methods and initiated the development of the role of the dialogue officer, to be utilised in protest events in the UK. The development saw the NPIA act as advisors to police commanders during the deployment of officers in blue bibs as

liaison officers at Operation Obelisk, the Liberal Democrat conference in Sheffield, in 2011 (Bowen, 2015). Although liaison officers in light blue bibs had been deployed at earlier events, such as the Liberal Democrat conference in Liverpool in 2010 (Armitt, 2015), the role of the NPIA in Sheffield allowed consideration of the tactic at a national level. This prompted the Association of Chief Police Officers (ACPO) Tactical Tasking and Co-ordination Group (TTCG) to commission the NPIA to produce a bespoke course to train officers “who will be deployed as Protestor Liaison Officers (PLO) at public order or public safety events” (NPIA, 2012 p.3).

The first PLO course was written by the NPIA under the direction of Chris Bowen, with advice from Stott regarding academic considerations, and a pilot course was delivered at NPIA Bramshill in 2012 (Bowen, 2015). Further courses were delivered pre summer 2012 to train PLO in preparation for the policing of the Liberal Democrat’s party conference in Sussex, the Conservatives party conference in Birmingham and the Diamond Jubilee and Olympics in London. ACPO TTCG also agreed that the coloured bib to denote PLO officers would be light blue in colour (Bowen, 2015).

NPIA was dissolved in 2013, and the function of overseeing the National Police Public Order Training Curriculum lay with its successor, the College of Policing, launched in February 2013 as “the professional body for everyone who works for the police service in England and Wales” (College of Policing, 2015a). Following feedback, the College updated the training, reflecting the advantages that PLT had already brought to the policing of public order and public safety events (Roadnight, 2015). PLO were also renamed Police Liaison Teams (College of Policing, 2013). Roadnight (2015) explained that the change from “Protestor” to “Police” was made firstly to reflect the observation that many people traditionally labelled “protestors” did not favour that nomenclature. Secondly, it was recognised that on some occasions PLT could, and were, being deployed to events outside of protest, for example at raves and football matches. The change to “Team” was made to reflect the fact that officers should not deploy individually and were expected to work within a defined team structure. In this regard, it followed two other specialist tactical options of Forward Intelligence Teams and Evidence Gathering Teams (Roadnight, 2015). Seven police forces were licensed by the College of Policing to deliver the new PLT course (Blowe, 2013a).

In October 2013, PLT were included as a tactical option for public order commanders in the Public Order Section of Authorised Professional Practice, an open access web portal that provides “the official source of professional practice on policing” (College of Policing, 2015a).

PLT are defined as police officers who provide a “link between the police, protest organisers and protesters by focusing on negotiation, mediation, initiation, communication and sensing” (College of Policing, 2016b). Since their first deployments, the training and use of PLT at protest events has grown across the UK, and they have been “embedded as the primary tactic” for many in protest policing (Stott et. al, 2015). PLT have been deployed at significant events such as the Barton Moss environmental protest in Greater Manchester (Lloyd, 2014; Gilmore, Jackson and Monk, 2016), anti-fracking protests in Balcombe, West Sussex (Popham, 2013) and the policing of the Nato conference in South Wales (Deans, 2014).

Although there has been evidence of the positive effect the use of PLT has had on facilitating peaceful protest (Stott, Scothern and Gorringer, 2013), there has equally been criticism and opposition to PLT, particularly regarding their perceived role in the gathering of intelligence (NetPol, 2015). Those opposed have described PLT as being “suspiciously friendly in their pale blue bibs” (Blowe, 2013b), claimed that PLT were “not just there to make friends” but “play a 'pivotal role' in intelligence gathering” (Ecologist, 2012) or abused their role and intimidate protesters (Parkinson and Evans, 2012). In a report into the policing of the Barton Moss environmental protest Lloyd (2014, p.16) suggested that some protesters thought PLT “were there to gather intelligence rather than build rapport.” NetPol, “the Network for Police monitoring” wrote several articles on their forum warning protesters to avoid PLT and suggested that their intentions were solely to seek intelligence (NetPol, 2015). The forum claimed that PLT were a rebranding of Forward Intelligence Teams (FIT). The College of Policing (2016c) stated that the police tactic of FIT was used in establishing “dialogue with such individuals or groups, thereby gathering information / intelligence” providing police commanders with “fast-time updates.” However, NetPol strongly opposed the tactic “as we do not consider that protest should be considered criminal” (NetPol, 2017) and the use of FIT received much criticism on a website dedicated to contesting the validity of the tactic, Fitwatch, until the site was closed in 2010 (Apple, 2010). The College of Policing (2015b) defined police information as “all information obtained, recorded or processed for a policing purpose,” and defined intelligence as “information which has been subject to a process of evaluation.” The role of PLT as intelligence or information gatherers therefore would appear open to conjecture.

Despite the anecdotal evidence, there has been scant research into the use of PLT. A small cannon of research (Gorringer, Stott, and Rosie, 2012; Waddington, 2012; 2016; 2017; Stott, Scothern and Gorringer, 2013) was undertaken prior to the inclusion of PLT as a national tactical option (College of Policing, 2013). Since the inclusion, PLT research has been limited to

advocating a liaison-based approach to the policing of football (Hoggett and West, 2018; Stott, West and Radburn, 2018) and a critique of the policing of anti-fracking demonstrations in Greater Manchester (Jackson, Gilmore and Monk, 2018). In contrast to the use of dialogue officers in Sweden with a country-wide remit enabling a consistent approach and continual dialogue (Holgersson, 2010) the deployment of PLT in the UK remains on a local police force basis (Smith, 2015; College of Policing, 2016b) with a gap in research into a UK-centric approach. Furthermore, existing research solely examines a dialogical approach between police and protesters (for example, Gorringer, Stott, and Rosie, 2012; Waddington, 2012) or football supporters (for example, Hoggett and West, 2018), and has not examined the role that the police must undertake in balancing competing human rights of all those engaged in an event.

It is evident therefore that there have been differences in approaches to engaging in dialogue with protesters and utilising liaison officers in different countries and within the UK, although such differences are nuanced (Smith, 2015). This thesis provides further research into the approaches and examines a “dialogical” approach to policing protest events. The next chapter will evidence that numerous terms, such as liaison, negotiation, communication and dialogue are used, often interchangeably, to describe the interaction and will argue that significance is placed less on the term used and more on the extent into which dialogue is entered by participants (College of Policing, 2014a; Gilmore, Jackson and Monk, 2016). However, for clarity at the outset, recognising that the meaning of dialogue is not always consistent, this research will utilise “dialogical” to encompass all the terms identified and will focus less on the words used and more on the level of interaction.

A dialogical approach to the policing of protests

This research will therefore seek to contribute to scant existing research by examining the liaison between PLT and protesters at two contrasting events and considering the contribution that such a dialogical approach has made to the policing of the events. Moreover, the thesis will further extend research by examining a dialogical approach between the police and all interested parties engaged in the event. The research will argue that there is value for all those affected by a protest event to engage in dialogue with the police pre, during and post-event; protesters and those intent on holding marches and processions; counterdemonstrators; the business the subject of or affected by the protest; other agencies and authorities; and the public within which the protest occurs. Furthermore, this study will make a unique contribution by examining the role of the police as arbiter in balancing competing human rights and will argue that the employing of a dialogical approach between the police and all interested parties assists

in balancing competing human rights and promoting a procedurally fair approach to the policing of protest events.

To fill the lacuna identified, the remainder of this thesis is divided into eight chapters. Chapter 2 will present a review of literature relating to the policing of protest and human rights and Chapter 3 will examine a theoretical framework and a dialogical approach to policing protests. These chapters will allow an evaluation of the relevant literature and an exploration of the gap that this research will seek to fill. Chapter 4 will outline the methodological approach adopted, detailing methods selected and the rationale for selection, and will include insider and outsider considerations. Chapters 5 and 6 will present key findings that emerged during the study. Chapter 5 will detail findings from the first case study examining the policing of the badger cull in the South West of England in 2016, identifying interested parties and considering the dialogical approach employed. Chapter 6 will detail the second case study findings with an examination of the policing of an English Defence League (EDL) march in Liverpool in 2017 and will similarly consider dialogue engaged with interested parties pre, during and post the march. Chapter 7 will provide a discussion of key themes across both case studies and will evaluate the data to consider the contribution made by a dialogical approach to policing protest and balancing human rights. Finally, Chapter 8 will draw conclusions from the research conducted which will assist in informing local and national police policy and present considerations for all those engaged in or affected by the policing of future protest events.

2. Literature review

Introduction

Protest is “a defining feature of a working democracy” (Villiers, 1997 p.20) providing a means for public expression and is one of the foundations of a democratic society (Liberty, 2016). The power of peaceful protests is such that it has confronted and defeated “the military might of authoritarian regimes” (Waddington, 1994b p.1). The role of the police within this setting is as guardians of social stability and order (Jackson and Bradford, 2009).

This chapter will analyse the body of evidence documenting protest and police approaches, examine the change in police strategy from escalated force, through a negotiated management style (McCarthy and McPhail, 1998; McPhail, Schweingruber and McCarthy, 1998; Waddington, 1994) through strategic incapacitation (Gillham, 2011) towards strategic facilitation (Waddington, 2011; 2014; Gorringer et al., 2012) and beyond. Having established an academic grounding from which to view the policing of protest, consideration will then turn to the legislative framework within which the police must operate. Mansley (2014, p.10) surmised that “the art of protest policing lies in maintain the balance between liberty and order,” a balance rooted in human rights legislation which impact significantly on the policing of protest events. The chapter will explore the origins and implications of the Human Rights Act 1998 (Fenwick, 2009) and examine how peaceful protest (Mead, 2010) is framed in legislation. Examination will be made of case law and its impact on the decision-making of police commanders in balancing competing Articles contained within the Act (Rosie and Gorringer, 2009). Finally, the chapter will begin to examine the communication between police and protesters during events.

Policing and protest

Within the extensive body of research into protest, there exists varying definitions of what constitutes protest, and where protest might be considered as social action rather than public disorder. Turner (1968) examined indicators which predisposed the public to view collective disruption and violence as social protest and not acts of crime. Turner concluded that for such an occurrence, the protest first needed credibility and to be seen as just. Turner then observed that defining an event as social protest by those the target of the disturbance, in an attempt of

conciliation, prevented recourse to serious conflict. When a disturbance was defined as a protest by a third party, Turner concluded that this provided an opportunity for protest groups to coalesce. Finally, providing the definition of protest provided the authorities with a bargaining relationship with those engaged in the event.

In a letter to fellow clergymen, the incarcerated Dr Martin Luther King Jr wrote “One has not only a legal but moral responsibility to obey just laws. Conversely, one has a moral responsibility to disobey unjust laws” (King, 1963). Consideration might therefore be given as to whether protests involving disobedience to the law are still civil and even peaceful. Villiers (1997) argued that the motives of such protesters are significantly different to other law-breakers who do so for personal gain (such as the thief), for the thrill (the vandal) or because they do not accept the legitimacy of the state (the terrorist). Instead, protesters’ actions are to highlight their cause, and they do so fully accepting any consequences that their actions may bring.

Alternatively, King and Brearley (1996), further explored by Baxter (2001), defined protest in terms of types and suggested three typologies; political; industrial; and single issue conflict. King (2006) further extended the research to a fourfold typology; political; industrial; festival; and urban, although observed that this excluded protests relating to sporting events. King observed a recognition by the police that that policing based on such typology was “increasingly out of step with much contemporary protest.” Ratliff and Hall (2014) proposed six categories of protester activity; literal symbolic, aesthetic, and sensory; movement in space; solemnity and the sacred; civil disobedience; institutional and conventional activity; and collective violence and threats. Ratliff and Hall concluded across all categories that the actions of protesters, while sometimes confrontational, were overwhelmingly nonviolent, and that majority of all protester activity at protest events involved “literally symbolic, aesthetic, and sensory qualities” (p.268).

Protests however do not exist in a void, but within the community, whatever that community might be for a given event. The police themselves are also active within communities in a way that brings them in direct contact with protest crowds (Redekop and Paré, 2010), and have a duty to police protest events within the communities for whom they have responsibility. Within this role, Villiers (1997) suggested that there are two police responses; one as problem solvers, experts in managing conflict achieved by negotiation and finding a common ground; the other is that of law enforcement and may necessitate the use of force. Della Porta and Reiter (1998 p.1) defined the policing of protest as “the police handling of protest events – a more neutral description for what protesters usually refer to as ‘repression’ and the state as ‘law and order.’”

Willis (2001, p.15) described the policing of protest as “being largely characterised either by coercion or by compromise.” D. Waddington (1998) concluded that the police role was to strike a balance between liberty and order in liberal democratic societies whilst P.A.J. Waddington (1994b, p.14) further claimed that “for the police, protest represents a threat to public order.”

Della Porta and Reiter (1998, p.25) suggested how the police distinguished between "good" and "bad" demonstrators was based on their conception of "legitimate" protest, as well as on their expectations of the demonstrators' behaviour. Della Porta and Reiter further described a set of variables relevant to define different styles of protest policing (for example, brutal versus soft referring to the degree of force used; diffused versus selective referring to the number of repressed groups; illegal versus legal referring to police respect of the law; reactive versus preventive referring to the timing of police intervention). Such variables indicated the policing style, and della Porta and Reiter observed (p.3) that “police who repress a large number of protest groups, prohibit a wide range of protest activities, and intervene with a high degree of force are employing a diffused, repressive, and ‘brutal’ protest policing style.”

The definition of protest and the role of the police as law enforcers and arbitrators is therefore subjective. To further explore the role of the police in policing protests, the next section examines existing literature and seeks to identify trends in approaches to the policing of protest. The examination will commence at the early 1980s, when a change in legislation saw a new approach to policing develop.

Escalated force

The early 1980s was marked with a series of disorder incidents across the UK, including the England riots of 1981 in Brixton, Handsworth, Chapeltown and Toxteth, and conflict between the police and the striking miners in 1984. Indeed, Joyce (1992) described the 1980s as the “decade of disorder” and saw, notwithstanding the need to unpack what ‘disorder’ might mean, that a regular response was a series of actions between police and protest groups that pre-empted the use of what has been termed “escalated force.” HMIC (2009a, p.40) defined escalated force as “the increasing use of force to control large crowds.” McPhail, Schweingruber and McCarthy (1998) provided a more nuanced definition, referring to a police approach to protests where the police used force to disperse those who were engaged in demonstrations, even when those demonstrating were doing so to exercise their right of peaceful assembly. Mansley (2014) asserted that the theoretical framework of the police doctrine of escalated force was rooted in the classic theory of crowd psychology popularised by Le Bon (1895).

The Scarman (1981) report into the 1981 riots recommended a change to policing methods to make the police more accessible to the community. This, together with a review of the Public Order Act (1936), legislation that adversely affected the ability of individuals to engage in protest (Joyce and Wain, 2014) and the response to the 1980 Green Paper (Parliament, 2016) eventually saw a change in legislation and the emergence of the Public Order Act (1986) which came in to power in April 1987. Aided by the legislative changes, particularly the requirements of Section 11 of the Act for organisers to provide the police with written notification of an intended protest march (Public Order Act, 1986), police and protesters now engaged, which signified a move away from escalated force (Joyce, 2009) and led to “organisers having to negotiate with the police” (Joyce and Wain, 2014 p.262). This move in the UK reflected a change in the policing approach to protest across western democracies to a new epoch of policing by negotiated management (McCarthy and McPhail, 1998).

Negotiated management

The 1990s saw a marked change globally in the policing of protest, as an escalated force approach was replaced by a “negotiated management” process (McCarthy and McPhail, 1998; McPhail, Schweingruber and McCarthy, 1998). This approach saw the police negotiate with those wishing to demonstrate before the event to allow peaceful assembly and protest with minimal recourse to resort to conflict with the police (McPhail, Schweingruber and McCarthy, 1998). HMIC (2009b, p.40) defined the approach as “a police tactic emphasising co-operation and communication between police and protesters,” and observed that “the intent is to ‘de-escalate’ sensitive situations and reduce the likelihood of violence.”

Based on research into protest events in Washington DC, McPhail, Schweingruber and McCarthy (1998) proposed that police authorities utilised a system of standards to manage protests within public areas, which they entitled the Public Order Management System (POMS). McPhail, Schweingruber and McCarthy suggested that the police implemented three significant principles in policing protest; negotiation with all those affected by the protest; a planning process for the police or relevant authority; and an encouragement for those organising the protest to also plan for the event. Implementing such a system allowed the police to predict as far as possible the outcomes of a protest event and build communication links should the event not proceed as predicted. POMS examined the police response to demonstrators’ rights to peacefully assemble. McPhail, Schweingruber and McCarthy observed that the police either ignored or disregarded these rights under an escalated force approach, however considering these was of primary concern to the police in engaging a negotiated management approach. McPhail, Schweingruber

and McCarthy also observed that a tolerance for disruption within the community, not witnessed previously, was now prevalent under a negotiated management style of policing, where “an ‘acceptable level of disruption’ is seen by police as an inevitable by-product of demonstrator efforts to produce social change” (p.52). McPhail, Schweingruber and McCarthy further noted that the move from escalated force to negotiated management saw the emergence of an approach based on communication, allowing those engaged in protest more control internally rather than being controlled eternally by the police. This led to a removal of forceful arrests and to an approach where police use of force was a last resort. Although research was predominantly US based, McPhail, Schweingruber and McCarthy concluded that the key characteristics of POMS were present within the protest policing systems of England.

A negotiated management approach also became apparent in protest policing in the UK in the 1990s. In researching the Metropolitan Police, P.A.J. Waddington (1994b, p.69) observed that, “The principal method of securing compliance was through negotiation with the organizer of the protest.” Indeed, della Porta and Reiter argued that in the 1990s, the practical policing of protest in the UK changed;

“Lawbreaking, which is implicit in several forms of protest, tends to be tolerated by the police. Law enforcement is usually considered as less important than peacekeeping. This implies a considerable departure from protest policing in the 1960s and 1970s, when attempts to stop unauthorized demonstrations and a law-and order attitude in the face of the ‘limited rule-breaking’ tactic used by the new movements manoeuvred the police repeatedly into “no-win” situations.”

(della Porta and Reiter, 1998 p.6)

However, P.A.J. Waddington saw police negotiation as an extension of the police’s desire to maintain control and considered the process a bureaucratic result of the police inducing protesters to comply with their strategic intentions. When the police did negotiate, P.A.J. Waddington (1994b) elucidated, they were “spuriously” friendly “winning over” those intent on engaging in protest. P.A.J. Waddington concluded that this was not a balanced two-way equal power negotiation process, rather the balance of power lay firmly with the police. The negotiations were “less a process of ‘give and take’ and more that of the organizer giving and the police taking” (p.101). Joyce and Wain (2014, p.262) concurred, observing that the focus was on “organisers having to negotiate with the police.” Further, P.A.J. Waddington (1994a, p.373) described the police strategy as a “carrot and stick” approach, encouraging the leadership of the militant groups by “a mixture of coercion and accommodation, to comply with police wishes.”

P.A.J. Waddington argued that this process, implemented during the policing of the anti-poll tax campaign, witnessed the police providing “overt assistance” and concessions to those organising the protests in order to get them on side. However, P.A.J. Waddington observed that the police’s accommodating stance was coupled with the imposing of legislative powers under the Public Order Act (1986) to ensure that where there was threat of disorder, it was contained due to the conditions imposed, thus marginalising those perceived by the police as intent on causing trouble.

In further exploring the approach of negotiated management in the UK, P.A.J. Waddington (1998) observed that senior officers adopted a tactic of not arresting protesters and this formal policy was communicated to the rank and file officers through briefings to ensure that everyone understood the police strategy. However, P.A.J. Waddington postulated (p.123) that “a more significant problem lies in ensuring that constables and sergeants understand and accept what is expected of them.” P.A.J. Waddington surmised that protesters entered negotiation with the police pre-event and actively sought police assistance with demonstrations as without it their protest or march was more difficult for them to manage. However, P.A.J. Waddington argued (p.121) that when negotiating with those organising demonstration, the stance of the police was “one of proffering help and advice — ‘How can we help you?’ — ‘help you’, that is, to ‘do it our way.’” At the London protest events during which his research was conducted, P.A.J. Waddington observed an outward show of good relationship being fostered between police commanders and organisers on day of event. However, P.A.J. Waddington asserted that the police were subtly attempting to ensure they maintained as much control as possible over the protest.

P.A.J. Waddington questioned the extent to which the police bought into the negotiation process, observing that the police deployed numerous police resources in reserve and would revert to an escalated force approach if necessary. P.A.J. Waddington also noted occasions where a negotiated management approach was not implemented, including at key London locations, such as Downing Street, the Palace of Westminster and the American Embassy, outside where there was strict control of any protest. P.A.J. Waddington observed (1998, p.126) that any attempt at protesting at a royal occasion was “vigorously prevented.” P.A.J. Waddington also provided an example where a peace protester who tried to play a pennywhistle during the two-minute silence of a Remembrance Service was quickly arrested and taken away by the police without any attempt at negotiation. P.A.J. Waddington concluded from his research that there was a desire for the police to avoid confrontation with those organising

protest events by engaging in negotiation and accommodation. P.A.J. Waddington was less inclined to see this as a move towards a more democratic style of policing (della Porta and Reiter, 1998) and acknowledged a possible shift toward paramilitarism (Reiner, 1998), however concluded that the police “are also competent in achieving their goals by nonconfrontational means” (p.139).

King and D. Waddington (2005) posited that for a negotiated management approach to work, there was a prerequisite for the group of protesters to have a hierarchical order and structure that rendered the presence of leaders; representative of the group with whom the police may negotiate. King and D. Waddington noted a trend in the “proliferating anti-globalization / anti-capitalist protests of recent years,” (p.263), where the protesters consisted of leaderless, non-hierarchical groups, which assisted in confounding police attempts to utilise a negotiated management approach to control public order situations. Gorringe (2012) noted that the approach placed an alternative pre-eminence on the police to collaborate with protesters, even if such cooperation required the police to accept a low level of disruption to the public and to overlook symbolic actions which may technically constitute minor offences but were peaceful in nature. Villiers (1997, p.20) concurred, stating that “protest activity may be lively, forceful, and even confrontational, while remaining acceptable according to the mores and standards of the time.” Similarly, in his research into public order policing in the UK, Willis (2001, p.15) noted a new feature in the police approach, which was “rather less public-police confrontation and rather more accommodation” and that “policing today has become less adversarial and more rights-based.” Furthermore, Gorringe and Rosie (2008) suggested that the danger with a negotiated management approach was that those engaged in “genuine” protests were only able to express themselves in a way that was safe consensual and permitted by the police. Gorringe and Rosie concluded (p.200) that “protesters, thus, play a vital role in testing the limits of ‘negotiation’, rendering power visible and raising searching questions about the spaces available for democratic debate and contestation.”

The 1990s certainly saw a reduction in the number of major public disorder occurrences in the UK (Solomon et al., 2007). The specific contribution that a change from an escalated force to negotiated management approach made to such a reduction is unqualified, however the literature does suggest that a change in police approach and a focus on dialogue was significant in the move from that of escalated force. There are other contributing factors however that may have been influential. Reiner (1998) noted that this change also coincided with a change in protest events, with the rise in the 1990s of “single-issue protests” for example against the

Newbury bypass, poll tax demonstrations and the emergence of Reclaim the Streets, which replaced 1980s disorder. However, as a new millennium dawned, there was another noticeable shift in protest across western democracies, identified by della Porta, Peterson and Reiter (1998) at the policing of transnational summits from the norm that had become one of negotiation;

“Are we witnessing the re-emergence of the escalated force model, or the development of a new repressive protest policing style? Can we observe a definite break with the de-escalating, negotiated model of protest policing that dominated the Policing of Transnational Protest in the 1980s and well into the 1990s? Or is the control of transnational counter summits an exception in a policing of protest that remains mainly negotiated?”
(della Porta, Peterson and Reiter, 1998 p.5-6)

Strategic incapacitation

As the new millennium began, Noakes and Gillham (2006) observed the emergence of “transgressive protesters” which led to a move in policing style to an approach of strategic incapacitation. Noakes and Gillham defined “transgressive protesters” as those perceived by the police to be “bad” protesters as opposed to the “good” protesters who engaged in negotiation. In researching mass demonstrations in the US, Noakes and Gillham observed a police perception that transgressive protesters had begun exploiting elements of a negotiated management approach and surmised (p.103) that because “transgressive protesters would not negotiate their tactics and plans ahead of time, police had to manage greater uncertainty.” Furthermore, transgressive protesters engaged in direct action that sought to disrupt the very protests that the police were seeking to facilitate. Therefore, the police were unable to rely on communicating with demonstrators and had to adopt an approach that was removed from that of negotiated management approach.

Noakes and Gillham however did not see this as a return to escalated force, rather a “new penology” where the police used new tactics to disrupt and disperse demonstrations when negotiation with protesters was not possible. Noakes and Gillham observed a new approach to address transgressive protesters, which included; restricting their access to certain large areas near to primary protest locations; creating protest-free zones; a zero tolerance for transgressive protesters where legislation was aggressively enforced; a strategy of using force, including less-lethal options such as tear gas, pepper spray and rubber bullets, to specifically target transgressive protesters; and the use of surveillance tactics to incapacitate demonstrators. This new approach was a step away from a negotiated management style where force was used as a last resort. However, Noakes and Gillham (2006, p.111) argued that this was not a return to

escalated force but “a third response to political protests, which we refer to as the strategic incapacitation style of policing protests.” Noakes and Gillham observed the approach implemented where the police selectively incapacitated those protesters, particularly the group leaders, who were seen to pose the greatest danger to an event or location. The police approach was to remove selected transgressive protesters and incapacitate them temporarily, such as by containment or arrest, thereby creating obstacles to their participation in demonstrations. Noakes and Gillham concluded that when arrests were made, subsequent prosecutions were a rarity, leading them to deduce that the primary reason for arrest was to incapacitate transgressive protesters rather than administer punishment.

Gillham and Noakes (2007) theorised that a return to an escalated force approach was unlikely, however argued (p.353) that the police move to an approach of incapacitation had largely passed under the radar of public criticism “partly because the tactics employed by some transgressive activists are not seen as legitimate by the mainstream media and public.” Gillham and Noakes argued that the demonstrations highlighted the limitations of a negotiated management approach and observed that other police chiefs in the US had followed suit in implementing a new strategy. Gillham and Noakes provided the caveat that the approach did not result in the police abandoning negotiated management for those protesters who were willing to negotiate with the police.

At the same time, della Porta, Peterson and Reiter (2006, p.1) opined that “protest increasingly tended to target international institutions” and this heralded the emergence of a new policing approach. Della Porta and Reiter (p.13) argued that the police adopted three identifiable strategies in the policing of protest events; “coercive strategies” whereby the police control protests by deploying tactics that involve the use of physical force; “persuasive strategies” where control is gained through entering into discourse with organisers of demonstrations; and “information strategies” where control is gained through an information gathering approach where potential troublemakers are targeted in order to attempt to prevent disorder. In their research into the policing of the G8 international summit in Genoa, della Porta and Reiter documented the police approach following the strategies summarised. Della Porta and Reiter noted persuasive strategies implemented whereby “red zones” were erected to barrier off a large area to prevent access to anyone intent on violent protest. This approach was supported by over one hundred thousand border checks. In utilising persuasive strategies, della Porta and Reiter noted that the Italian police “did not favour the element of negotiation, even though police leadership repeatedly claimed attempts to establish a relationship and open lines of

communication with protest movements” (p.17). Any attempts at negotiating were only implemented late in the day. Information strategies centred on the collection of indiscriminate data and misinformation provided by the police. Della Porta and Reiter concluded that the most apparent policing approach in Genoa was the use of “brutal coercive strategies” (p.19) littered with excessive use of police force, and a clear departure from a negotiated management approach.

Gorringer and Rosie’s (2008) examination of the police of protests at the G8 summit in Gleneagles, Scotland in 2005 provided a study into the strategy the police were implementing in the UK in approaching policing of protests at international summits. Gorringer and Rosie argued that the negotiated management approach could not be absorbed in its entirety into UK policing, however posited (p.187) that this approach “works best when both sides are committed to negotiation and that police stereotyping or protester intransigence can lead to the escalation of any given event.” Gorringer and Rosie observed the interaction between police and protesters and noted that where the police adopted an approach in line with negotiated management, there was minimal disorder and disruption. However, empirical research provided evidence that the parameters of such an approach were clearly set by the police in Scotland. Where the parameters were exceeded, such as an attempted breach of a fence by the protesters, or a sit-down protest nearby, Gorringer and Rosie observed a departure from negotiation in favour of police intervention, regardless of the actual intentions of the protesters. Gorringer and Rosie also detected a different police response determined by the group’s identity;

“Where Christians were ushered to the gates, G8 Alternatives were allowed, reluctantly, to march and ‘anarchists’ were subject to more ‘robust’ policing.”
(Gorringer and Rosie, 2008 p.194).

Werren (2014) attributed the shift in policing style to an increased use of information gathering and surveillance in order to assess risk. Regarding strategic incapacitation, Werren suggested (p.22) that the style “reflects the desire for police to maintain control over an unpredictable situation” and that this desire can conflict with the aims of those organising the protest “who often see an element of surprise and unpredictability as essential requirements for a successful and noticeable protest.” De Lint (2005) also noted a change in the policing of protest in Canada and referred to the style as a “hybrid police form.” De Lint argued that the policing style was marked by the merging of a community-based approach with an intelligence-led focus and concluded (p.196) that it was “not simply becoming more ‘soft hat’ or ‘hard hat’: it is both.” De

Lint however provided the caveat that consequentially such an approach also exposed dangers to policing by consent.

Contrastingly, Vitale (2005) suggested an alternative progression from a negotiated management approach. Vitale's study into the policing strategies employed by the New York Police Department (NYPD) at large demonstrations provided evidence of a new style of protest policing which Vitale entitled "command and control." Vitale observed police attempts to "micro-manage" (p.283) the demonstrations thus attempting to prevent outbreaks disorder and disruption to the local community. Vitale noted that this approach was significantly different to previous strategies, as the NYPD sought to set clear and strict guidelines for those engaged in demonstrations to limit their recourse to disorder. Vitale noted that negotiation with organisers was significantly limited, however argued that this approach did not mark a return to escalated force, as the NYPD sought to plan and prepare to such an extent that limited the use of force. Vitale observed that where force was used, this was in a managed process that sought to regain control over those engaged in the demonstrations. Vitale asserted that the command and control approach was based on the NYPD "infatuation" at that time in promoting the philosophy of maintaining the "quality of life" of those living in New York City, based on the "broken windows" theory (Kelling and Coles, 1996). This theory advocated a zero-tolerance approach to minor crimes in order to promote an atmosphere of law and order, thus preventing more serious offences. Vitale witnessed the embodiment of the theory in the NYPD strategic intention to eliminate disorder at demonstration events across a six-year period. Vitale concluded that where the approach had been successful in earlier demonstrations in New York, there was a vulnerability when the police faced either very large crowds or demonstrators who were intent on defying the police and resisting their controlling approach. In such incidents, Vitale witnessed the return to the use of high levels of force. Therefore, Vitale surmised that a command and control approach was a diversion from what had begun to work in the policing of protest and recommended (p.302) that the "police should re-examine the usefulness of the negotiated management approach to protest policing."

Button, John and Brearley (2002) also observed a change of approach when examining UK protest policing. However, rather than focusing on the police response, Button, John and Brearley argued that a contributing factor was a new trend emerging with those engaged in protests. Button, John and Brearley examined environmental activism protesting against the construction of the Newbury bypass and Manchester airport extensions and the emergence of the activist group Reclaim the Streets, and uncovered new, innovative tactics, which was they

argued “amount to a ‘professionalisation’ of protest” (p.17). Button, John and Brearley announced an emergence of “full-time protesters,” who were well trained in different tactics of protesting, and an adherence to unwritten but clear codes of conduct. Button, John and Brearley argued that some activists were engaged in several different campaigns, where they were joined by those who were only able to campaign in their spare time, united together to protest against a common cause. Button, John and Brearley observed that the protest groups did not present a hierarchical order or clear leadership structure and concluded that the police faced significant challenges in policing environmental protests and developing effective strategies to control what were very different protest tactics to what had been experienced in previous years.

Additionally, Button and John (2002) introduced the concept of “plural policing” in response to protest events in the UK. In examining the policing of environmental protests in England and Wales, Button and John noted that the police were only one of several organisations engaged in the social process of conducting protest, and observed that;

“A complex range of agencies has become involved in the policing of environmental protest. They include a variety of private agencies such as private security firms, bailiffs and the under-sheriff; agencies such as the Health and Safety Executive and Benefits Agency; and the police.”

(Button and John, 2002, p.111)

Button and John observed that the police commanders had received specific training in public order, however other agencies, such as the under-sheriff, had received no training. Button and John argued a need for transparency in professionalising the role, which should include defined national training.

Contrastingly, Mansley (2014) concluded in his research of this period that there was a general decline in the level of collective violence over the 2000s. However, Mansley observed that the policing style during this period also changed, moving towards hard policing (della Porta and Reiter, 1998), which Mansley summarised as a move from negotiated management and a return to a police paramilitary structure in dealing with public disorder (Jefferson, 1990) as experienced in the 1980s. Mansley attributed this shift to a combination of better police public order equipment, the use of additional legislation, such as counter-terrorism laws, with increasing regularity, and the development of hard but non-lethal tactics, such as containment. The significance in this movement to a harder policing style, Mansley summarised (p.129), was that this style “is positively correlated with police violence.”

The events of the late 2000s and subsequent HMIC reports (2009a; 2009b) brought the policing of protest to the fore in the UK and the police approach was scrutinised under the national microscope. Immediate recommendations stated that the police should seek to improve dialogue with both protest groups and the public through the media, prior to events (HMIC, 2009a), and dramatic changes to the training of police commanders were implemented throughout the UK (NPfA, 2010). In addressing HMIC recommendations, Gravelle and Rogers (2011) introduced what they describe as a “smarter way” for the police in engaging protesters and adopting a “no surprise” communication philosophy (HMIC, 2009a; 2009b). Gravelle and Rogers noted that the concept of the public as “customer” was comparatively new to the world of policing, and although this brought with it some reservations internally in the nuance of language utilised for those with whom the police interacted, it signified an increasing desire for the police to increase public confidence and engage with their communities. Gravelle and Rogers suggested (p.8) that with such a drive for increased professionalism “correctly implementing ‘Corporate Social Responsibility’ as a definitive basis for public order policing could offer a real and robust option” as the police sought to re-engage with society and reaffirm the desire to police by consent.

Gravelle and Rogers (p.8) noted the significance of the concept of Corporate Social Responsibility (CSR), increasingly prevalent in both private and public sectors, as businesses and organisations “attempt to evaluate and minimise their impact on to the environment and society.” CSR in both sectors saw organisations making decisions based on ethical values, compliance with legislation and cognisant of maintaining respect for people, communities and the environment (Dahlsrud, 2008). Gravelle and Rogers conjectured that by applying a CSR approach to policing of protests, the police would emphasise their wider moral duty to the local community that stretched past the narrow view limiting their obligation to policing disorder and preventing and detecting crime. Gravelle and Rogers argued that when specifically applied to transgressive protesters, a CSR approach would place those protesting into a model of neighbourhood policing supported by a process of consultation and would break down barriers and stimulate community re-engagement rather than the enforcement approach typically applied by the police.

Enticing the theory may be, Gravelle and Rogers provide no empirical research in support that would champion such an approach in the policing of protest. Their observations do however herald a marked change in approach to the policing of protest post *Adapting to Protest* (HMIC 2009a; 2009b), and the emergence of a different approach, referred to as towards “strategic facilitation” (Waddington, 2011; 2014; Gorringer et al., 2012).

Strategic facilitation

As the new millennium entered its second decade, there was a marked shift in UK police approaches to demonstrations and policing protests, due to the changes in training and strategy highlighted in the **Introduction** chapter of this thesis. This change of direction saw a move from strategic incapacitation to what D. Waddington (2011) and Gorringe et al. (2012) termed “strategic facilitation.” Gorringe et al. welcomed the changes in attitude as police commanders translated theory into practical application and came to terms with a focus on facilitating peaceful protest (NPIA, 2010). In its infancy, Gorringe et al. observed different police approaches to manage the facilitation, such as the use of plain-clothed police officers, introducing themselves as “facilitators” during the “Smash NATO” demonstrations in Scotland in 2009. Gorringe et al. note that the police selected trained negotiators to undertake the role, chosen for their excellent “people skills,” and argued that this demonstrated that the police saw significant value in facilitating protest and had an appetite to implement innovative tactics. Gorringe et al. however observed that the approach was hampered, notably where police support units in numbers were utilised to contain protesters in place of the facilitators. Gorringe et al. noted that those engaged as facilitators were sincere and committed to engage, however questioned the influence that the officers had on police commanders and whether the main police strategy was to facilitate or to incapacitate those wishing to protest. Gorringe et al. accepted that the approach was in its infancy and argued that they had observed a new policing approach to protest, concluding;

“We may have just witnessed the start of a transition to what we might reasonably refer to as a ‘strategic facilitation’ approach. This hardly represents a revolution in police methods for handling public disorder, but it seems that the next stage in its evolution is unsteadily under way.”

(Gorringe et al., 2012 p.129)

The emergence of a strategic facilitation as a new approach to the policing of protest has been abetted by the introduction of PLT officers to provide a communication link between protesters and police commanders (College of Policing, 2016b). A literature review of research examining the use and effectivity of this approach as a tactical option will be further explored later in this chapter.

Different approaches to policing protests

Existing literature has described the different approaches to the policing of protest, from escalated force through negotiated management to strategic incapacitation and facilitation, as a sequenced historical development (for example, Vitale, 2005; Gillham, 2011; Waddington,

2011) with new social control strategies replacing earlier approaches and the failure of one approach being replaced by the next. However, within the literature, questions have been raised as to whether the shifts in approaches were more nuanced (Stott, Scothern and Gorringer, 2013) and whether the changing models of policing (Waddington, 2011) heralded new models or were a return to previous approaches (Noakes and Gillham, 2006). Despite the sequential nature described, research into the policing of protest continues to map the ebbs and flows of current police procedures and processes, and “organizational memory” (Walsh and Ungson, 1991) continues to affect the methodology used throughout the western world in facilitating protests. The emergence of movements such as Black Lives Matter in the United States has signalled a growth in demonstrations where the police are themselves the subject of the grievance as well as the authority responsible for policing resulting protest events (Reinka and Leach, 2017; Williamson, Trump and Einstein, 2018).

Others suggest a different transition ongoing in global protest prompting a more militaristic police response. Wood (2014, p.3) asserted that the policing of protest in “democratic, capitalist countries is now both more militarized and more dependent on intelligence gathering and pre-emptive control” than was the case previously. Although research concentrated on protests in cities in the United States and Canada, Wood claimed this trend has also been observed in Europe. Similarly, Myers-Montgomery (2016) observed a militarised police approach in the US that had appeared during recent protests, notably those calling for justice for the shooting of Trayvon Martin and Michael Brown, and the death of Eric Garner during his arrest. Myers-Montgomery suggested that the police traditional approach using dogs, batons and water cannon was now long gone and replaced with the use of armoured vehicles and sniper rifles. This militaristic standpoint meant that protests which had been peaceful until the police attended had the potential to denigrate into serious disorder between protesters and police due to the police armoury. Myers-Montgomery concluded (p.278) that “when police mistake city streets for a warzone and the community for enemies, we encounter the social problem we have today.” Such approach might be described as more akin to an escalated force approach rather than a new method of policing protest.

In drawing parallels closer to home, it is significant that UK police commanders do not have such US armoury available at their disposal. Indeed, the tactical use of water cannon, replaced with a more militaristic approach in the US, has never been an option for UK police outside of Northern Ireland, with then Home Secretary Theresa May refusing to authorise their use by any police force in England and Wales (Travis, 2015). However, Gilmore, Jackson and Monk (2016)

questioned whether the policing of protest in the UK has increasingly moved towards an authoritarian style. Conducted research into the policing of anti “fracking” protests in Greater Manchester, Gilmore, Jackson and Monk raised questions about “the nature of democratic accountability and public order policing in England and Wales,” and argued (p.4) that there was substantiated evidence that the policing operation that they observed “was violent, disproportionate to the size and peaceful nature of the protest and carried out with impunity.” Further, Gilmore, Jackson and Monk questioned the extent and gravitas to which the police facilitated peaceful protest;

“Negotiation appeared to be set as a precondition for acceptable protest; in this sense it appeared that ‘peaceful’ protest was only that which is negotiated with, and sanctioned by, police. For many protesters this was an unacceptable constraint placed on their disruptive, yet peaceful, action. The clear lack of trust between protesters and police prevented effective dialogue and this appeared only to become worse as the police operation became notably more physical, and the number of arrests increased, as the protest developed.”
(Gilmore, Jackson and Monk, 2016 p.20)

Therefore, despite the body of research that maps the policing of protest as a sequenced historical response, this research argues that a variety of approaches have been implemented at different times during this period applicable to the circumstances. Further, this research will argue that the different approaches to the policing of protests are a tool kit of possible responses available to police commanders and that police commanders utilised the approaches most applicable to achieve their strategies in policing the protests. The implementation by police commanders of different approaches will be explored in subsequent chapters.

Political influences on the policing of protest

Throughout the varying incarnations of police approaches, political influences and pressures (for example, della Porta and Reiter, 1998; Noakes and Gillham, 2006; Wood, 2014) have been identified as factors impacting on the police approach to protests. Wood (2014) examined protests in the US and Canada and highlighted (p.93) a variation in the “shared trajectory towards strategic incapacitation” based on the struggle that police departments had for legitimacy, influenced within the political framework both locally and nationally. Wood noted that although different police departments used similar approaches, their implementation varied greatly depending on the local political context. Wood noted an increased perception of police legitimacy intermingled with public fear in New York post the terrorist attacks of September 2001 and argued (p.79) that this allowed the NYPD to “control protester activity

more intensively that the police in other cities studied.” Noakes and Gillham (2006) noted a greater probability that the police would use force when protest was made at international events or where the event was attended by significant political figures. Similarly, researching anti-globalisation protests at the 2001 Summit of Americas in Quebec City, King and D. Waddington argued (2005, p.278) that “irresistible international pressure” made it “politically imperative” that the police would even “die in a ditch” if required, in order to protect the integrity of the summit and key political dignitaries in attendance.

Such political influence was also identified in Western Europe by della Porta and Reiter (1998) in police organisations that were “still-militarized.” Examining the policing of the G8 protests in Genoa, della Porta and Reiter argued (p.27) that the public order response was heavily influenced by political influences at “both the supranational and the national levels.” Della Porta and Reiter concluded (p.17) that the “government obviously retains a great potential influence on protest policing” and that the shift witnessed in the 1990s towards a softer style of protest policing appeared to have “gone hand in hand with a retreat of government from direct intervention.”

P.A.J. Waddington (1998) also identified political pressure as an impact factor in policing protest in the UK. P.A.J. Waddington highlighted events such as royal occasions or at key strategic locations where the police would divert from negotiation and resort to an escalated force approach, utilising numbers of police officers kept in reserve. P.A.J. Waddington argued (p.127) that this move was as a result of pressures from those “who occupy institutionalized positions of power” such as the Government, Parliament, the monarchy and foreign ambassadors. Mansley (2014, p.139) argued that the police were the embodiment of the state at political demonstrations, and this “style of policing is a telling indicator of the government’s priorities.” Mobbs (2009) was more damning of the state in his observations;

“If we look at the change in the policing of protest in Britain over the last decade it's clear that the state is seeking to stamp down on any action that seeks change “outside of the usual channels”. This limits protest to the scope of “regular” representative processes, such as letter writing, talking to your MP, or signing petitions – *in short, those things which don't create significant changes in the public debate because they happen outside the media and the public's gaze.*” (Mobbs, 2009 p.19)

The power of the state in protest events and the role of the police in facilitating protests provided further consideration. Such power may be contested by the very protests enacted.

Coleman (2004, p.30) argued a need to rethink the state and state power and observed that the state “is not a static body in time and space.” Further, Coleman et al. (2009) challenged the assumption that it was not possible to stand outside the ideology of the state and yet still engage in political policy. Coleman et al. argued (p.16) that there were several “counter-hegemonic groups that stand firmly and unapologetically in opposition to the state’s criminal justice agenda but still remain engaged with government in consultations, lobbying and policy work.” Johnson (1999) noted that the state did not have a monopoly on policing and observed that policing must be seen as a social function and not solely the domain of the police as a specific body. Although sparsely examined in this research, it is acknowledged that conflict theory (for example, Bartos and Wehr, 2002; Oberschall, 2010) provides further consideration when examining political pressures. Bartos and Wehr (2002, p.7) opined that conflict theory and its application could be “as useful for those dissatisfied with the status quo as for those who wish to keep things as they are.” Bartos and Wehr argued that at times, conflict management was the most effective manner to affect change of power, whereas at others, it was better to escalate conflict and contest power. Contrastingly, Weitzer (1995, p.283) argued that conflict theorists had “exaggerated the degree to which conflict theory explains policing and police-community relations in relatively integrated, democratic societies lacking civil strife.” In examining policing in Northern Ireland, Weitzer concluded (p.4) that conflict theory was better suited to “explaining policing where state repression and/or social inequality is extreme.”

The examination of the police approach to protest events and protesters will undoubtable continue to be examined, particularly in an age of intense public and media scrutiny (Soares et al., 2018). Rosie and Gorrington (2009, p.1) argued that the media had instigated and ignored “the very ‘abuses’ they are now so eager to condemn.” Greer and McLaughlin (2010, p.1050) further noted the rise of the “citizen journalist” in a world of readily available social media who have instigated a “collective realignment” of the established press, and a marked “transition from ‘protester violence’ to ‘police violence.’”

However, protest events do not occur in a vacuum and the police have finite resources in which to police demonstrations; as P.A.J. Waddington (1998, p.118) observed, the policing of protest events “is simply one of the many policing tasks with which local police deal.” Moreover, there are other interested parties, in addition to those protesting, whose human rights are engaged during such events, and the implications for the police in balancing these rights will be examined in the next section.

Protest and balancing human rights

“The unenviable task for the police service is to balance both the rights of those lawfully demonstrating against the rights of all other individuals within society.”
(Gravelle and Rogers, 2011 p.6)

Whereas much has been written on the policing of protest, there is scant mention within such a large body of literature of the balancing act that such a process necessitates. Indeed, where a “balance” is recognised, this invariably focuses exclusively on the police-protester relationship and relates to a balance between liberty and order (Reiner, 1998; Mansley, 2014). Accordingly, it has been described as the “balance between powers of the state and rights of citizens” (de Lint, 2005 p.181); the “balance between maintaining public order and protecting civil and political liberties” (Peterson, 2006 p.61) and the “balance between the competing requirements of facilitating protest and controlling disorder” (Werren, 2014 p.23). Further, della Porta, Peterson and Reiter (2006, p.3) argued that controlling protests required a difficult balance between the protection of law and order and the defence not just of the freedom of the individual, but also of “citizens’ rights to political participation, and thus the very essence of the democratic system.”

The balance between liberty and order necessitates facilitating peaceful protest (HMIC 2009a; 2009b). Rosie and Gorringer (2009, p.8) questioned the terminology as it gave the police “the discretion to determine who is and is not a ‘peaceful protester,’” based on police preconceptions of legitimate causes, and argued that there was a danger that “all protesters can be (and often are) presented as potentially violent.” Jackson, Gilmore, and Monk concurred (2018, p.17) and argued that the police perception of acceptable and unacceptable protest was not based on the threat of violence “but on the target or goal of a protest and a desire to be disruptive.” Mills (2015) criticised the use of civil legislation in seeking court injunctions to “control” protests and argued that this was an attempt to restrict the human rights of individuals wishing to protest. Further, Mobbs (2009) observed;

“There will of course always be disagreements over the extent of protest, but there exists today an obvious disparity between the stated ‘rights of the individual’ to free expression and association and the way in which the public’s exercise of those rights are policed.”
(Mobbs, 2009 p.20)

However, there are other relationships aside from that of police-protester which impact upon the decision-making process regarding facilitating peaceful protest. P.A.J. Waddington (1998, p.124) noted that “the police are duty-bound to balance the interests of everyone: protesters, motorists, bystanders, traders.” Wood (2014, p.16) described the challenge of policing protest as “networks of struggles” with external players such as activists, the general public, politicians and non-governmental organisations. In researching environmental protests, Button and John (2002, p.119) argued that the relationship between the under-sheriff and the police commander was “of particular interest.” Mansley (2014, p.10) further noted that there was a requirement for the police to “protect both the democratic rights of those wishing to engage in the democratic process by protesting, and the ‘peace’, rights and property of those wishing to continue their lawful business.” Dahlsrud (2008 p.6) described the balance of often conflicting concerns as “a challenging task.” Vitale (2005) surmised;

“As police departments review the varieties of strategies available to them in dealing with large and small-scale demonstrations they must attempt to balance the desire of residents and businesses to avoid disruption with the rights of demonstrators to express their views. The nature of that balancing point and how it is achieved is a constantly shifting equation.”

(Vitale, 2005 p.302)

The police therefore must facilitate peaceful protests within the legislative framework within which they operate. In the UK, this framework is provided by the Human Rights Act 1998. The next section outlines the key limbs of the Act and examines the legal structure within which the police must facilitate peaceful protest and balance human rights.

The Human Rights Act 1998

The Universal Declaration of Human Rights was adopted by the United Nations General Assembly on 10th December 1948 as a result of the experience of the Second World War (United Nations, 2015). The declaration of commitment to upholding dignity and justice was subsequently translated into law in the form of the European Convention on Human Rights, which was drafted by the nations of the Council of Europe (including the UK) in Strasbourg in 1949 and came into force on 3 September 1953 (European Convention on Human Rights, 2015).

However, it was not until 1998 that the Articles of the convention entered UK legislation via the Human Rights Act 1998, which came into effect in October 2000, and meant that human rights cases could now be taken to a UK court rather than to Strasbourg (Ministry of Justice, 2006). The Act had significant implications for all public authorities, including the police, as Section 6 made

it “unlawful for a public authority to act in a way which is incompatible with a Convention right.” A “public authority” was widely defined to include a court; a tribunal which exercises functions in relation to legal proceedings; and “any person certain of whose functions are functions of a public nature” (Ewing, 1999 p.89). Willis (2001, p.16) observed that the act would “have the effect of accelerating the drift towards a rights culture” and that policing would now become the guarantor of freedom of expression.

The Human Rights Act further places two types of human rights obligation on to public authorities; negative and positive. A positive obligation requires the authority undertake specific preventive or protective actions to secure human rights, whereas a negative obligation places a restriction on the actions undertaken by the authority. The UK Parliament website assisted in contextualising the obligations thus;

“An example of a negative obligation would include not placing unnecessary obstacles in the way of individuals wishing to protest. An example of a positive obligation would include facilitating counter protests or protests in the same geographical location. Positive obligations can require the state to take steps to protect individuals from the actions of other private parties (such as companies against whom people may wish to protest, or targets of protests against protesters).”
(Parliament, 2009)

The Act defines three categories of rights; absolute, limited and qualified rights. Absolute rights, for example the right to protection from torture and inhuman and degrading treatment (Article 3) can never be withheld or taken away by the state. Limited rights, for example the right to liberty (Article 5), may only be limited under explicit and finite circumstances (Ministry of Justice, 2015). However, of consideration for police commanders has been their decision-making where there is an engagement of qualified rights, “rights which require a balance between the rights of the individual and the needs of the wider community or state interest” (Ministry of Justice, 2006 p.3). Qualified rights include;

- The right to freedom of thought, conscience and religion (Article 9)
 - The right to freedom of expression (Article 10)
 - The right to freedom of peaceful assembly and to freedom of association with others (Article 11)
- (Ministry of Justice, 2015)

Articles 9, 10 and 11 form the basis of the rights of individual to participate in “peaceful protest” (College of Policing, 2013). Article 11 protects the right to protest peacefully but precludes participation in violent protests. It also places both negative and positive duties on the police; the police must not prevent, hinder or restrict peaceful assembly, nor impose restrictions that are unreasonable; however, in certain circumstances, the police have a duty “to take reasonable steps to protect those who want to exercise their rights peacefully” (College of Policing, 2016a). There are, however, competing qualified rights to those to peacefully protest, including;

- The right to respect for his private and family life, his home and his correspondence (Article 8)
- Every natural or legal person is entitled to the peaceful enjoyment of his possessions (Article 1 of Protocol 1)
(Ministry of Justice, 2015)

Interference with qualified rights is permissible only if there is a clear legal basis for the interference and the restriction fulfils “a pressing social need and must be proportionate to that need” (Ministry of Justice, 2006 p.57) as set out in the Articles. Further, all rights are to be read together with Article 17 which legislates that nothing in the Act may be interpreted as implying by anyone as the right to engage in “any activity or perform any act aimed at the destruction of any of the rights and freedoms” of the of the Human Rights Act 1998. Liberty (2011) paraphrased Article 17 in their guide that “none of the rights give anyone a right to engage in any activity that aims to destroy other people’s rights and freedoms or limit them in ways not set out in the Convention.”

The challenge for the police has therefore been managing protest situations that require “a fair balancing of competing rights” (Donald, Gordon, and Leach, 2012 p.78), for example in balancing the right to respect for privacy with the right to freedom of expression. Recognising the shortcomings identified by the HMIC, the police developed and incorporated comprehensive training inputs into human rights, in conjunction with Ms Jane Gordon, human rights legal advisor (HMIC, 2009b). The inputs were included in updated public order command training courses and subsequently PLT courses (NPJA, 2010; College of Policing, 2013) to ensure that the rights were “understood in practical and operational terms by individuals on the front line of public service delivery and applied to day-to-day service activities” (Gordon, 2010 p.619). In applying human rights considerations in operational settings, a police commander must therefore consider whether their decision “engages a convention right” and if so, whether the decision “restrict or limit any of the rights it engages” (Department for Constitutional Affairs,

2006 p.53). The following example is provided to assist in understanding the practical and operational implications of this application.

In 2012, SodaStream opened the UK's first EcoStream store in Brighton, a store which "pumps household products such as laundry detergents, beauty products and cooking ingredients into reusable containers" (Keenan, 2012). However, the store immediately attracted protests from pro-Palestine campaigners who claimed that the store's "eco-image disguises the fact that it has set up its factory on land confiscated from Palestinians" (Brighton and Hove Palestine Solidarity Campaign, 2014). There then followed two years of regular street protests by pro-Palestine campaigners outside the store in central Brighton, and this attracted pro-Israel campaigners who attended to voice their own contrary views. The protest and counterdemonstrations continued on a weekly basis until the closure of the store in 2014. Benedictus (2013) summarised the complexities of the protest;

"The shoppers on Western Road have been able to witness an ethical-consuming protest against an ethical-consuming shop – and latterly a protest against that protest too, from pro-Israel activists."
(Benedictus, 2013).

In identifying the qualified human rights engaged during these protests, consideration might be given to the rights of the pro-Palestine campaigners (Articles 9, 10 and 11), the rights of the pro-Israel campaigners (Articles 9, 10 and 11), the store owners and staff (Article 8 and Article 1 of Protocol 1), and the shoppers and local residents (Article 8 and Article 1 of Protocol 1). As all the Articles are qualified rights, a balance must be struck with competing rights. Further, all rights must be read in light of Article 17. There is a positive obligation for the police to facilitate both protest and counter protest in the same geographical location. The decision and rationale in striking a balance between the competing rights of all ultimately lies with a police commander. The results of this decision may determine the location and duration of each protest, and the perception of the validity of the decision may have a considerable impact on the demeanour and action of all parties involved in the protests.

Balancing qualified rights

Whilst providing clear direction and recommendations for the policing of protest post the London G20 demonstrations, HMIC recognised the "policing dilemma" that existed in balancing the rights of protesters and other citizens. The report clearly defined the police role;

“Presently, the police are required to act as arbiter, balancing the rights of protesters against the rights of the wider public, the business community and local residents. In dealing with this dilemma, the police must take a common-sense approach.”

(HMIC 2009a p.5)

Starmer (1999, p.169) described the balancing of qualified rights as the “need to find a fair balance between the protection of individual rights and the interests of the community at large.” Gilmore (2013, p.209) questioned the role of the police “as neutral arbitrators” and argued that “the official discourse obscures the fundamental power imbalance between the police and protest groups: they do not stand before the law as equals.” Nevertheless, UK legislation such as the Public Order Act 1986 placed requirements on the police in making legislative decisions and Neyroud and Beckley (2001 p.60) argued that the Human Rights Act has implication for the police “as both the guarantor of those rights and, as it seeks to enforce the law and balance the rights of victims, offenders and community, the agency most directly exposed to their effect.” Mead (2010 p.146) further observed that the right to peaceful protest “needs properly to be tempered by and balanced against legitimate security concerns and the need to avoid damaging disruption to the day’s business.”

In considering human rights, the police commander must balance the rights of individuals comprised in Article 11(1) of the Act, the right to freedom of peaceful assembly, against what Mead (2010, p.36) described as “the general (perhaps more nebulous?) community interest” comprised in Article 11(2) of the Act, namely that no restrictions shall be placed on the exercise of the right to peacefully assemble “other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety” (Human Rights Act, 1998). Neyroud and Beckley (2001) provided a case study to illustrate the tactical discretion in application;

“An extreme political grouping applies to march through the main town of the police area. Their presence seems likely to provoke violent counterdemonstrations and fear in the community. The police commander has to decide whether to permit the march or seek to ban it. In doing so he/she must balance the rights of the marchers and the local community and set the right tactics to achieve that balance”.

(Neyroud and Beckley, 2001 p.84)

Furthermore, the police commander must consider case law in applying a human rights approach and if restricting the right to peaceful protest (Parliament 2009) and be cognisant of

the rulings made by the European Court of Human Rights in scrutinising whether actions or decisions were relevant and sufficient in the circumstances (Mead, 2010). Thus, *Appleby and Others v The United Kingdom* [2001] ECHR 6 informed decisions regarding the positive obligations owed under Articles 10 and 11 to protect the right of the peaceful protest while at the same time balancing with those of property owners. In contrast, *Regina (Brehony) v Chief Constable of Manchester Police* [2005] QBD 23 impacted upon decisions made regarding restricting conditions placed on a counterdemonstration in close proximity to the protest outside a shop in Manchester. However, *Plattform Ärzte Für das Leben v Austria* [1988] EHRR 204 highlighted a breach of Article 11 where the police did not prevent the actions of those engaged in a counterdemonstration. *Percy v Director of Public Prosecutions* [2001] ADMN 21 outlined the balancing act between on one side facilitating freedom of expression and on the other corporate rights regarding Article 1 of Protocol 1 and of members of the public under Articles 3 and 8. *R (on the application of Laporte) v Chief Constable of Gloucestershire Constabulary* [2006] UKHL 55 provided consideration of Articles 10 and 11 pertaining to the immediacy of the apprehended breach of the peace. *Redmond-Bate v Director of Public Prosecutions* [1999] ADMN 23 had further bearing regarding the direction from which the breach of the peace came, Lord Justice Sedley ruling that Article 10 included freedom of speech that included “not only the inoffensive but the irritating, the contentious, the eccentric, the heretical, the unwelcome and the provocative, provided it does not tend to provoke violence” (Swarbrick, 2016). Additionally, *R (on the application of Hicks and Others) v Commissioner of Police of the Metropolis* [2012] EWHC 1947 contained implications under Article 5 regarding pre-emptive arrests, which were deemed as lawful “provided that at the time of the arrest there is an intention to take the arrested person before the courts” (Thomas, 2014).

It is in this legislative landscape with the backdrop of such case law that the police must make their decisions in an often-changing protest environment. However, as Clapham (2014, p.1) noted, the paradox for the police commander is that “the application of human rights law in court is almost always contested, with both parties to a dispute demanding that human rights law be applied in their favour.” Contrastingly, Gilmore (2013), who highlighted “dangers in relying on human rights law as a panacea for progressive reforms in public order policing” (p.211) also recognised the limitations of applying “abstract legal principles” in seeking to highlight “the repressive function of law and policing practices and the fragility of official interpretations of human rights” (p.63). Further Neyroud and Beckley (2001) observed;

“It is also important to recognise that police officers have both responsibilities and rights – to be protected, to private and family life and to freedom of

expression and assembly to name but three – and the balance between them and the rights of other citizens provides an additional complexity to the dilemmas of police managers.”

(Neyroud and Beckley, 2001 p.87)

If it is accepted, as Bronitt and Stenning (2011, p.320) argued, that “police work by its very nature is discretionary in the sense that it involves the exercise of choice or judgement,” then not only are the decisions made by police commanders key in the balancing of the competing human rights of those engaged in a protest event, the communication of the rationale behind such decisions may prove vital in facilitating the right of all. For as Bourne (2011, p.190) noted, “The right to peaceful protest is thus intrinsically and necessarily communicative.” The next section of this chapter will further explore a communicative approach to policing protest events.

Communication between police and protesters

D. Waddington (2007, p.59) argued that “The greater the police emphasis on police negotiation and communication with the crowd, the lesser are the chances of violence escalating.” However, different communication strategies have been witnessed applied when policing protest events. McPhail, Schweingruber and McCarthy (1998) observed that communication between the police and protesters was minimal under an escalated force approach. Della Porta and Reiter (1998) noted that the degree to which the police communicated with demonstrators defined their styles of protest policing from a confrontational to a consensual approach. P.A.J. Waddington (1998) suggested that a negotiated management approach placed a requirement for organisers of protesters to engage with the police. Alternatively, Joyce and Wain (2014, p.262) purported that “liaison between the police and protesters is not necessarily confrontational,” and argued that organisers realised they required police cooperation in areas such as traffic management, and would therefore voluntarily agree to police suggestions. Joyce and Wain concluded that opposition was more likely to come from those that do not accept authority of state and thus refuse to comply with legislative requirements. De Lint (2005, p.194) argued that “communications are the best way to improve public order practice.” Baker (2014) further observed;

“Dialog with protesters, by fostering communication, negotiated agreements and conflict mediation provides some degree of legitimacy and order to large-scale protest and the opportunity for peaceful dissent.”

(Baker, 2014 p.100)

Wahlström and Oskarsson's study into political protest in Gothenburg and Copenhagen (2006) mapped their findings against three stages of negotiation between police and protesters; entering into communication; coming to agreement; and the outcomes of such evaluation and its value to those engaged in the process. Wahlström and Oskarsson argued that if any value was to be gained from engaging in dialogue, it was essential that the police understood that their actions may both calm the situation and provoke protest, even when these protests were peaceful. Wahlström and Oskarsson concluded (p.120) that by breaking down mutual distrust and going beyond previous negative experiences, all involved parties in the protest would be satisfied, resulting in a minimal recourse to violence. Wahlström and Oskarsson further explored the trust between demonstrators and the police and observed that although most demonstrators saw value in engaging in dialogue with the police, some expressed serious doubts. Wahlström and Oskarsson attributed this lack of trust to a belief that the police were only engaging to attempt to manipulate protesters and gain information, and an expectation that the police would break their promises. Wahlström and Oskarsson suggested that this was exacerbated by a police desire to communicate with demonstration leaders, which was in direct conflict with the non-hierarchical order within the protesting community consisting of several autonomous groups. However, Wahlström and Oskarsson observed several occasions when the demonstrators and the police still tried to maintain lines of communication, despite the mistrust.

Atak and della Porta (2016) argued that police perceptions were negatively biased in labelling protesters irrational, dangerous and illegitimate, and such cynicism constrained a dialogical approach to policing protest groups. Redekop and Paré (2010) advocated an approach to protest policing where the police respected protesters as principled dissenters and in turn protesters respected the police as non-repressive public order agents. Redekop and Paré (p.17) proposed a relational system where the interests of the police and protesters were "mutually affected," and analysed the relationship that a protest crowd had with the police, as well as with the target of the protest, bystanders, media, counter protest crowd and society. Della Porta and Reiter (1998, p.21) argued that police-protester dialogue was an ongoing process, not restricted to the dynamics of a single encounter, but that "individual incidents may have long-term repercussions on police attitudes toward protest."

In their research into the policing of anti "fracking" protest, Jackson, Gilmore, and Monk (2018, p.11) observed that the protesters were not included as "one of the parties with 'mutual interests' in the delivery of the Gold strategy" and therefore not afforded the same access to policing as were the local authority, land owners or the energy company itself. Peterson argued

(2006, p.63) that “police knowledge of protest cultures and particular activist organizations and networks is fundamental for good public order policing.” Peterson concluded that this knowledge was most effectively accumulated over a period through the police having direct contact with those organising protest events, allowing the police to plan most effectively for the event. Della Porta and Atak (2014) observed that the police also consisted of multiple players who interacted internally and externally to shape protest dynamics. Della Porta and Atak concluded;

“These dynamics are enshrined in the means used, the decisions taken, strategies adopted, as well as the cognitive schemas developed, all of which are played out through interactions with the protesters.”
(della Porta and Atak, 2014 p.129-130)

Trust, relationship building and understanding of the intentions of protesters have therefore been identified as key considerations for the police (for example, Gillham and Noakes 2007; Redekop and Paré, 2010; Jackson, Gilmore, and Monk, 2018). In addressing such considerations, De Lint (2005, p.195) observed that the flow of communication was “dependent on some transparency of intention” and this worked most effectively through visible liaison. Wood (2014, p.158) argued that although there may be variations from police force to police force and within the ranks therein, “overall, police culture contributes to a general suspicion about both protesters, and their activities.” Further D. Waddington (2007) postulated that liaison officers should be local officers who are likely to have cognisance of “cultural sensibilities” and concerned with the implications of their actions on the long-term relationship between the police and the local community.

Conclusion

Research into the policing of protest is plentiful, and this chapter has mapped different approaches implemented over recent decades and across a range of events in different continents, from an escalated force through negotiated management and strategic incapacitation to the emergence of an approach centred on strategic facilitation. This chapter has further examined the competing pressures of political influences and balancing competing human rights that encumber police commanders in decision-making. This research argues that the different approaches identified are not sequenced historical developments but provide a

range of strategic options that police commanders are able to deploy in policing protest events. The use of this strategic policing tool kit will be further explore throughout this thesis.

Despite the extensive research into protest policing, this chapter has identified that there is limited contemporary research that examines protest events within the UK. Furthermore, all existing literature examines the police-protester relationship. As will be further explored in the next chapter, protesters and the police are two of several groups of social actors that are affected by protest events. This research will therefore add to the body of research by providing a contemporary insight into the policing of protest events in the UK. Further, this research will fill the lacuna in existing literature by examining the role and identity of a range of groups and interested parties affect by a protest event and considering their interaction with the police prior to and during the event.

3. A theoretical framework

Introduction

It has been established that a police approach based on communication and dialogue has created the sound footing for pursuing a negotiated management approach (Waddington, 1994b; della Porta and Reiter, 1998) and accelerating a move towards strategic facilitation (Waddington, 2011; Gorringer et al., 2012). Within UK policing, contemporary crowd psychology under the banner of the ESIM, (for example, Reicher, 1996; Drury and Reicher, 2000; Stott et al., 2008) has provided a theoretical basis for examining communication between police and protesters. The model has formed the theoretical grounding for the development of PLT (Stott, 2009; HMIC, 2009b; NPIA, 2010) and has been integrated into police training (College of Policing, 2013), doctrine (College of Policing, 2016b) and deployment (Gorringer, Stott, and Rosie, 2012). Alternatively, D. Waddington (2012) argued that the Flashpoints Model of Public Disorder (for example, Waddington, Jones and Critcher, 1989; King and Waddington, 2005) provided a more comprehensive context in which to analyse the success of a liaison-based police approach. This chapter will therefore critically examine both theoretical approaches to the policing of protest.

Further, this research has established that trust (della Porta and Reiter, 1998; Gillham and Noakes 2007; Gilmore, Jackson and Monk, 2016) and legitimacy (Wahlström and Oskarsson, 2006; Atak and della Porta 2016) are key components of a dialogical approach. Such components constitute an integral part of procedural justice theory (for example, Lind and Tyler, 1988; Paternoster et al., 1997; Tyler, 2006; Bradford, 2012). Further, procedural justice theory (for example, Lind and Tyler, 1988; Paternoster et al., 1997; Bradford, 2012) will be offered as a complimentary theoretical approach. This chapter will therefore explore a procedurally just approach and consider whether it may be both epistemologically compatible and blended with ESIM and/or Flashpoints to yield critical insights into understanding dialogical forms of policing protests. Further examination will then be made as to how police commanders may deploy different approaches to the policing of protest events within this theoretical framework. Final examination of the sparse research that has been conducted into the use of PLT will conclude the chapter.

A theoretical framework for the policing of protest

Elaborated Social Identity Model

Classic theory (for example, Le Bon, 1895) remained the leading theory of crowd psychology throughout the 20th century and was still perceived as the driving force behind the rationale of police commanders in the 21st century (Hoggett and Stott 2010a; 2010b). Rosie and Gorringer (2009, p.3) argued that the police perception of crowds was significantly influenced by the established press, who reinforced classic theory through sensationalised stories of the “madding crowd,” which may have resulted in police forces viewing protesters “as liable to turn into a mob.” Stott and Drury (2016) observed that classical theory continued to be salient in popular culture, despite being lacking in support and outmoded. Further, Hoggett and Stott (2010a, p.224) observed police commanders making decisions on crowd policing during their command training that were based on a classic crowd psychology belief that “a certain group intent on disorder were the primary factor governing the behaviour of the rest of the crowd.” Hoggett and Stott (2010b p.1) postulated that this might lead to “police practices that inadvertently escalate public disorder.” Stott (2009 p.6) argued that classical theory “lacks any sustainable empirical support” and was outdated and recommended (p.3) that training in crowd psychology should therefore be updated “to reflect contemporary theory and evidence.” Stott expounded;

“The Elaborated Social Identity Model of crowd behaviour (ESIM) is now the leading scientific theory of crowd psychology. It provides a theoretical basis for accurately explaining and predicting the nature of crowd behaviour, particularly as this relates to the emergence of collective ‘disorder’.”
(Stott, 2009 p.2)

There is a considerable body of contemporary social science research that contradicts classic theory (for example, Reicher, 1996; Stott, and Reicher, 1998; Drury and Reicher, 2000; Drury, Reicher and Stott, 2003; Stott et al., 2008). The research has culminated in the development of ESIM which places greater emphasis on describing crowd events as “characteristically intergroup encounters” (Drury and Reicher, 2000 p.581) and perceives the action of a crowd as socially meaningful, rather than irrational as Le Bon (1895) argued. The model emphasises a necessity to analyse crowd events as developing interactions between groups, where the understandings of one group “forms the actions which constrain the actions of the other” (Drury and Reicher, 2000 p.579).

The origin of ESIM is found in social identity theory, a “social psychological analysis of the role of self-conception in group membership, group processes and inter group relations” (Hogg, 2006 p.111). The theory was first developed in the UK by Tajfel (1978) and intertwined with self-categorization theory to formulate a social identity approach (van Knippenberg, 2000; Hogg, 2006; Spears, 2011). As the area of research grew, research was spawned in different academic fields, and within social psychology, and led to Reicher (1984) developing a Social Identity Model (SIM). Reicher conducted research into the St Paul’s riots and proposed that the behaviour of an individual was affected in some part by their social self-definition. Reicher (p.19) argued that “not only is crowd behaviour moulded by social identity but conversely, crowd behaviour may mould social identity.” Reicher proposed that individuals experienced a sense of pride for the first time because of their collective action in rioting against the police. Reicher further expanded the model through research into the policing of student demonstrations in London and argued that legitimacy was a key component in the perception of both police and students;

“Whereas students say that their wish to get to parliament is a right and the mere presence of the police is illegitimate, the police say that there is no right to get to parliament and the mere presence of the students is illegitimate.”
(Reicher, 1996 p.128)

Reicher noted different narratives between groups and suggested that this ultimately affected the interaction between them which escalated into conflict and resulted in the police using force to disperse crowds. Reicher argued that understanding legitimacy therefore provided an indication both of whether a crowd might enter conflict, and of the circumstances where crowd members who might see conflict as a legitimate action might not automatically confront the police. This extension of SIM matured to produce the ESIM (for example, Reicher, 1996; Drury and Reicher 1999; 2000; Stott, Hutchinson and Drury, 2001), based on the observation that “crowd events are typically intergroup encounters and therefore the position of any one party must be understood in relation to the ongoing intergroup dynamic” (Drury and Reicher, 1999 p.385).

The ESIM entailed three elements: *concepts*, *conditions* and *dynamics*. Stott, Hutchinson and Drury (2001) described the *concept* as the context in which any one group acted as formed by the identity-based actions of other groups. Drury, Stott, and Farsides (2003) based the *conditions* on the understanding that crowd conflict entailed an interaction between asymmetrical groups, between a crowd and an out-group, typically the police. Drury, Stott, and Farsides argued that an in-group action against the police (as an out-group) might therefore be legitimised by the group where they perceive the out-group’s actions to be illegitimate. Finally, *dynamics*

considered inter- and intra-group dynamics. Stott, Hutchinson and Drury (2001) observed that when an out-group (such as the police) assumed that a crowd was homogenous and policed it as a single entity, this affected the dynamics of those within it. Stott, Hutchinson and Drury noted that for example when the police perceived a group as radicals, individuals within the group began to see themselves as radicals too. Drury and Reicher (2009) summarised;

“People’s sense of their social position (social identity) changes to the extent that, in acting on their identity (participating in a crowd event), they are repositioned as a consequence of the understandings and reactions of an out-group (treated as oppositionalists by the police), and this repositioning leads both to a new sense of identity and new forms of action (oppositional violence).”

(Drury and Reicher, 2009 p.713)

Stott (2009) proposed that by employing an ESIM approach, police public order commanders advanced towards a negotiated management style of policing and a police strategy where police intentions were to facilitate lawful behaviour, thereby promoting self-policing in the crowd and improving police community relationships (HMIC, 2009b). Conversely, Drury, Reicher and Stott (2003) argued that when police actions were perceived to be illegitimate, such as using containment tactics where the movement of the whole crowd was restricted, or using dispersal tactics where everyone was prevented from protesting, this can cause the crowd to coalesce, and active opposition to the police then becomes a legitimate response for the crowd.

Stott and Drury (2016, p.11) observed that by applying ESIM in understanding crowds, police commanders began to address the “pressing need to interpret those crowd actions as a meaningful and symbolic reaction to the subjective and material realities of the participants’ social context.” HMIC (2009b) hailed the approach as practical and beneficial to policing protest and suggested that the approach increased the capability of the police to communicate with members of the crowd. HMIC recommended (p.20) that before events, the police should “seek to inform themselves about the culture and general conduct of particular protest crowds.” In planning the policing of an event, commanders should gather information about each of the protest groups to understand their intentions. During the event, the police should engage with the crowd on the ground to further gather information about their intentions and concerns, and to understand their demeanour (HMIC, 2009b).

ESIM thus became the theoretical framework for the police command of protest events (NPJA, 2010) and provided the academic basis that became the strategic driver for the inception of PLT

(College of Policing, 2013). Despite this, D. Waddington (2012) argued that ESIM failed to consider the political context in which disorder at an event took place and did not examine occurrences and the communication processes that had preceded such an incident. D. Waddington concluded that theories based on single factors do not adequately explain this complex social process and therefore the appropriate theoretical approach should be inclusive of the whole range of variables that are relevant to this social interaction. Furthermore, although acknowledging that ESIM had become central to current police doctrine, D. Waddington cautioned against its limitations and recommended (p.1) the application of “a more contextualised approach” arguing instead that the Flashpoints Model of Public Disorder (for example, Waddington, Jones and Critcher, 1989; King and Waddington, 2005; Waddington, 2012) provided a more comprehensive understanding of the success of a liaison based police approach to protest than the ESIM, and afforded a wider context in which to analyse events.

Flashpoints Model of Public Disorder

Waddington, Jones and Critcher (1989) examined the policing of demonstrations, pickets and community disorders in Sheffield and produced a model of public disorder identifying areas they argued were critical in determining order and disorder. Waddington, Jones and Critcher’s model was centred on a “flashpoint,” defined as a “dramatic break in a pattern of interaction which might itself help to explain why and where disorder broke out” (p.21) and provided six levels by which to analyse an event and assess the potential for a protest to evolve into disorder.

At a “structural” level, Waddington, Jones and Critcher identified the different groups engaged in the event and divergence in ideologies between groups. They argued that key was the perception a group had of their relationship to the state, and to the police, who were considered to represent the state in a protest event. At a “political / ideological” level, Waddington, Jones and Critcher analysed the political standing of a group and how this may influence their propensity to use violence as a means of achieving their aims. A “cultural” analysis considered the understanding of the group as to where they sat in the social world. Waddington, Jones and Critcher argued (p.162) that these factors had a bearing on the potential for disorder as they “shape how dissenters and police view themselves and each other, and thus the most appropriate forms of their interaction.” At “contextual” level, Waddington, Jones and Critcher analysed the police-protester relationship and considered historical grievances between the groups which may impact on police impartiality. Waddington, Jones and Critcher argued that the media’s stance and their sensualisation of events might significantly increase or decrease

the potential for disorder which in turn influenced the possibility of engagement between groups and the police.

Analysis at a “situational” level examined the control that those involved in an event had over the situation. Waddington, Jones and Critcher examined dialogue between police and protest organisers and concluded that where the organisers not only provide a commitment to refrain from violence but to also influence their group to respond in the same vein, this increased the likelihood that the police would respond accordingly. Finally, at an “interactional” level, Waddington, Jones and Critcher examined the interaction between police and protesters and argued that when disorder occurred, the primary concern was not who the initiator was, but why disorder had started, and this depended on what had occurred prior to the event. Therefore, this “flashpoint” incident was an indicator of an underlying issue centred on the perception of each group of the others. Disorder was still perceived as a form of interaction between the groups, however, was resultant of a breakdown in all other methods of communication.

Waddington, Jones and Critcher argued that the model provided a method of analysis that could be applied consistently to a variety of situations; political demonstrations; industrial pickets; and community disorder. Further, Waddington, Jones and Critcher identified the importance of establishing an understanding of the political and social standing of other groups, their structure and the context in which they functioned, achieved through interaction, to prevent a breakdown in dialogue, manifested by a flashpoint.

The Flashpoints Model received critical appraisal. P.A.J. Waddington (1994b, p.159) opined that the model was “neither analytically useful nor empirically testable” arguing that there may be numerous incidents that contribute to the outbreak of disorder rather than attributing this to one flashpoint incident. P.A.J. Waddington further argued that there was a distinct temporal division between the trigger incident and the onset of serious disorder. Della Porta and Reiter (1998) and P.A.J. Waddington (1998) were critical of the “contextual” level concerning the location of events and the space and time within which they occur. More recently, Gorringer and Rosie (2008, p.197) suggested that the model required updating “to better account for contemporary protest.”

The Flashpoints Model has been re-examined and reapplied to supplementary pieces of research since its initial publication (for example, Gorringer et al., 2012; King and Waddington,

2005; 2006; Waddington, 1992; 2007). King and Waddington (2005) revisited the model and acknowledged a need to “show greater sensitivity to the temporal and dynamic development of any riotous event” (p.261), recognising that there may be concurrent events that contributed to the outbreak of disorder. D. Waddington (2007, p.59) further observed that the model was built on an assumption that breakdowns in relationships between the police and the public may be repaired when the police initiate “well-timed pacificatory gestures,” fundamentally because such actions signify a willingness by the police to “accommodate the goals and values of the crowd.”

D. Waddington (2012) argued that the Flashpoints Model provided a more contextual approach than ESIM. However, this research argues that the two are not in opposition, and both offer insight to all those engaged in protest. Indeed, Newburn (2016, p.140) utilised the Flashpoints Model, in his study of why riots *don't* happen, and argued that what was most significant in assessing this question was an examination of what occurred at the interactional level, and that greater clarity may be provided if analysis is made utilising some elements of SIM “in concert with the flashpoints approach” to provide “the basis for understanding the nature of police-crowd and police-community interaction.”

Newburn aside, this research argues that the application of the Flashpoints model has been somewhat limited to researching the engagement between police and protester groups, and research has paid little cognisance to the interactional level on which the *police* need to operate; negotiating with other groups and organisations who may also be stakeholders in the same protest event. This research argues that there are numerous points of contact and overlaps between both models. For example, an examination of the diverse groups and divergence in ideologies at structural and cultural levels (Flashpoints Model) would allow identification of in-groups and out-groups (ESIM). Further, the control that groups had as a situational level and the ability of organisers to influence group members in refraining from disorder (Flashpoints Model) echoes the presence of self-policing identified in protest groups (ESIM). Most significant for this thesis examining dialogue, an examination at an interactional level of the police-protester interaction (Flashpoints Model) reflects the observation that events are characteristically intergroup encounters (ESIM) and that legitimacy is key to understanding a breakdown in communication. This research therefore seeks to extend the existing research and argues that ESIM and the Flashpoints Model both provide a sound theoretical background from which to examine protest policing and furthermore are mutually compatible.

Procedural justice theory

Over recent years, a growing body of literature has emerged (for example, Myhill and Quinton, 2011; Bradford et al., 2014; Quinton et al., 2015) arguing that the police should encourage an approach consistent with procedural justice theory to build trust and confidence in the police within the communities they serve. Myhill and Quinton (2011, p.13) observed that the police cannot function without the support of the public and opined that for the police to do so, it was “crucial that the principles of procedural justice are applied consistently to all individuals and groups.” Further, a procedural justice approach was detailed as one of the seven “neighbourhood policing guidelines” which the College of Policing advocated as essential for chief officers for effective neighbourhood policing;

“Guideline 4: promoting the right culture. Chief officers should... take steps to ensure that all police contact with colleagues, partners and the public seeks to build trust and is consistent with procedural justice requiring fair decision-making and respectful treatment.”

(College of Policing, 2017)

This thesis argues that the theory of procedural justice (for example, Lind and Tyler, 1988; Paternoster et al., 1997; Tyler, 2006; Bradford, 2012) also provides an alternative medium through which a dialogical approach may be examined. Furthermore, this research argues that procedural justice theory is compatible with and complimentary to both ESIM and the Flashpoints Model and that all three theories may be blended to provide a theoretical framework underpinning a dialogical approach to the policing of protest.

Procedural justice theory examines relationships and social experiences and evaluates them not on the results or outcomes, but on how the social interaction is undertaken and the degree to which this process is perceived as fair and just. Procedural justice is concerned with making and implementing decisions according to fair processes (Maiese, 2004), and contends that “process judgements are important determinants of attitudes and behaviour” (Lind and Tyler 1988, p.2). Research suggested that legitimacy in criminal justice decisions made by authorities in effectuating legislation was not dictated by the fairness of the decisions made or sanctions imposed, rather the fairness of the procedures implemented (Paternoster et al., 1997; Tyler and Lind, 1992). Paternoster et al. (1997) posited that treating individuals arrested for domestic assaults in a procedurally fair and impartial manner even when they were facing adverse outcomes, reduced the propensity for them to reoffend. Sunshine and Tyler (2003) noted that when authorities such as the police used fair procedures to implement legislation and make decisions, the authorities were considered to be acting in a legitimate manner, which in turn

fostered public cooperation. Conversely, Sunshine and Tyler observed (2003, p.514) that “unfairness in the exercise of authority will lead to alienation, defiance, and noncooperation.”

Tyler (2006) argued that procedural justice theory significantly assisted in understanding legitimacy. Tyler observed that over recent decades, legal authorities had predominantly gained compliance by using or threatening to use sanctions through the legal justice system. Therefore, Tyler noted, social order had been maintained mainly through the threat of punishment as a deterrence strategy for those that did not comply. However, Tyler argued that the alternative to having deterrence policies was legitimacy, which impacted upon compliancy with the law. Therefore, compliancy was not based on the resulting punishments but the legitimacy of the procedures in seeking legal justice. Tyler (p.270) concluded that the motivation behind people cooperating with legal authorities, such as the police, was “rooted in social relationships and ethical judgments, and does not primarily flow from the desire to avoid punishments or gain rewards.” Thus, people were more likely to accept police decisions and adhere to legislation where the procedures utilised by the police to uphold the law were perceived to be just and fair.

Hough et al. (2010) promulgated that criminology spent too much time examining why people broke laws and not enough time considering why people complied with the law. Hough et al. examined the way people were treated by legal institutions, relationships built, their trust in the justice systems, the legitimacy and authority that the institution can command as a consequence of this trust and the resulting obedience that the public gave to the institution when procedures were perceived as legitimate. Tyler and Lind (1992) asserted that a person’s relationship with legal authorities was affected by their assessment of procedural fairness and neutrality, which they argued was “the crucial factors that lead to voluntary compliance with the directives of authority” (p.163).

Tyler (2006) further observed that a resulting by-product of legitimacy through procedural justice was the building of relationships between authorities and the public. Tyler noted that when relationships were based on a fair process rather than the threat of punishment, the public voluntarily deferred to the authorities which governed them, seeing this as a part of their obligation to their leaders. Lind and Tyler (1988) asserted that a significant part of this relationship building was allowing the public to express their viewpoints and arguments to those in authority. Bottoms and Tankebe (2012, p.169) argued that a “dialogic approach” allowed those in power to justify their claims to legitimacy with the public. Similarly, Deutsch (2006, p.48) observed that implementing fair procedures provided “voice” and “considerate treatment” for

those involved in the processes, providing good information for authorities in their decision-making. Watson and Angell (2007) concurred and expanded;

“Key components of a procedural justice framework include participation (having a voice), which involves having the opportunity to present one’s own side of the dispute and be heard by the decision maker; dignity, which includes being treated with respect and politeness and having one’s rights acknowledged; and trust that the authority is concerned with one’s welfare.”
(Watson and Angell 2007, p.787)

Tyler and Blader (2003) further examined the interpersonal aspects of procedural justice through a “group engagement model.” Tyler and Blader argued that groups benefitted when individuals absorbed themselves within, and this shaped the group’s level of cooperation. Procedural justice, Tyler and Blader further suggested, impacted upon group engagement; the more that individuals felt that group decisions were based on a fair process, the more they were likely to have a sense of group identification. This was particularly evident when individuals were members of groups who had negative stereotyping attached to their identity. Tyler and Blader concluded (p.358) that procedural justice “appears to allay people’s concerns that group membership will result in negative consequences for the self; it provides them with a sense of identity security.”

Research into a procedural justice approach applied to policing has produced consistent conclusions. Van Damme and Pauwels (2016) argued that the public expected the police to treat civilians with respect, neutrality and integrity, provide explanations for their actions when asked and listen to the public. Sunshine and Tyler (2003) argued that when the police procedures were seen as legitimate, most of the public self-regulated most of the time. Further, this process resulted in the public aiding the police when the police needed to deal with more problematic individuals, and even supporting the police when a more robust approach was required. Tyler and Blader (2003) observed an inference amongst individuals in groups, particularly those that had negative stigmas attached to them, that the police were reaffirming their status when they treated them cordially and with respect, rather than reinforcing stereotypes.

In their study of policing in Australia, Hinds and Murphy (2007) further argued that the public were more likely to perceive police actions as legitimate when believed to being policed in a procedurally just manner. The research found that a procedural justice approach increased public satisfaction with the police and fostered better police–community partnerships. Hind and Murphy concluded that the police had the opportunity to augment public satisfaction,

relationships with partners and legitimacy by being proactive in revising and changing existing practices to follow procedural justice principles. Such a pre-emptive approach was also advocated by Watson and Angell (2007), who noted that a procedural justice approach had most impact early in police encounters. Watson and Angell concluded (p.787) that “how officers initially approach someone is extremely important.”

Bradford (2012) examined procedural justice theory in the context of British policing, through a survey of young black and minority ethnic men from four London boroughs. Bradford noted that treating individuals in a group fairly promoted a feeling of inclusion and worth within that group. Further, Bradford observed that when a group outsider, such as a police officer, treated individuals with respect, this enhanced the individual’s assessments of their own group and strengthened their identity within it, which subsequently influenced how positively they assessed the fairness of the police processes implemented. Bradford concluded (p.14) that “perceptions of police fairness, social identity and legitimacy can all have effects on propensities to cooperate with officers.” Conversely, Bradford, Murphy and Jackson (2014) argued that a sense that the police were acting in an unfair manner weakened an individual’s identity with the group and diminished police legitimacy. Stott, Hoggett and Pearson (2012) similarly examined social identity and group dynamics in their ethnographic study of fans of Cardiff City Football Club and advocated an approach that was consistent with the theoretical principles of both procedural justice and ESIM. Stott, Hoggett and Pearson concluded that a process that promoted perceived legitimacy rather than the presence of a deterrent most effectively reduced conflict at domestic football matches.

Wells (2008) identified the significance of social engagement in implementing a procedural justice approach. Wells studied the use of fixed speed cameras to “monitor and punish” speeding motorists. Wells explored whether the indiscriminate use of fixed speed cameras might offer a consistent and therefore procedurally just enforcement, however contradictorily observed that motorists found the process grossly unfair. Instead, Wells argued that the removal of social engagement with a traffic officer also removed the police officer’s decision-making processes and reasoned judgement based on individual circumstances. Wells concluded (p.815) that “the notions of ‘common sense’, ‘discretion’ and ‘respect’ are considered vital to a ‘just’ experience.”

It is argued therefore that procedural justice theory provides a sound theoretical framework for examining a dialogical approach to policing protest events. Applying the theory, it is argued that

it is not the decisions made by police commanders in protest events that are significant, rather than fair processes are implemented in reaching them. In doing so, all those engaged in a protest event should be afforded opportunity to present their side to the police, the decision makers, whilst being treated with dignity, common sense, discretion and respect, in an overarching framework where they can trust that the police are concerned about their welfare (Watson and Angell, 2007; Wells, 2008).

In applying the theory to protest events, the police should therefore ensure that officers are available to hear the voice (Deutsch, 2006; Watson and Angell, 2007) of all those engaged in protest event in order to maintain legitimacy through the procedures implemented. There should be an early engagement by police officers (Watson and Angell, 2007) and a fostering of relationships (Hinds and Murphy, 2007) to reinforce group identities (Tyler and Blader, 2003). Hough et al., (2010 p.210) noted that “to treat people with fairness and respect, police officers need genuinely to value fair treatment and genuinely to respect those who they police.” Furthermore, such officers should be able to identify the groups within groups, engaging particularly with individuals who are members of “certain stigmatized demographic groups” with negative stereotyping applied to them (Tyler and Blader, 2003 p.358).

This thesis argues that many key concepts integral to procedural justice theory are found in both ESIM and the Flashpoints Model and that all three offer an insight into a dialogical approach. Myhill and Quinton (2011, p.2) noted that “the most important factor motivating people to cooperate and not break the law was the legitimacy of the police.” The concept of legitimacy so pertinent to procedural justice has in this research been identified as integral to an examination at an interactional level of police-protester interaction (Flashpoints Model) and key to understanding a breakdown in communication (ESIM). Further, all approaches consider the influence of organisers (Flashpoints Model) and subsequently how groups facilitate self-policing (ESIM) fostering public cooperation due to a fair process implement by the police (procedural justice). Additionally, all three approaches consider groups not as homogenous rather as groups within groups (ESIM) with diverse ideologies at structural and cultural levels (Flashpoints Model) where police decisions based on a fair process promote a sense of group identity (procedural justice).

This research argues therefore that procedural justice theory is epistemologically compatible with both ESIM and the Flashpoints Model and that all three can be blended to provide a theoretical basis for examining a dialogical approach to policing protest. This research argues

that officers acting in a procedurally just manner would be mutually compatible to the role of the PLT as defined as the “link between the police and groups before, during and after events to establish and maintain dialogue” (College of Policing, 2014a). The next section will explore the sparse body of research into the use of PLT to further analyse the role in facilitating dialogue in protest events.

Different approaches to policing protest within the theoretical framework

The last two chapters have provided an overview of different approaches to the policing of protest and explored a theoretical framework for examining a dialogical approach. This thesis argues that the different policing approaches are not sequenced historically rather strategic options open to police commanders. In light of this argument, it is important to consider how, where and why police commanders may deploy different approaches to the policing of protest events within the theoretical framework identified in this thesis.

Reicher (1996) argued, in developing the ESIM, that legitimacy was a key component of understanding recourse to disorder in the policing of protests and provided examples of where police actions, such as stopping students getting to parliament, were perceived by protesters as illegitimate. It can be argued that such an approach is one of strategic incapacitation and, where the actions of some students led to conflict with the police, one of escalated force. However, as identified in the previous chapter, the police decision-makers also have to apply an approach that is cognisant of political pressures (for example, Noakes and Gillham, 2006; Mansley, 2014). Drury and Reicher (2009) argued that people’s sense of social identity changed as a reaction to out-groups. A prominent feature of ESIM is understanding protest groups not as a homogenous body rather groups within groups (for example, Stott, 2009; Stott and Drury, 2016) Therefore, this thesis argues that by applying an ESIM method as advocated (HMIC, 2009b; College of Policing, 2016a) and understanding both the changes in people’s social identity and understanding and identifying the numerous groups within groups in a protest, police commanders may choose to select different approaches to police the diverse elements of a protest. For example, commanders may elect to deploy a strategic facilitation approach with the majority of the protest groups however may use a strategic incapacitation approach with an identified small minority set on causing disorder.

Similarly, analysing a protest event utilising the Flashpoints Model allows police commanders to assess the political standing of a group and their potential to cause disorder, viewing such disorder as still a form of interaction resultant of a breakdown in all other methods (Waddington, Jones and Critcher, 1989). Once assessed, commanders may then select the most appropriate police approach, depending on the circumstances. For example, an approach of strategic facilitation may be selected allowing the police to demonstrate their willingness to accommodate the crowd's goals and values (Waddington, 2007). However, where there is a breakdown in communication that leads to a flashpoint (Waddington, Jones and Critcher, 1989) a reversion to an escalated force approach may be selected by police commanders with those intent on violence (King and Waddington, 2005).

This thesis has argued that the police commander has a tool kit of strategic policing approaches from which they may select appropriate responses to protest events. However, it has been evidenced that there is a danger that the police approach can be perceived as illegitimate by the crowd (Drury, Reicher and Stott, 2003). Further, as has been established through examining procedural justice theory, less concern would be given by protest groups to the decision made, rather, legitimacy would depend on the perceived fairness of the approaches implemented (Paternoster et al., 1997; Tyler and Lind, 1992). Where the approach made is deemed unfair, there is a potential that this would invoke a response of defiance and noncooperation (Sunshine and Tyler, 2003). An approach based on procedural justice would aid in ensuring that police decisions in selecting approaches are fair, treating people respectfully and promoting cooperation (Maiese, 2004; Wells, 2008; Bradford, 2012). In selecting different policing approaches, it is key therefore that the decision why such an approach has been implemented is communicated to those engaged in protest.

This thesis therefore argues that the different approaches to policing protest as identified in the previous chapter remain strategic options in the tool kit of the police commander. Commanders may choose approaches with diverse groups within groups identified depending on the responses required. However, this thesis further argues that in doing so, commanders must utilise a procedurally just approach by ensuring that their decisions and rationale are communicated. This dialogical approach will promote legitimacy and will allow the voice of those engaging in protest to be both heard and valued in the decision-making process.

The use of Police Liaison Teams

The Liberal Democrats party spring conference was held in Sheffield in March 2011. The host force, South Yorkshire Police (SYP), were responsible for the planning and delivery of a policing operation which would cost an estimate £2m to manage the expected attendance of protests crowds of between 5,000 and 10,000 participants (Wainwright, 2011). In a response to the HMIC's Adapting to Protest recommendations (HMIC 2009a; HMIC 2009b), SYP deployed PLT (known at that time as Protest Liaison Officers) in blue bibs to communicate and build relationships with protesters (Bowen, 2015). Two independent pieces of research into the use of these officers were undertaken during the conference (Gorringer, Stott, and Rosie, 2012; Waddington, 2012; 2016). A third pieces of academic research was undertaken into the deployment of PLT at six protest events in London and Sussex in 2012 after the first liaison officers had been trained earlier that year (Stott, Scothern and Gorringer, 2013).

Gorringer, Stott, and Rosie (2012) conducted an empirical study of the policing operation surrounding the Liberal Democrat's spring conference. The research extended the significant contribution that the second author had previously made into the ESIM approach (for example, Drury, Reicher and Stott, 2003; Stott et al., 2008; Stott, 2009). Acknowledged the work of the Swedish police in basing their dialogue policing model on ESIM principles and reflected the changes that had begun in the British policing approach to protest following the HMIC reports (2009a; 2009b), Gorringer, Stott, and Rosie observed (p.113) that there was pressing need "for empirically grounded and theoretically informed research" to provide such governance that might subsequently impact on police policy, as the use of PLT was at that time not a national tactic. Research data was gleaned from observation notes, post-event de-briefing sessions and reviews of open source material. Gorringer, Stott, and Rosie acknowledged potential conflict in objectivity as the second author "served as an unpaid consultant during the planning phases of the operation and, as such, was able to engage in and document planning meetings" (p.114). However, Gorringer, Stott, and Rosie explained that their intention was "not so much to provide 'conclusive' evidence as it is to open up empirically led debate in this important area of theory and practice" (p.115) and argued that the use of PLT allowed the police to apply academic theory to practical policing.

Gorringer, Stott, and Rosie observed (p.116) that PLT officers were selected not because of public order knowledge or experience but "primarily because they had proven 'communication' and 'street skills.'" PLT were utilised pre-event in the overall plan of avoiding unnecessary use of

force options, which allowed an opportunity to maximise the crowd's perceptions of the legitimacy of police action. This process, Gorringe, Stott, and Rosie noted, was initiated by the building of relationships between the PLT and event organisers to understand their objectives and intentions, and this informed the police commander's policing plan for the event. Gorringe, Stott, and Rosie observed that PLT witnessed self-policing in action within the protests groups and argued (p.119) that "the 'self-regulation' within the crowd was understood by the police as a direct outcome of PLT activity and the resultant lack of alternate intervention." Gorringe, Stott, and Rosie also described their own observations of incidents of self-policing within the crowd which they argued were due to the legitimacy provided by the interaction with PLT.

Gorringe, Stott, and Rosie advocated the use of PLT, and argued that their contribution was due to both decisions in the planning stage that the primary police tactic for the event would be liaison, and to the use of PLT within the crowd during the event which allowed commanders to gain a sense of how the crowd felt and the impact that police actions might have on them. Gorringe, Stott, and Rosie noted (p.111) that the impact that PLT had on crowd dynamics "allowed for an improved capacity for proactive public order management, encouraged 'self-regulation' in the crowd, and avoided the unnecessary police use of force at moments of tension."

Similarly, D. Waddington (2012) also examined the PLT approach to policing the protests in Sheffield and concluded that liaison officers "successfully explore a basis on which to accommodate each party's goals and interests" (p.17). Contrary to Gorringe, Stott, and Rosie (2012), D. Waddington recognised that ESIM had become central to police doctrine but cautioned against its limitations. D. Waddington instead argued (p.1) that it was helpful "to apply a more contextualised approach" and advocated the use of the Flashpoints Model provided a wider context theoretical framework in which to analyse the use of PLT and a liaison-based approach. Based on interviews with police officers and protest organisers, D. Waddington also examined the use of PLT at protests in Sheffield held to coincide with the Liberal Democrat's Spring Conference and the return to his home constituency of Sheffield Hallam by then Deputy Prime Minister Nick Clegg. D. Waddington noted that the PLT were identifiable during the protest by the wearing of a blue tabard over conventional police uniform. D. Waddington observed that the PLT provided a communication link between protest groups and the police that had not readily been previously witnessed when police officers were deployed in conventional yellow jackets. D. Waddington recorded the response of one research participant who remarked that the officers in tabards which were described as "kinda blue" in colour were

“ironically a kinder blue than their colleagues were” (p.1). D. Waddington argued that the approach prompted the protest organiser to observe (p.1) that the PLT “seemed to be genuinely prepared to support us, to enable us to do the type of things we wanted to do and prevent any problems with the ‘real’ police.”

D. Waddington structured his analysis of the research data into the framework of the seven levels of the Flashpoints model. At the *structural* and *political / ideological* levels, D. Waddington identified the pressures that were significant as a backdrop to the conference being held in the SYP area. D. Waddington acknowledged the police aim to ensure the safety and security of conference delegates and how this was counterbalanced with “the strong directives to adopt a more ‘facilitating’ approach to the policing of public protest” (p.17). D. Waddington noted the *institutional / organisational* factors pertaining to both SYP post the Hillsborough stadium disaster and to the Student Union post significant London protest, supported by both an examination of open source news articles and quotations from interviewees. A consideration of the police and protesters’ preparations for potential protest through interviews and social media provided D. Waddington with a *cultural* background and *contextual* level of analysis of the protest events.

Most of D. Waddington’s data however centred on his analysis of the protest at the *situational* and *interactional* levels, where D. Waddington argued that the use of PLT provided legitimacy to the deployment of specific police tactics, such as the erecting of a steel fence around key locations. The interaction between police and protesters was examined, and D. Waddington argued that the use of PLT prevented potential flashpoints. D. Waddington provided an example where there was a perception by the silver commander that protesters were about to breach the fence line, but the PLT were able to clarify the group’s intentions and subsequently averted conflict.

D. Waddington concluded firstly (p.17) that to fully embrace the “many interacting variables influencing police perceptions, decision-making and behaviour,” analysis utilising the Flashpoints Model rather than ESIM provided a better understanding of the successful policing of events. Secondly, D. Waddington strongly advocated the use of PLT during the protest events. D. Waddington argued (p.18) that their use and the relationships they created with the crowd resulted in there being “little chance of inducing the type of hostility and opposition that would have greeted their more conventionally deployed police colleagues.”

D. Waddington revisited his research into the SYP response to anti-Lib Dem protest (2016) in light of recent discussion and in response to Baker's (2014 p.99) suggestion that "police–protester dialog can constitute a ritualistic game" with both sides intent on extracting information from the other. D. Waddington critically reflected that the use of PLT at the protests in Sheffield allowed the police to maintain open lines of communication with protesters, and this greatly assisted police commanders to dynamically assess the risks, preventing recourse to more severe police interventions. D. Waddington concluded (2016 p.31) that the use of PLT engendered "a novel, safer and more enlightened form of protest policing, and constitute a genuine and sincere attempt by the police to facilitate the 'right to protest'."

Stott, Scothern and Gorrings' research (2013) provided a second source of data in which to analyse the deployment of PLT. The research explored the effectiveness of PLT at six protest events in London and Sussex, through field notes of the authors' observations and of conversations with PLT during the research period. From the evidence provided, Stott, Scothern and Gorrings argued that PLT were most effective when deployed at an early stage to engage with protesters and establish relationships, resulting in PLT being welcomed within protest crowds.

Stott, Scothern and Gorrings (p.7) noted that the blue–bibbed PLT officers were accepted within protest communities as protesters "distinguish between the 'blue' and 'yellow' coated police." Examples were provided to advocate the use of PLT in both problem solving and mediation between protesters and regular officers. Stott, Scothern and Gorrings argued that deploying PLT assisted in reducing conflict during events where protest policing was, after dialogue, undertaken solely by PLT. However, it was also noted that protesters reacted negatively to the deployment of PLT when the officers were perceived as an intelligence gathering source, where their presence was deemed as illegitimate (Reicher, 1996). Further, Stott, Scothern and Gorrings noted that PLT not only faced the challenge of building relationship with protesters, but more significantly faced conflict from their own colleagues; they recounted the response of one PLT who observed;

"I thought when I did this role that managing the crowd would be the challenging thing, it wasn't. Managing the police was the challenging most difficult bit."

(Stott, Scothern and Gorrings, 2013 p.11).

Stott, Scothern and Gorringer (p.12) acknowledged an “active interest” in promoting the effectiveness of the role of PLT in their research whilst seeking to “remain objective and impartial.” Stott, Scothern and Gorringer concluded (p.11) that the ability of PLT to be inside rather than outside crowds without their presence creating tension “appears to have increased police capacity to mediate and manage the emergent ‘problems’ they were confronted with, particularly when those protests involved ‘direct action’ groups.”

The research conducted (Gorringer, Stott, and Rosie, 2012; Waddington, 2012; and Stott, Scothern and Gorringer, 2013) provided initial empirical insight into the development of PLT as a new police tactic. Despite differences in methodology and theoretical framework, each approach concluded by advocating the use of PLT in protest events and acknowledge that little research had been undertaken at present into their use in the UK. In fact, all three studies were undertaken whilst there were only three police forces trained in the use of liaison officers (Bowen, 2015) and prior to the creation of the current College of Policing PLT course (College of Policing, 2013). Gorringer, Stott, and Rosie (2012) observed that their research was formative in informing police training, and Roadnight (2015) observed that the all three pieces of research provided context for the development of a national PLT training course. However, this scant research (Gorringer, Stott, and Rosie, 2012; Waddington, 2012; and Stott, Scothern and Gorringer, 2013) was made prior to the inclusion of PLT as a national tactical option for public order commanders in Authorise Professional Practice (College of Policing, 2016a) at the end of 2013.

Since their inclusion as a tactical option in UK police practice, PLT have become the primary tactic for policing protest events (Stott et al., 2015). Further, Hoggett and West (2018 p.13) extended the use of PLT and suggested that they could play an important part in policing football matches in “providing information to aid risk assessment thereby improving command decision-making and avoiding unnecessary interventions.” Hoggett and West (p.14) identified how PLT might address a gap in communication to develop a rapport between police and football supporters “both risk and non-risk” to “work toward the facilitation of legitimate behaviour.” This, Hoggett and West argued, enabled the police to gain compliance from football fans and prevented the police from resorting to more forceful tactics.

Additionally, Stott, West, and Radburn (2018, p.18) suggested that through a “process of dialogue and positive influence,” PLT had the “capacity to promote ‘self-regulation’” within a small crowd of away football fans. Stott, West, and Radburn noted (p.18) that PLT engagement with the fans appeared to reassure the wider group which “appears to have promoted police legitimacy and potentially helped avoid circumstances where otherwise peaceful fans could

have been drawn into conflict.” Consistent with Stott, Scothern and Gorringer (2013), Stott, West, and Radburn (2018) identified antagonism among police colleagues towards PLT. Hoggett and West (2018) also recognised the presence of internal animosity when PLT were deployed to police football. Hoggett and West (p.10) noted that 87% of the PLT with whom they engaged in research reported “hostility and negative reactions from colleagues,” and nearly half stated that they had been given “what they believed to be inappropriate, ineffective, or counterproductive deployments” by their commanders.

However, Jackson, Gilmore, and Monk (2018, p.12) were critical of the dialogue processes in policing anti “fracking” protests in Greater Manchester. They proffered that despite having attempted to negotiate with the police, the protesters perceived that “the response of police suggested that a commitment to meaningful dialogue was not reciprocated.” Jackson, Gilmore, and Monk (p.13) were also critical of the PLT responsible for establishing dialogue, observing that they were “perceived to be primarily involved in gathering intelligence,” which exacerbated the lack of trust between protesters and the police, and also “reinforced suspicions held by many of the protesters about the role of PLOs.” Jackson, Gilmore, and Monk concluded (p.17) that despite a change in UK policy post-2009 to facilitate peaceful protest and despite “assurances to the contrary in the academic literature,” police commitment to facilitation and dialogue was not universal, and what constituted legitimate protest was still contested.

Conclusion

Within the body of literature examined over the last two chapters, it has become apparent that interaction between the police and protesters is essential in facilitating negotiation (for example, De Lint, 2005; Wahlström and Oskarsson, 2006; Baker, 2014). This interaction has been termed differently across the literature; as liaison (for example, Waddington, 2012; Stott, Scothern and Gorringer, 2013; Joyce and Wain, 2014); negotiation (for example, Waddington, 1994b; McCarthy and McPhail, 1998); dialogue (for example, Wahlström and Oskarsson, 2006; Waddington, 2016; Gilmore, Jackson and Monk, 2016); communication, (for example, della Porta and Reiter, 2006; Gorringer, Stott, and Rosie, 2012); and engagement (for example, Tyler and Blader, 2003; Stott, West, and Radburn, 2018). Many researchers use the words interchangeably and significance is placed not on the term used, rather the extent to which the parties engage in dialogue and the depth of relationships fostered (for example, College of Policing, 2014a; Gilmore, Jackson and Monk, 2016).

The College of Policing (2016a) defined the role of PLT as providing the link between the police and groups to “establish and maintain dialogue.” This research seeks to examine the use of PLT in considering the contribution that a dialogical approach has made to the policing of protests. Therefore, based on the literature examined in this chapter, for this research, “dialogical” will include all the terms identified above and used interchangeably, and focus will be made not on the term used, but the extent to which dialogue has been entered into, and the impact on all engaged.

In contrast to the abundance of research into protest policing, scant literature examined the implementation and value of a dialogical approach and the use of PLT. This thesis augments this small cannon of research (Gorringe, Stott, and Rosie, 2012; Waddington, 2012; Stott, Scothern and Gorringe, 2013) and makes a unique contribution by providing empirical research into the use of PLT at protest events and marches post their inclusion as a national tactical option (College of Policing, 2013). Existing research has utilised either ESIM (Gorringe, Stott, and Rosie, 2012; Stott, Scothern and Gorringe, 2013) or the Flashpoints Model (Waddington, 2012; 2016) as a theoretical framework, with neither considering a blending of both models in analysing data. This research argues that many themes identified, such as relationship building and liaison at an interactional level, transverse both models and both models provide insight into the value of a dialogical approach. Further, this chapter has evidenced that concepts integral in the policing of protest such as legitimacy and social identity (Reicher, 1996; Waddington, Jones and Critcher, 1989; Gorringe, Stott, and Rosie, 2012) and trust (della Porta and Reiter, 1998; Wahlström and Oskarsson, 2006) are also prominent themes in procedural justice theory (Tyler, 2006; Bradford, 2012; Bottoms and Tankebe, 2012). This chapter has explored three theories that have provided an academic grounding for the use of a dialogical approach to the policing of protest and has further explored how different approaches to protest policing are set within this framework. This research argues that all three theories identified are mutually compatible and may be blended to provide a sound theoretical framework in which to further explore a dialogical approach to the policing of protest. Furthermore, this research argues that this framework underpins the different approaches to policing of protest, providing police decision-makers with a tool box of strategic options to be applied in different protest situations.

This chapter has established that existing PLT literature is limited to examining dialogue between police and protesters (for example, Gorringe, Stott, and Rosie, 2012; Waddington, 2012; Jackson, Gilmore and Monk, 2018) or football supporters (Hoggett and West, 2018). The chapter

has identified a gap in the literature examining dialogue between the police and other key groups and individuals, such as businesses and partner agencies. Further, this chapter has established that the police must operate within the Articles of the Human Rights Act 1998 as both “arbiter” (HMIC, 2009a) and “guarantor of those rights” (Neyroud and Beckley, 2001) balancing the rights of protesters, those wishing to continue their lawful business and the public at large (Waddington, 1998; Mansley, 2014). Published literature examining the balancing act that the police perform through dialogue is lacking.

This research will therefore address this lacuna and make a unique contribution by considering the application of such a dialogical approach to the policing of protest events, analysing not only the relationship between protesters and police, but the relationships between the police and all engaged in the event. An alternative relational system to Redekop and Paré (2010) will examine the relationships built and maintained between the police and protest groups, counter-protest groups, businesses, local authorities and other interested parties. Furthermore, this research will examine the role of the police as arbiter in balancing the human rights of all interested parties. The thesis will argue that utilising a dialogical approach has assisted police commanders to balance the competing qualified human rights and promoted a procedurally fair approach to the policing of protest events. Accordingly, this thesis fills a lacuna in the published literature by answering the following research questions:

1. What contribution has a dialogical approach made to the policing of protest events in the UK?
2. How might a dialogical approach be extended to include all interested parties affected by a protest event?
3. What does this approach offer in the balancing of the competing human rights of all those engaged in the event?

4. Methodology

Introduction

My research fills the lacuna identified in the literature review chapter by providing empirical research that explores the dialogue between the police and all engaged in protest events and examining the contribution that such an approach made to the balancing of human rights. This chapter describes the journey that I undertook in selecting my research methods, and as I reflect on my experiences, I have chosen to write in the first person. The chapter explains my decision-making process and my rationale for adopting certain methods and precluding others (Burgess, 1984). A defence is provided of the choice of qualitative research and my epistemological and ontological position as insider and outsider researcher is explored. Empirical research was gathered through conducting 48 interviews across the two case studies, and all interviews were audio reordered and later transcribed. This chapter describes my decisions in choosing interviews as the data source, selecting participants, determining interview locations and my decisions in then analysing and coding the research data and writing up the thesis.

However, my initial considerations focused on how I might select the most appropriate methods for those who may access the study. Creswell (2014, p.25) observed that “researchers write for audiences that will accept their research.” This provided a starting point for my journey and, following the signposts for Evidence Based Policing, I began an exploration through the landscape of methods seeking the most appropriate destination to provide data to further probe a dialogical approach to the policing of protest events.

An evidence based approach

“And you are building an evidence base of what works so that in future police practice is always based on evidence, and not habit.”

(Excerpt of the transcript of the speech given by then Home Secretary Theresa May at the College of Policing Conference 2014 in Ryton, Coventry on 15th October 2014)

The burgeoning foothold that an evidenced based approach to policing has gained in UK policing has become palpable in recent years through its emergence in both academic institutions and

police services (Lumsden and Goode, 2016). Lum and Koper (2015, p.260) described evidence based policing as a philosophy and viewpoint that “implicates the use of research, evaluation, analysis, and scientific processes” in police decision-making.

The concept of an evidence based practice was initiated in the field of medicine in the 1980s (Eddy, 2005), and was soon adopted in other fields such as nursing (Melnik, 2011), probation (Raynor, 2003) and education (Petty, 2006). Such an approach to policing was introduced by Sherman (1998), who observed that using research to guide police policy and procedures ensured that best practice was informed by best evidence. Sherman concluded (p.2) that “police practices should be based on scientific evidence about what works best.” Sherman further argued (2013, p.379) that police practice had changed from a reactionary response-led approach of the 1970s to what he described as “the ‘triple-T’ of targeting, testing, and tracking” as a consequence of implementing an evidence based approach. Lum and Koper (2015) however cautioned that an evidence based approach to policing appeared to differ from other fields in application. Lum and Koper argued that when the police implement an intervention that increased instead of decreased crime or disorder, or negatively impacted on the police relationships with their customers, the level of accountability that the police were subjected to was likely to be much less scrutinised than in medicine.

The advantages that an evidence based policing approach bring have been well documented and include; an increase in police legitimacy both internal and external; transparency; accountability; and improved relationships and trust between the police and the public (Sherman, 2013; Lum and Koper, 2015). Hoggett and Stott (2012, p.178) stated that in the current social and economic climate facing UK policing, evidence based policing was “not just desirable but essential.” Hoggett and Stott proposed that this approach might be a mechanism in which to professionalise the police in general and advocated a collaboration between police and academic researchers to improve the knowledge and understanding of both groups. Lum et al. (2012) recognised the potential for conflict between the police and academic researchers and expressed concern over the gap between research and practice;

“Making research a part of the conversation on policing is complicated by the fact that two entities (the scientist and the practitioner) with different expectations and worldviews are attempting to foster and sustain exchanges with one another in order to trade knowledge, skills, and products.”
(Lum et al. 2012, p.62)

However, for an approach based upon evidence to impact on UK policing, it must be accepted both internally and externally. Lum and Koper (2015, p.271) observed that the police “must be receptive to such an approach; the research must be useful, and there needs to be a demand for such knowledge in policing.” Sherman (2013) criticised the response of the UK government in their use of an evidence based approach. Sherman observed that HMIC reported a knowledge gap in their inspection of the policing of the G20 event in London but then ignored the gap rather than investing in research to investigate the issue. Sherman concluded (p.395) that research can inform policing by anticipating “chronically recurring issues” and provide evidence in time for the next critical event rather than merely identifying knowledge gaps post incident.

For acceptance internally, researchers must overcome a perception that evidence based research is in conflict with experience. Hoggett and Stott (2012, p.176) described the approach as one that unites best theory and evidence with operational practice, “but at the same time develops capability to test these theories within police operational practice by using widely accepted techniques of scientific inquiry.” Research in both the US and the UK suggested that police officers have a strong reliance on professional experience and instinct, and where there was a choice between experience and expert opinion, experience was greatly valued over the latter (Palmer, 2011; Lum et al., 2012). Sherman (2013, p.419) caveated that an evidence based approach did not replace the decisions made in policing based on experience, rather “can only inform such judgment, and usually improve it.” Fleming and Rhodes (2017, p.3) argued that experience, which they described as “the practical knowledge about the world amassed by individuals in an organisational and work context,” was crucial to both evidence based policing and decision-making because it was “the key to weaving the varieties of knowledge together.” Fleming and Rhodes observed that evidence based policing was not enough by itself, but was one of several strands of knowledge that officers required to perform their role;

“Police officers draw on any source of knowledge that helps them do their job, whether it is their local knowledge of policing, their assessment of the organisational and political context in which they work, or research-based knowledge.”

(Fleming and Rhodes, 2017 p.4)

Dawson and Stanko (2016) further noted the complex challenges of embedding an evidence based approach into police organisations, a challenge academic scholars described as resistance to change. However, Dawson and Stanko concluded that such scholars sat overwhelmingly outside of the police organisation and argued (p.65) that there was a “wealth of data that is

routinely captured within police forces that should be the mainstay information for any new research.”

I therefore considered the juxtaposition of research and experience and the methods I would utilise to capture experience in the data acquired as I considered the contribution that my research may make to the evidence base. However, I recollected that I had recounted in an earlier thesis a remark made to me by a very experienced senior police public order commander and my observations;

“[The commander] commented that ‘experience is not a dirty word.’ The implication was that evidenced based approaches to policing should not exclude capturing the experiences of those that had policed numerous events over many years.”

(Smith, 2015a p.38)

I concluded that the contribution that this research makes to the evidence base may not be one of proving an approach is either right or wrong rather examining the experiences of those involved in the events and providing them with a voice (Becker, 1967). I also pondered how such experience may be captured; the commander may be very experienced in his field but how might others gain from his experiences once he retired or moved on?

Further, I considered my own position as both serving police officer and researcher. Might I be classed as a spy within the police, as Horn (1997) suggested that police researchers are to some extent viewed, when attempting to gain access to police forces? How might I gain access to those outside of the police who may also treat my presence with suspicion? My position and the implications for my research therefore needed further consideration.

Qualitative v quantitative research

Flick (2009, p.12) noted that “qualitative research is of specific relevance to the study of social relations, due to the fact of the pluralization of life worlds.” Holloway and Wheeler (2002, p.3) surmised that this approach was used by researchers to “explore the behaviour, perspectives, feelings and experiences of people and what lies at the core of their lives.” Further, Dwyer and Buckle (2009) observed that qualitative researchers differed from quantitative researchers in that they were very much part of the study, engaged in and integral to all parts of it. The stories

of participants were current and real to the researcher, and their voices are not hidden in statistics and numbers. Holloway and Wheeler (2002, p.6) noted the value and relevance of quantitative research but identified a limitation to researchers “because it neglects the participants’ perspectives within the context of their lives.” Silverman (1997) argued that the selection of a qualitative over a quantitative method of research was not a case of making a choice between good or bad methods, rather a pragmatic choosing of the most appropriate method for the area explored. Brockington and Sullivan (2003, p.71) opined that far from being inferior to quantitative methods, qualitative research provided stories that “treated properly, are as strong, relevant and interesting as data that are numerical or otherwise easily categorised.” Flick, von Kardorff and Steinke (2004, p.3) expanded further, stating that qualitative research “claims to describe life-worlds ‘from the inside out,’ from the point of view of the people who participate.”

Such observations reinforced my epistemological position in examining a dialogical approach to the policing of protest events, a field within which I both worked and conducted research. My standpoint might be summarised as below;

“Unlike quantitative research, qualitative methods take the researcher's communication with the field and its members as an explicit part of knowledge instead of deeming it an intervening variable. The subjectivity of the researcher and of those being studied becomes part of the research process.”
(Flick, 2009 p.16.)

The significance of communication and the potential advantage of employing a dialogical approach have been established in the literature review of this research (for example, McPhail, Schweingruber and McCarthy, 1998; della Porta and Reiter, 1998; Gorringer, Stott, and Rosie, 2012; Waddington, 2012; Joyce and Wain, 2014). However, I concluded that the existing body of research was focused on the relationship between protest groups and the police and was lacking in examining the wider social relations existing between all those engaged in protest events. I therefore selected a qualitative method to examine and analyse relationships from the perspectives of those engaged in events, as such a method acknowledged that “viewpoints and practices in the field are different because of the different subjective perspectives and social backgrounds related to them” (Flick, 2009, p.16).

In selecting a qualitative approach, I was aware of the weaknesses as well as the advantages of the approach, particularly noting the limited generalisability of qualitative research (Silverman, 2010). Leung (2015, p.326) observed that “generalizability of qualitative research findings is

usually not an expected attribute.” However, Donmoyer (2000, p.66) considered generalisability when examining a single-case study and concluded that if research was to assist practitioners then “an alternative way of conceptualising generalizability is required” and that case studies had “far more utility for applied fields” than traditionally believed. Additionally, Lincoln and Guba (2000) concluded that “the only generalization is: there is no generalization.” Easton, McComish and Greenberg (2000) observed that utilising a qualitative approach yielded rich data and Mack et al. (2005, p.6) argued that “the great contribution of qualitative research is the culturally specific and contextually rich data it produces.” I therefore concluded that it was the richness of data that was most pertinent to the research I was conducting and that despite the recognised limitations, utilising qualitative methods was the most appropriate approach for my research.

Having chosen to adopt a qualitative method, I next considered my position within the social relations as a researcher in the field, whether I was an insider or an outsider, or whether my position would entail being both during field research.

Insider, outsider or both?

Having chosen to adopt a qualitative method, I next considered my status within the social relations as a researcher in the field of protest policing. I therefore considered my position as a police officer researching an area of policing that I am well versed, before further examining whether as a researcher I might be an insider, outsider or both, when undertaking field work.

I have been serving as a police officer for approaching 27 years and during this time have specialised in the field of public order. I have policed a whole variety of public order events, ranging from protests, marches and demonstrations through to serious disorder and riots, both as a Constable and as a Public Order and Public Safety Adviser to commanders at Gold, Silver and Bronze level. I have delivered public order training for over 20 years and Command level training for over 10 years and this has included delivering numerous national and international Public Order Command Courses. Further I was seconded to the National Policing Improvement Agency and latterly the College of Policing for four years within the Public Order and Public Safety team. My experience not only provided me ready access to those who have policed protest events but further placed me firmly as an insider within “police (canteen) sub-culture” (Waddington, 1999) within the close-knit public order policing community.

My position as serving police officer conducting research in a field in which I have specialised for many years placed me in what Alvesson (2003, p.174) described as a self-ethnographic study in which “the researcher-author describes a cultural setting to which s/he has a ‘natural access’, is an active participant, more or less on equal terms with other participants.” Alvesson stated that engaging in such a study as an insider necessitated some risk, although it offered a divergent and interesting approach, and the challenge for such a researcher was not of going native as the ethnographer, rather making “strong efforts to avoid ‘staying native’” (p.189).

However, Brannick and Coghlan (2007) defended insider research. They noted the argument that research conducted by those within their own communities and establishments were perceived to be prone to criticism that they were unable to maintain objectivity and distance. However, Brannick and Coghlan challenged the standpoint and contended that insider research was not only of value, but also “provides important knowledge about what organizations are really like, which traditional approaches may not be able to uncover” (p.72). This stance allowed the insider to use their knowledge and experience to reassess the areas in which they study. Brannick and Coghlan however cautioned that insider researchers needed to pay due regard to the strengths and limitations of their comprehension of the community within which they conducted research. Burgess (1984) argued that the experiences of the insider researcher who studied a familiar setting would appear to outweigh those of the outsider, however warned that such an insider researcher must with effort ensure that they do not overlook the familiar or take situations as read due to their familiarity with the research area. To overcome such pitfalls, Burgess recommended that researchers “continually pose questions about the settings within which they are located” (p.28).

Al-Makhamreh and Lewando-Hundt, (2008, p.19) noted that conducting research “at home” as an “insider/outsider” presented the researcher with “dilemmas, but also opportunities and enriches the data.” Dwyer and Buckle (2009) acknowledged the dangers of an inside researcher making assumptions, failing to fully explain their experience and potentially shaping interviews based on their and not the participants’ experiences. Conversely, Dwyer and Buckle identified advantages that were afforded to an insider in gaining access and concluded that most significant was not whether the researcher was an insider or outsider, but how they faithfully and accurately represented the experiences of the participants, which required the researcher to be “open, authentic, honest” and “deeply interested in the experience of one’s research participants” (p.59). Furthermore, Dwyer and Buckle surmised that due to the role they

undertake, and their extensive knowledge of the literature surrounding their study, researchers can never fully be either insiders or outsiders, but only ever occupy “the space between” (p.61).

Woodward (2008) agreed that the argument for and against insider or outsider research based on the former being subjective and the latter objective was too coarse an antithesis. Woodward argued (p.547) that the research process could never be totally inside or fully outside, “but involves an interrogation of situatedness and how ‘being inside’ relates to lived bodies and their practices and experiences.” Such research therefore may produce data that may lack objectivity due to the viewpoint taken from the inside but may also provide a richer and more authentic appreciation of the setting. Breen (2007) also saw her role as neither insider nor outsider but in the middle. Noting the strengths and limitations to both insider and outsider research, Breen conjectured (p.163) that “the role of the researcher is better conceptualised on a continuum, rather than as an either/or dichotomy.”

Bartunek and Louis (1996) offered an alternative approach and argued that insider researchers tended to view the research setting subjective to their own positions in the field, whereas outsiders were likely to have greater influence over public interpretation of the research setting. Bartunek and Louis favoured an approach where insiders and outsider researchers worked together, conducting team research. It is worth noting however that such an approach does not take in to account the fact that researchers may undertake both roles in conducting field work. Mullings (1999) observed that discourse regarding the position of a researcher as either insider or outsider assumed that being one or other was a “fixed attribute.” Mullings argued that such a stance discounted the alternative viewpoints that a researcher may undertake in time and through space and concluded (p.337) that “no individual can consistently remain an insider and few ever remain complete outsiders.” Similarly, Wegener (2014, p.164) suggested that “insider and outsider positions are created, altered and reproduced.” Wegener argued that a continuous transition between research viewed from the inside and the outside provided a rewarding perspective from which to observe, and that such positions were not unfluctuating standpoints, but were transient.

It could be argued therefore that my research placed me as an insider, examining an area of policing in which I am very much still an active participant (Alvesson, 2003). Alternatively, as a police officer turned researcher, I might have been viewed by colleagues as “others;” insiders who have become outsiders, which Horn (1997, p.299) described as “a particularly dangerous breed since they have special knowledge of the police and aim to make public the secrets of

police work.” Similarly, conducting field work within the protest community, I was aware that I may be viewed as an outsider, and therefore needed to consider how to negotiate outsider issues (Poulton, 2012) in order to collect and evaluate data. Participants within protest groups may be considered as members of a “service occupation” (Becker, 1963 p.82), within which there will be some who have a full-time vocation centred on their principles, and others who have a more casual connection to the cause. Similarly, as a serving police officer and outsider, I may have been viewed as a servant of the “client,” able to apply sanctions, but perceived by the members as unable to “judge the proper worth” of such protest groups.

To add further complexity, the relationships with organisations created further challenges as to outsider and insider status. PLT for example, although serving police officers, have been described as outsiders within their own policing community (Stott, Scothern and Gorringer, 2013; Hoggett and West, 2018), yet within protest communities have built long term relationships and respect (Smith, 2015b). Some protest group members may themselves be labelled as outsiders by more conventional members of the community due to the unconventional way of life they lead (Becker, 1963).

I concluded that my field work entailed me passing in, out and along the continuum of insider and outsider research (Breen, 2007). The challenge was to avoid the barriers of being on either end of the spectrum and, being mindful of my epistemological position, to provide a voice to all those engaged in protest events without providing a distorted view from one side or other. In doing so, I sought to understand each participant from their view of reality, as Becker expanded;

“...the reality which engages the people we have studied, the reality they create by their interpretation of their experience and in terms of which they act. If we fail to present this reality, we will not have achieved full sociological understanding of the phenomenon we seek to explain.”
(Becker, 1963 p.174)

Therefore, I elected to engage in conversations and observations to elicit information (Reyes-Garcia and Sunderlin, 2011) and capture the experiences of all interested parties involved in protest events. In doing so, I selected what Dingwall (1997, p. 53) described as essentially the only two simple methods of conducting social research, namely “asking questions” and “hanging out.”

Field research – interviews

Burgess (1984) observed that interviews may be used to gain an insight into situations which either the researcher did not witness or areas where the participants may not wish the researcher to be present. My area of research centred on dialogue and relationships that have been built over time and centred on trust (for example, Wells, 2008; Gorringer, Stott, and Rosie, 2012; Waddington, 2012; Smith, 2015a). Observing such encounters might not therefore be conducive in the circumstances, and the presence of a researcher might hinder the dialogue between parties. Interviews therefore provided me with a window through which to observe the relationships and dialogue without compromising the ongoing interaction.

Having selected interviews as my primary source of data, I then considered the structure I was to employ in conducting them. My drive throughout had been to capture the encounters that participants had in engaging in dialogue, and therefore I decided to utilise interviews that provide access to experiences (Silverman, 2010). Seidman (2006) stated that at the centre of conducting research through interviews was an interest in the lived experiences of individuals because they were of worth and having this at the heart of the process assisted in ensuring the researcher centred interviews on the participant and not their own ego. Seidman concluded (p.14) that conducting interviews was “deeply satisfying to researchers who are interested in others’ stories.” Wilson (1996, p.95) described a set of procedures employed in interviewing, from social science methods at one end of the scale to the naturalistic interview at the other, where “the questions asked, and the wording used are not closely prescribed but are ‘situational’ in order to maintain naturalism.” Therefore, the juxtaposition was a choice between employing a highly structured method at one end of the scale, and a less- or un-structured method at the other. Wilson observed that less-structured interviews were less artificial and more conversational between participants.

Barriball and While (1994, p.330) noted the strengths of utilising semi-structured interviews in circumstances where “the varied professional, educational and personal histories of the sample group precluded the use of a standardized interview schedule,” allowing the interviewer to identify areas to be probed further. Melia (1997, p. 34) further argued that such interviews were not just a method of capturing the experiences of the interviewee, but with careful analysis, insight might be provided into “a world beyond the story that the interviewee tells.” Flick (2009) observed that semi-structured interviews allowed preference to thematic direction, allowing the interviewer to focus more candidly on specific areas, as opposed to utilising an unrestricted

approach via narrative interviews. Such a method of employing a semi structured “or ‘conversational’ interviewing style” (Silverman, 2010) appeared to be ideally suited to my research which was heavily weighted on dialogue.

I next considered my approach in conducting interviews and the questions I would ask. Hermanns (2004) noted that an interviewer needed to employ an empathetic approach as well as maintaining a quizzical stance, ensuring that the interviewee was encouraged to share their story as though the interviewer had little or no knowledge of the subject matter. Cridland et al. (2015) advocated fluctuating between demanding and less demanding subjects to help reduce the psychological and emotional pressures on an interviewee. Cridland et al. recommended using positively and negatively framed questions to encourage discussion of “both rewarding and challenging experiences, attitudes, and feelings, which contributes to a balanced understanding of issues” (p.82). I therefore selected to gather data through conducting semi structured interviews to encourage discussion. I prepared question sheets (see Appendix 1) to assist me in formulating questions and keeping me on track, which aided me to employ a consistent questioning approach across the interviews and case studies. I also used the question sheets to make written notes during the interview to assist with coding post interview. The questions flowed in a similar fashion for all interviewees; police; protest group members; and other interested parties. Participants were asked to describe;

- the event, their involvement in it, and identify other groups or stakeholders who were involved in the protest event;
- the dialogical process that they engaged in pre-event, during the event and post-event;
- the human rights engaged, the challenges and the balancing of competing human rights balanced during the event;
- the contribution that they perceived that a dialogical approach made to the policing of the protest event and the balancing of human rights.

Having selected an interview strategy, I began to prepare for the interviews, and consider practical implications. An initial consideration was how open I should be as an interviewer about my own experiences, both as a police officer well versed in protest events and as a researcher. Burgess (1984) noted that the established process of the researcher avoiding discussing their personal experiences became a barrier to relationship building when conducting interviews. By ignoring this standard practice, Burgess noted that some of his interviews became discussions, providing an opportunity for social evaluation. Hermanns (2004) provided further thought for my quandary;

“A dilemma of self-presentation may arise: in order to carry out an interview well, the interviewer must refrain from appearing to be as wise and omniscient as he or she believes him or herself to be.”

(Hermanns, 2004 p.209)

I concluded that relationship building was a key element in planning for and conducting interviews. DiCicco-Bloom and Crabtree (2006) identified the importance of building rapport and gaining the respect and trust of the interviewee and creating a safe environment which was most conducive to allowing them to share their experiences. The significant for my research, having established that the act of interviewing was invasive, was that this might be exacerbated by my position interviewing as a serving police officer. Atkinson and Coffey (2001) advised interviewers to provide thought to their and their interviewee's social roles and acknowledge the power differentials. Further, Ribbens (1989, p.580) noted that “research interviews may inescapably involve power imbalances.” My selection of participants included police officers senior in rank to me, as well as members of protest groups who might have had negative experiences when dealing with the police, so addressing such power differentials was key to creating a rapport and breaking down barriers. This was a consideration in approaching potential participants and caused me to ponder further about selecting the best location in which to conduct each interview.

Location

Initially, I identified the below as potentially suitable interview locations;

- Police premises internal. Such a location would be inside the security area of a police premises and the interviewee may be subject to security measures such as providing personal details. For police personnel this may include the interviewee's office or own place of work.
- Police premises external. A location within police premises, however where the public have access and not the subject of security issues, for example an interview room.
- Neutral premises. A coffee shop or similar informal location in the public domain.
- Business premises. An office or quiet room within the premises of a business or organisation. This may be particularly appropriate when interviewing a member of a business the subject of a protest but may also be applicable for other participants.

I then further explored the significance of selecting a suitable location in which to interview participants. My primary concern initially was to identify somewhere most suitable for the interviewee which was free from distractions, selected to accommodate the participant, and

based on their availability and willingness to attend this agreed location (Gill et al., 2008; Rowley, 2012). This was reiterated by Hermanns' observation (2004, p.209) that "a productive atmosphere for the conversation must be created." Further, Burgess (1984, p.61) identified a set of criteria to assist the researcher in considering why one location is chosen over another; simplicity; accessibility; unobtrusiveness; permissibility; and participation. Burgess concluded however that the constraints within which a researcher may study made achieving all criteria a rarity, and that seeking a compromise was essential.

However, Herzog (2006) claimed that the choosing of a venue for an interview and by whom was far more than simply selecting somewhere that was comfortable and convenient. Herzog argued (p.25) that the location "should be examined within the social context of the study being conducted and analysed as an integral part of the interpretation of the findings," and consequentially the choice of location and how it was determined should itself be an integral part of the research and considered in the analysis of data gleaned. Elwood and Martin (2000) concurred and suggested that deeper consideration should be given to the selection of a location than simply accepting it as pragmatic solution to suit all involved. Analysis of the location chosen provided a richer and more in depth picture than considering the interview contents alone, and this information allowed the researcher to better understand the experiences of the interviewee. Elwood and Martin further argued that analysis of the location when chosen by the interviewee might also shed light on the power differentials, and provided an example from their research;

"Organizational directors who wanted to be interviewed in their offices emphasized their position as directors, seemingly to assert their expertise about the neighbourhood and authority in the interview experience."
(Elwood and Martin, 2000 p.655)

I therefore chose to hand over the control of selecting interview locations to participants. My rationale was firstly to empower interviewees in the decision-making process, allowing them to address potential power differentials and create an atmosphere most conducive to facilitating open conversation (Atkinson and Coffey, 2001; Hermanns, 2004). Secondly, the selection might provide further data and allow analysis of the participant's choice of venue, providing "a social-political statement beyond the logistical decision based on the participant's convenience" (Herzog, 2006 p.44), which might be revealed directly or indirectly during the interview.

I was however mindful that should the participant be given free rein in selecting a location, there might be constraints, particularly in considering risk management, which may result in a compromise being sought (Burgess, 1984). To assist with the selection, I ensured that participants were aware of the nature of the interview prior to selecting the location. This allowed interviewees to make an informed choice of a suitable venue where they could freely share their experiences (Elwood and Martin, 2000). As an option, I was prepared to provide a choice of suggestions should participants ask me to select a venue, which would still address any imbalances of equality that conducting interviews might present.

Dress Code

Conscious that first impressions were most powerfully communicated non-verbally (Mehrabian, 1972), I further considered how I might present myself as a researcher and interviewer in terms of dress. Coffey (1999) noted the challenge that researchers encountered in presenting oneself and observed how at times a dress code had been adopted to mirror that of those being interviewed. Poulton (2012) recounted anxieties in selecting what to wear when meeting participants as a researcher. Although not facing the same gendered challenges as Poulton, I still sought to present myself in a way that aided entering and developing rapport. As both researcher and police officer, I particularly wished to appear professional without being officious, especially in situations when I was an outsider, and sought to address potential power imbalances.

Further, when interviewing police colleagues within my own organisation, I considered whether wearing police uniform was applicable, should an internal police premises be selected as the interview location. This I thought might be potentially significant when interviewing commanders of a higher rank than myself. Although the police vernacular in public order command is one of “role rather than rank specific” (College of Policing 2013a), I have discovered from personal experience in delivering command courses the advantages of adopting a non-uniformed dress code to remove barriers of rank. However, allowing the interviewee to select the venue removed the opportunity to implement such protocols and therefore left me to ponder self-image presentation. I concluded that what was most significant in selecting interview location and dress code was not particularly the choices I made, rather recognising the impact that such dynamics might have on the interview and interviewer.

Sampling

My focus then turned to the sampling process and selecting an appropriate nonprobability strategy, noting that probability sampling approaches were rarely appropriate when conducting qualitative research (Marshall, 1996). Merkens (2004) suggested that often with qualitative research selection was determined not by procedures rather by accessibility. However, despite recognising that convenience sampling was a facet of much qualitative research, Marshall (1996) suggested that usually a more considered approach was employed to sample selection. Silverman (2010) asserted that sampling should be theoretically grounded. Flick (2009) observed that sampling decisions always alternated between covering as wide a range of populous as possible to obtain a diverse range of data, and selecting a strategy that focussed on a deep analysis of single examples to provide a deep insight into the situation or experiences.

I therefore based my sampling strategy on the strength of my experience and knowledge in the field in which I was conducting research. Shively (2011, p.62) noted that some researchers on occasions might employ a process where they actively seek “a sub-group of the population for research focus, subsequently drawing a random sample from the purposively selected group.” Thus, my experience in the field of policing protest engendered my selection of a purposive or judgmental sampling strategy for the selection of participants to interview.

Shively (2011) observed that the advocates of a purposive approach suggested that it reduced the probability of selecting a poor sample. Shively cautioned that such sampling bears the risk of contamination by the predisposition of the researcher, however noted the benefits of utilising expert judgement “when aiming to purposively include some particular aspect of the population” (p.62). Burgess (1984, p.55) termed this approach as “judgement and opportunistic sampling,” where participants were selected because of their “previous experience that endows them with special knowledge.” Burgess expanded that for such selection, the researcher required detailed knowledge of the areas from which the participants were drawn. Merkens (2004) noted that there was a presupposition in such circumstances that the researcher had some prior knowledge of the area to be explored.

Patton (2002) referred to this strategy as purposeful sampling, which he compared to a quantitate approach of random sampling. Patton observed that the strength of random sampling was that it addressed the issues of bias in identifying participants by randomising the selection. However, where seen as a weakness to random sampling, Patton posited that bias in purposeful sampling was an intentional focus and therefore a strength. Therefore, the

advantage and logic of adopting a purposeful sampling strategy was in selecting “information-rich cases for study in depth” (p.230). Flick (2009) concurred, observing that such a sample was selected not to create a general representative sample, but specifically identified corresponding to how appropriate those selected were to the research area. The aim therefore was not to reduce complexity in sampling “rather to increase complexity by including context” (p.91). Further, Barbour (2001, p.1115) observed that purposive sampling offered a level of control for the researcher “rather than being at the mercy of any selection bias inherent in pre-existing groups.”

Therefore, carefully choosing a sample based on considering the parameters of the groups I was researching (Silverman, 2010) I recognised that I needed to identify specific case studies and consider the selection of participants to allow deep analysis of my research questions.

Case studies

Stake (2005, p.143) observed that research based on case studies was “defined by interest on an individual case, not by the methods of inquiry used.” Flyvbjerg (2006, p.224) further noted the importance of the study to be close to real life situations and provide a wealth of details, to provide the “development of a nuanced view of reality.” Mack et al. (2000) advocated utilising case studies for the contextually rich data that was produced. I decided to use case studies to provide a framework by which to delve deeper into the practical application of academic theories in protest events and capture the real life experiences of those involved. Therefore, I endeavoured to select “fertile cases” (Ragin and Becker, 1992 p.122), information rich and worthy of in-depth study due their significance (Patton, 2002).

As Stake (2005, p.150) noted, casework often began with studies already identified by the researcher, because they were of “prominent interest.” In selecting case studies, I initially considered selecting a variety of case studies to provide data from a wide range of geographical areas in the UK, as I had so chosen previously (Smith, 2015a), as I had identified that there was no research into PLT since their adoption as a national tactic. Through my role in the College of Policing, I had both identified several case studies that might be suitable and had access to gatekeepers. Key factors in selecting potential case studies included identifying cases where a dialogical approach had been implemented, including the deployment of PLT, noting that not all police forces had such experience in the policing of protest (Weinfass, 2015). Being conscious of potential issues in making generally valid statements when basing research on a single study (Flick, 2009), I therefore considered utilising more than one study.

The first case study I selected was the policing of the badger cull and its opposition in the South West of England in 2016. I chose this study for several reasons; I had spent time in the region during my time in the College of Policing and had anecdotal evidence of the challenges that the policing of the cull had brought; the cull had high profile media coverage and divided opinion (for example, Keeble, 2016; Derrick, 2016); the policing of the cull provided an opportunity to interview participants from several police force areas (Devon and Cornwall, Avon and Somerset, Dorset and Gloucestershire) in one case study; and I had access to gatekeepers within the areas. The study provided a rich vein of data which allowed me to select participants from all sides and viewpoints of the cull and opposition to it. Further, I had selected to examine the “contribution” that a dialogical approach had made, so it was imperative that the case study selected reflected a protest where such an approach had been implemented.

I had from the outset planned to examine a case study based in Merseyside, my home university and police force area. This was for several reasons; there was no academic research in existence that examined the policing of protest in Merseyside; the city of Liverpool had witnessed numerous protests and marches over many years; I knew from experience that Merseyside Police deployed a dialogical approach so this provided an opportunity to examine its contribution; as a practitioner, it provided the opportunity to inform police practice and policy internally; and there was ready access to potential participants. I had initially planned to conduct a retrospective study of the White Man marches in Liverpool in 2015, however as I sought and struggled with permissions, the EDL announced their intention to march in June 2017 and this provided a perfect opportunity to study a current case. Support from my home force and in particular a senior officer as gatekeeper allowed me to remain external to the event as a researcher rather than taking an active part in planning and policing the event.

I did consider several other options in conducting case study research and examined what an ideal approach might be. Initially I had considered examining marches in London and comparing several events in different UK locations as I had in previous research (Smith, 2015a; 2015b). In particular I considered a comparison approach of similar events and explored opportunities to examine right wing marches in South Yorkshire to contrast dialogical approaches. However, I finally decided to concentrate on the two case studies selected, less to allow a comparison one with the other but more to provide a variety of events in terms of types of protests, size, location, geographical and economic considerations. There was an element of pragmatism and logistics in limiting the research to the two studies, although the badger cull case study did entail several trips to the South West region. However, the decision was more than a practical one;

concentrating on only two studies meant that I was able to interview numerous participants from different viewpoints of each event. This approach allowed me to delve deeper into the case study (Easton, McComish and Greenberg, 2000) and provided rich and thick (Dibley, 2011) data whilst still affording contrasting case studies.

Sample size

Having identified the cases, I considered an appropriate sample size that would provide suitable representation for all the different groups identified in each study. Guest, Bunce and Johnson (2006) suggested that a sample size of as few as six interviews might be adequate to facilitate the development of meaningful themes and interpretations, with a saturation of themes present within 12 interviews. Similarly, Francis et al. (2010) argued that almost all the beliefs of the interviewees were captured if setting a minimum sample size of 13 participants. Ritchie, Lewis and Elam (2003) offered that a small sample size was often applicable in conducting qualitative research as the studies were rich in data, and when suitably analysed a point was soon reached where there was little new data of evidential value obtained from additional interviews. Mason (2010) concluded in his research that the mean number of interviews for a PhD study utilising qualitative research was 31 interviews.

I opted to set my sample size at 20-25 interviews for each case study, larger than the mean sample size (Mason, 2010) to ensure that there was representation and voice of participants from members of all the key groups engaged in or affected by the protests in each case study.

Selection of participants

Stake (2005, p.161) observed that the objective in conducting case study research was “not to represent the world, but to represent the case.” Using this as my mantra, I sought to select participants from all key groups able to inform important facets and different perspectives (Sargeant, 2012) relating to a dialogical approach to the policing of protest. I was particularly mindful of identifying participants representing all angles of the discourse to examine the balancing of competing human rights engaged (Gravelle and Rogers, 2011). I therefore identified the following groups from which to recruit participants;

- Police public order commanders
- PLT officers
- Members of protest and counterdemonstrating groups
- Employees of businesses and organisations affected by the protest

The selection of participants was determined by their involvement in the event the subject of the study. Hence police officers specifically approached were those that had occupied key roles during the policing of the protest identified. Likewise, members of protest and counterdemonstrating groups, employees of businesses and other key organisations were also be selected by their relevance to the research and the fact that they had been engaged in the protest events identified for the case studies. As I had selected to employ a purposive approach to select the sample, and whilst considering who was best qualified to participate, I also mused over selecting reliable and competent participants. Tongco (2007) offered thought in this area;

“Reliable informants may not necessarily be competent, however. Reliability refers to how honest and truthful the informant is, while competency involves how qualified the person is to answer questions about the cultural domain the researcher is studying.”

(Tongco, 2007 p.155)

I identified therefore that it was significant not just to select gatekeepers that would provide access to the organisations identified, but to select sub-gatekeepers (White, 2013) within those organisations who might assist me in identifying those individuals to approach as prospective participants.

Gatekeepers

Burgess (1984) noted that access to research participants was not a straightforward process but entailed negotiation and renegotiation. Flick (2009) also recognised the significance of negotiation in gaining entry to an organisation. Flick observed that it was important for the institution to develop trust in the researcher as a person, as this would counter the imbalance in research objectives, and would allow the researcher to “forge a working alliance in which research becomes possible” (p.109). Nind (2008) suggested that access should be sought first by approaching the senior figure in an organisation and then through them approach others in the organisation who might have first-hand experience, to recruit them as participants. Similarly, Burgess (1984, p.49) posited that researchers should not seek a single gatekeeper as point of access, rather select plural gatekeepers able to provide the researcher with permission and access to different elements of the organisation. Further, Burgess highlighted that on occasions there were no readily available gatekeepers, and in such cases the researcher should consider how to befriend individuals that might promote the research within their social settings.

Brannick and Coghlan (2007) observed that the primary challenge for outsiders was in gaining primary access. Once this had been achieved, the recruitment of suitable gatekeepers through

negotiation was usually obtained with ease. However, this recruitment process was very different for the insider researcher;

“In contrast, the reverse is true for insider researchers. They are already members of the organization and so have primary access. Although they have primary access, they may or may not have secondary access, that is, they may or may not have access to specific parts of the organization that are relevant to their research.”

(Brannick and Coghlan 2007, p.68)

The rationale behind gatekeeper participation also required consideration. Merrens (2004, p.166) stated that “gatekeepers often link an element of self-interest with their willingness to open one or more doors.” Comparably, Wanat (2009) suggested that the gatekeepers’ involvement was influenced by whether they saw the research as being beneficial to their cause or a threat. Hennink, Hutter and Bailey (2011) advocated the use of a gatekeeper and noted the advantage that their use provided in acknowledging organisational protocols, as well as supplying the researcher with an invaluable source of information and endorsing the research work within the organisation or community studied. Hennink, Hutter and Bailey also recognised the potential for the selection of participants to be influenced by the gatekeeper’s choice of who they wanted including, however suggested that such a dilemma was avoided when the researcher and gatekeeper work together in the selection process.

My status as insider afforded me ready access to gatekeepers within police organisations. I initially sought a senior officer (Nind, 2008) as initial gatekeepers for each case study; a Deputy Chief Constable; and an Assistant Chief Constable. Both provided authorisation and validity to the research, often referred to as providing “top cover” in police vernacular and allowed me to recruit further gatekeepers who provided access to the different facets of the organisations. My knowledge and experience allowed identification of the most suitable secondary gatekeepers, and they in turn provided access to further gatekeepers who identified key individuals involved in the case studies researched. Contrary to Merrens (2004) and Wanat (2009), I did not encounter resistance with any gatekeepers in relation to self-interest. In fact, I experienced few questions from any of the gatekeepers I engaged regarding the research that I was undertaking prior to them committing to participation. Instead I encountered an overwhelming enthusiasm from each gatekeeper and sub-gatekeeper, and a strong desire for them to share their story and experiences. Furthermore, there was a real fervour from gatekeepers and sub-gatekeepers to provide me with access to those with whom they had entered dialogue during their respective

protest events, so that they too could be afforded a voice and share the narrative of their engagement. Such zeal was not limited to providing access to those whom the gatekeepers identified as being supportive of the police. Several sub-gatekeepers furnished contacts details for individuals they perceived as being key in the event researched, and even though they supplied a caveat that the person in question might not want to speak to me, suggested that their significance in the case study made it worth me at least seeking their participation.

My evaluation of why I was afforded unabridged support initially drew me to the conclusion that this was partially due the fact that I was an accepted insider within police circles. As a researcher within my own organisation examining the policing of the EDL march in Liverpool, my experience in public order and protest policing afforded me creditability. This, coupled with the backing of senior officers as primary and secondary gatekeepers, validated my research and status as researcher. Although I was an outsider police officer researching the policing of badger cull, I was an insider as a part of the wider police family, vouched for by senior officers. Further, my years of secondment to the College of Policing Public Order and Public Safety team provided credence and this position was used by gatekeepers in their introduction of me to further sub-gatekeepers.

However, I concluded that the willingness to participate without protecting self-interest was more than simply because of my position as insider researcher. There was a genuine enthusiasm from gatekeepers and participants to have the story told from all sides of the issue. This conclusion was affirmed by the eager response of participants from groups who would consider me as an outsider; members of protest groups, businesses and other organisations. Sub-gatekeepers were asked to approach members of the identified groups and seek their permission to pass contact details on to me. Despite the initial concerns of gatekeepers, they reported that all those contacted were very keen to participate and furnish their details. This allowed me to contact prospective participants and outline my ethical position as researcher and police officer. I found that in these groups, where there were no readily available gatekeepers, I did not need to utilise a strategy to befriend individuals (Burgess, 1984) as they were enthused participants. Therefore, although my status provided an introduction, my overwhelming experience was that participants engaged because they wished to provide their narrative and have their voice heard.

Ethical considerations

In preparation for conducting research and gathering data, I gained ethical approval which provided thought and considerations on how I would conduct interviews. However, I recognised that ethical considerations do not end once approval has been granted and I continued to make ethical decisions throughout the process up to and including writing up this thesis. I was acutely aware from the outset that conducting interviews and encouraging discussions relating to protest activities might pose the risk that criminal or other disclosures requiring action might occur. My concern was not only that this might compromise me as both a researcher and a serving police officer, but that this would also detract from the research being conducted. The ethical dilemma I faced was not as risk-laden as that faced by Yates (2004) in conducting criminal ethnographical research, however I still concurred with Yates that it was important to establish a “defensible ethical stance” and consider the “issues that could potentially arise” (p.21). Although I assessed the risk in my research as low, I minimised the risk by ensuring that my ethical position as a serving police officer and as a researcher was clarified in all correspondence prior to interviews being arranged. Further, I outlined the parameters of the interview to each participant through the supplying of a participant information sheet in advance of every interview and reinforced them verbally prior to each interview. This preparation ensured that neither I nor any participant were compromised during the interview process. Each interview was audio recorded, and a form was signed by each participant to confirm their consent to be recorded.

Further ethical consideration was also given to selecting appropriate interview locations to provide a safe and appropriate place for both interviewer and interviewees. This was particularly relevant after I had decided as a part of the research to allow participants to select the interview location themselves, and even more so when some participants selected home addresses and public houses as interview locations. Being mindful of my position as a serving police officer, this necessitated me notifying my own organisation regarding meeting locations, but still ensuring I secured the confidentiality of the participant in the study. This balance at times meant that I had to educate individuals in my own organisation regarding my ethical position as a researcher irrespective of my position as a serving police officer.

Finally, all interview participants had been assured anonymity, and this caused me further ethical consideration as I wrote up the research. I was aware that the key individuals in each case study were from a small pool of possible participants and was mindful that if I identified which organisation or group each interviewee participant came from, there was a probability that this anonymity would be compromised. I therefore firstly grouped organisations together,

providing a collective term and then a distinguishing letter for each participant (the collective terms for each case study are further described in this chapter). Secondly, I decided against preparing a list of participants identifying demographic and organisation. The decisions I made were not without debate and in particular this decision polarised my two supervisors; one favoured a table to help the reader to know more about the demographics of participants; and the other suggested an approach of withholding the locations of the case studies to provide further anonymity to participants. My decision fell somewhere in the middle, but it was an approach that I believed allowed me to be able to present the case studies in the settings that they occurred, providing analysis at political, ideological, cultural and contextual levels (Waddington, Jones and Critcher, 1989) whilst still maintaining the anonymity as assured to participants prior to their research interviews.

Conducting interviews

A total of 48 interviews were conducted across the two case studies. Each interview was audio recorded and hand-written contemporaneous notes were also made during each interview.

Case study 1: the badger cull

Between February and May 2017, I conducted 26 interviews with participants who had been integral to the policing of badger cull protests in the South West of England. The sample of police officers ranged from the rank of Constable to Deputy Chief Constable and were all serving officers from Devon and Cornwall Police, Avon and Somerset Police or Gloucestershire Constabulary. The group comprised of; police commanders undertaking the role of Gold, Silver or Bronze public order commanders; and liaison officers, divided into Police Liaison Officers (PLO) who engaged with protest groups and Cull Liaison Officers (CLO) who engaged with the pro-cull community. Members of protest groups interviewed included those who referred to themselves as “*protectors*,” and others who favoured the term “*hunt saboteurs*.” The term protester was itself a contentious label that is further examined during later chapters and it was therefore avoided within the research findings. Farmers and cull contractors responsible for carrying out the cull were interviewed as those who were affected by the cull and who liaised with the police. To protect anonymity, participants were grouped, and the following collective terms were used;

- **Commander** – police public order commanders
- **PLT** – police officers liaising as PLO or CLO

- **Protector** – encompassing all those opposing the badger cull
- **Business** – include farmers, landowners and cull contractors

The recruitment of police officers was facilitated through gatekeepers and all commanders that had significant roles in the policing of the badger cull readily agreed to be interviewed. The vast majority of police officers chose to be interviewed on police premises although the location varied between ranks; more junior ranks chose interview rooms or quiet corners of canteens; more senior officers who had their own offices selected them as interview locations. The location choices certainly addressed any concerns regarding power imbalances (Ribbens, 1989) particularly inside the security of senior officers' inner sanctums. The one police officer who selected to be interviewed at a neutral venue rather than on police premises chose the location for their convenience.

The recruitment of Protectors was also facilitated through gatekeepers and despite my initial reservations I found that participants were very keen to be interviewed and provide their narratives. Protectors chose to be interviewed at two different locations; despite me being potentially viewed as an outsider, the majority invited me into the homes; the remainder chose a pub or café. Business participants also selected to be interviewed at home. Recruiting business participants was more difficult than any other group. Individuals expressed a fear that their involvement in the cull might be discovered, and I had prospective interviews that failed to materialise despite several telephone and email exchanges.

Two participants in the study were interviewed via recorded telephone conversations; although not preferable, due to various constraints and cancelled meetings this became the only way in which the interviews could be completed. In both cases, I decided that the value that the participants brought to the case study far outweighed the fact that a face-to-face interview was not possible and therefore proceeded via telephone.

Each interview was planned to last approximately 30 minutes. Every interview lasted at least this length of time, however whether it was due to the choice of venue allowing participants to freely share (Elwood and Martin, 2000), many continued past the planned time with participants eager to talk, and some passed the hour before I was able to conclude the interview.

Case study 2: the EDL march

Between July and October 2017, I conducted 22 interviews with participants who had been integral in the policing of the EDL march in Liverpool. The sample of police officers ranged from the rank of Constable to Deputy Chief Constable and were all serving officers from Merseyside Police or British Transport Police. The group comprised of; police commanders undertaking the role of Gold, Silver or Bronze public order commanders; and liaison officers, which included PLT who had engaged with EDL or “*left-wing*” group members and police operational planners who had engaged with business and partner agencies. The EDL members who engaged with the police were so identified. Those opposing the EDL march also refuted the suggestion that they were protesters and preferred the collective noun of “*activists*” to better describe their involvements. There were several participants interviewed from other organisations and businesses, representing; Liverpool City Council; St George’s Hall; Merseytravel; and the Empire Theatre, and these participants were also grouped to protect identities. The following collective terms were used;

- **Commander** – police public order commanders
- **PLT** – including operational planners
- **EDL** – marching members
- **Activist** – encompassing all those opposing the EDL march
- **Business** – interested parties including the local authority

Recruiting police officers for this case study in my home force presented no issues, particularly having a senior officer as gatekeeper sponsoring the research. All chose to be interviewed on police premises and there were varied locations selected, although many senior officers chose more neutral rooms instead of their own offices in which to be interviewed. The EDL members were willing participants from first requests and selected a pub as the interview location. All business participants except one chose to be interviewed at their places of work which afforded them familiar surroundings and a safe environment (DiCicco-Bloom and Crabtree, 2006). The one exception chose to attend police premises to be interviewed, however explained that they regularly attended the police location in their duties so were familiar with the location.

The most difficult group to recruit were those opposed to the EDL march. Gatekeepers failed to identify suitable participants who had engaged with the police pre-event, identifying them as a difficult group to reach, and this became a key area analysed during the study. However, I was keen to hear the voice of all those present including those opposed and therefore sought out potential participants to hear their reasons for not engaging with the police. An internet search

produced a list of the groups and trade unions who had been actively involved in the counter-protest (Unite Against Fascism, 2017). Using the list, I searched for email addresses and contacted seven groups identified. I identified my position as a serving police officer and researcher and asked whether a member who was involved in the counterdemonstrations would be prepared for me to contact them. Five failed to respond to email correspondence despite several attempts, however two organisations did respond, and participants were recruited. One selected to be interviewed at their own business location, the other chose to attend police premises and be interviewed. The collective noun of Activist was selected as most appropriate from the responses of the participants. Interviews were also planned to last 30 minutes and again all equalled or pasts the planned interview duration with some, including an Activist interview, passing the hour mark.

The overwhelming response of participants in both case studies was a desire to tell their story, and this was evidenced by the length of interviews and the little I spoke during each one. Many interviews commenced with me asking an open question and then several minutes of the participants describing their experiences. Only two interviews, both of Protectors, were initially more stilted, which was reflected in the one sentence replies to initial questions. However, in both cases the interviewees seemingly relaxed and later on in the interviews engaged in long narratives describing their experiences.

Data analysis – transcribing and coding

I initially considered not transcribing every interview in full, a process recognised as extremely time consuming and potentially expensive if employing assistance for transcription (for example, Silverman, 2006; Kvale, 2007; Markle, West and Rich, 2011; Neal et al., 2014), and instead considered utilising a process of “live-coding” (List, 2007) or “recorded coding” (Ongena and Dijkstra, 2006). Markle, West and Rich (2011, p.5) observed that transcribing spoken data “inevitably loses information as the concrete event or emotional response is translated into written language.” Silverman (2006, p.297) argued that transcribing a whole dataset might divert the researcher from data analysis. List (2007) opined that “most in-depth interviews don't have very much in-depth interaction.” List further argued that there was only five minutes of relevant and interesting material in an hour-long interview, the remainder consisting of “introduction, repetition, indecision, and waffle” which was “usually not worth coding, let alone transcribing.”

My focus was therefore on coding key themes rather than transcribing every word spoken. However, as I considered how I would code the data, I selected a thematic coding approach (further discussed in this chapter) and therefore recognised that my first step in coding was to become familiarised with the data. I therefore decided to transcribe all 48 interviews fully, utilising a voice recognition programme to assist transcription (for examples of transcribed interviews, see Appendix 2). Although time-consuming, the discipline allowed me to immerse myself in the data and greatly assisted in coding.

I considered further how I would transcribe the voice recorded data. Bucholtz (2000, p.1439) observed that transcribing involved both interpretive decisions in what was transcribed, and representational decisions in how it was transcribed, and the decisions made were a response to the transcriber's "own expectations and beliefs about the speakers and the interaction being transcribed." Bailey (2008, p.130) observed that there were many ways to transcribe the same data, and therefore the decisions on how transcription was made were "guided by the methodological assumptions underpinning a particular research project." Bailey argued that transcription was an interpretive act rather than simply a technical process and as it involved making judgments was the initial step in analysing data.

Oliver, Serovich and Mason (2005, p.1273) examined a range of options, from using "naturalism," in which every utterance was captured in as much detail as possible, to "denaturalism," where grammar was corrected and "interview noise" (such as stutters and pauses) were removed. Oliver, Serovich and Mason argued that denaturalism was less to do with depicting involuntary vocalisation and more concerned with accurately recording the meanings and perceptions created and exchanged in the conversation. Ekdale (2011) observed that most researchers used a hybrid approach between naturalism and denaturalism, based on epistemological considerations and what might be most appropriate for their research.

I concurred with Oliver, Serovich and Mason (2005) that what was significant for my research was less the mechanics of the interview and more the meanings and perceptions conveyed, and therefore chose to transcribe more denaturalistically. My use of a semi-structured interview style allowed the interviewees free rein in response and therefore placed little significance on analysis of pauses and hesitations in replying to questions. I therefore decided to transcribe every spoken word as provided by the interviewee but remove pauses and filler sounds (such as "erm," "um" and "ah") so as not to detract from the overall message delivered.

Having transcribed all interviews, I began to code the data, noting Ryan and Bernard's (2007, p.780) emphasis that "no particular tradition, whether humanistic or positivistic, has a monopoly on text analysis." Robson and McCartan (2016) suggested that the most common approaches to coding were; a quasi-statistical method where qualitative data is given a numerical quantitative value; a grounded theory approach; and a thematic coding approach, being the most employed method of coding. I decided that neither a quasi-statistical approach (for example, Abeyasekera, 2005) nor a grounded theory approach (for example, Glaser and Strauss, 1967) were appropriate for coding the denaturalised conversations that I had transcribed, and selected instead an approach based on thematic coding (for example, Flick, 2009; Robson and McCartan, 2016) and identifying a thematic framework which was adaptable and flexible (Ritchie and Spencer, 1994).

Applying such a coding approach began with a familiarisation of the data (Robson and McCartan, 2016; Ritchie and Spencer, 1994), which I achieved through listening to the voice recorded interviews whilst reading through the contemporaneous notes from each interview and transcribing the data. I was guided by Bogdan and Biklen (2003) in considering how soon after data collection I should start analysis and chose to start coding a short time after transcription whilst the material was fresh. Further, I separated the two case studies temporally so I could concentrate on the first before embarking on data collection for the second.

Having prepared transcriptions, I then worked through the data and collated excerpts from interviews (Flick, 2009) which I grouped into themes and descriptions, which Bogdan and Biklen (2003, p.161) described as "regularities and patterns as well as topics." Creswell (2014) noted that thematic coding entailed concentrating on significant parts of the data and disregarding other parts. Flick (2009, p.330) concurred and observed that coding "is often a combination of a very fine analysis of some parts of the text and a rough classification and summary of other parts."

Creswell (2014, p.248) suggested that most thematic coders used "some combination of emerging and predetermined codes" and identified; codes on topics that were expected; surprising and unanticipated codes; and unusual codes. Flick (2009) observed that coding might start from the text to develop categories or take a set of categories as a starting point, but often a combination of the two strategies might be encountered. In completing the coding process, I used a combination method. I had predetermined areas that were neutral codes formed from the questions (such as a "dialogical approach pre, during and post-event"), but there were also surprising and unusual themes that emerged from the data (for example, "the police as the

state” and “political pressure”). Throughout, I reminded myself as Patton (2002) observed that what was important was the people studied, so the skill was to let the data tell their own story and “what people actually say, and the descriptions of events observed remain the essence of qualitative inquiry” (p.455).

Ultimately, I produced a set of topics consisting of deductive (Flick, 2009) and emerging themes. I worked through each interview transcript and identified passages that I then inserted under each theme to produce a collection of quotes for each theme across the case study, allowing me to then blend the data as I began to write up my thesis. Flick (2009) observed that a thematic structure also assisted in comparing cases and groups. Having completed an analysis of the first case study, I used the same thematic template to code data for the second case study and quickly discovered that the data comfortably followed the same thematic framework. The content within each theme carried in length and focus across the studies, however the data fitted perfectly into the framework and allowed a discussion of the key topics. The thematic structure therefore became a set of headings that framed the data.

The thesis

Creswell (2014, p.249) observed that the final stage of coding was to consider “how the description and themes will be represented in the qualitative narrative.” Robson and McCartan (2016) referred to a process of interrogating and interpreting the data, and as I began to interrogate the themes I had identified, I considered how the data would be written up in the thesis. The coding provided the framework and data for a chapter on each case study presenting the key findings, and then a further discussion chapter where the research question was examined across both case studies and further evidence was provided on the balancing of human rights that filled the gap in research identified in the literature review.

Creswell (2014) noted that a narrative passage was the most popular approach utilised to convey research findings of the analysis, and this was the method I employed. The excerpts of the interviews that were coded together were then blended to form the narrative for each sub heading. On occasions, excerpts were inserted in full, however in doing so I was mindful, as Mason (1994, p.95) cautioned that as they had been removed from their original contexts, I needed to employ “intellectual judgement” in developing the analysis to contextualise the excerpts within the narrative. Each excerpt was attributed in the narrative to an individual from

one of the collective groups identified earlier in this chapter, identified by a unique letter for each participant.

An analysis of the data allowed conclusions to be drawn and recommendations for all engaged in the policing of protest; police officers; those wishing to march, protest or counterdemonstrate; and those interested parties affected by the event. In analysing the responses of participants, the limitations of the sample size of participants must also be recognised when drawing conclusions from the review. Caution should be engaged in recognising the potential for participants to demonstrate bias (Becker, 1967). The police sample group for this research consisted of commanders and liaison officers who had used or had been deployed as PLT and their support for the role should be considered in considering conclusions reached. It must also be recognised that participating protectors, EDL members, activists and business members may not represent all voices from their respective groups.

Conclusion

My journey through the selection of research methods has led me to this final thesis, a culmination of all the decisions I made and the pathways chosen. Selecting qualitative methods through conducting interviews provided me with the experiences of participants who described their divergent viewpoints of the same events. The contrasting case studies in terms of location, duration, subject matter and political influences have afforded me contextually rich data that provided an insight into the experiences, thoughts and opinions of those central to the policing of both protest events.

Throughout the research journey I have been conscious of my position as both researcher and serving police officer. In particular, I have continually assessed my insider-outsider status and concluded that I passed in, along and through the continuum of insider and outsider researcher at different times during the process, and on occasions was both insider and outsider simultaneously. The decisions I made regarding interview location and dress code assisted in building bridges, trust and relationships with those whom I interviewed, which reduced power imbalances and facilitated open conversation. This is evidenced by the lengthy, flowing interviews that were conducted and the access I was provided both physically in being invited into participants' homes and places of work and emotionally through their orating of rich stories. The data gathered from these interviews is collated and presented in the following chapters.

5. Case study 1: the badger cull

Introduction

This chapter contributes to the thesis by examining the policing of the badger cull and its opposition in the South West of England in 2016. The study examines the experiences of those engaged in or affected by the cull and opposition to it, focused particularly in Devon and North Cornwall, although many participants shared experiences in other cull areas. The study considers the dialogical engagement that took place between the police and all those affected by the badger cull in the build-up period, during the cull itself, and the period after the cull had ended, and examines the balancing of the human rights of all affected parties.

Background to the cull

Badgers are perhaps one of the most popular native wild animals in the UK and a potent cultural symbol of the countryside (Enticott, 2001). However, in recent years, despite its protected status, the badger has been the subject of a cull in designated areas of England, particularly within the south west region (Parliament, 2011) following concerns linking the badger to the spread of bovine tuberculosis (DEFRA, 2016). The cull dichotomised views and opinions in the region and saw an increase in licences for cull operators (Natural England, 2014) coupled with opposition in the form of protests, marches and positive action (Irons, 2016; Cleave, 2016; Carrington, 2013).

The badger was voted second only to the hedgehog in a national poll to select the most popular UK wildlife icon (Discover Wildlife, 2013), features on the logo of the Royal Society of Wildlife Trusts (more commonly referred to as The Wildlife Trusts) and is a cherished wildlife species within British history and culture. However, even in British culture the badger is portrayed as both friend and foe, which can be observed in popular children's literature; 'Mr Badger' in Kenneth Grahame's 1908 novel 'The Wind in the Willows' is portrayed as a wise, kind and compassionate fellow, willing to help others; whereas in Beatrix Potter's 'The Tale of Mr. Tod,' the badger 'Tommy Brock' is depicted as a grim and deeply unpleasant character (Cassidy, 2012).

The badger has in more recent times found itself at the centre of contentious debate concerning its contribution to the spread of bovine tuberculosis (bTB) and therefore polarised views concerning the merits in culling badgers. The Department for Environment, Food and Rural Affairs (DEFRA) described bTB as “the most pressing animal health problem in the UK” (DEFRA, 2014 p.6) and there has been a significant increase in the number of cattle culled due to the disease in recent years (Driver, 2016). Since the 1970s, badgers have been linked to this problem (Enticott, 2001), however, the extent to which badgers spread the disease and the effectivity of an enforced badger cull has been highly contested. The issues are further complicated by the protected status of badgers. Apart from badger baiting, made illegal in 1835, badgers were first given legal protection by the Badgers Act 1973, which was amended by the Wildlife and Countryside Act 1981, and replaced by the Protection of Badgers Act 1992 (Harris et al., 1994). This legislation means that the methods of culling badgers, namely cage-trapping and shooting badgers; controlled shooting; and cage-trapping and vaccination are clearly defined by DEFRA within open and closed seasons (DEFRA, 2016).

In 1997, under the direction of Professor Lord Krebs, an independent scientific review was compiled into the spread of bTB in cattle and badgers, and recommendations were made to the Government to implement randomised controlled trials (Krebs et al., 1997), subsequently instigated and lasting for 10 years. However, the effectivity of the cull was widely contested, and a report commissioned by DEFRA concluded that “badger culling is unlikely to contribute usefully to the control of cattle TB” (Bourne, 2007 p.21). Lord Krebs himself was quoted as saying that the cull was “ineffective” in controlling the disease (Harvey, 2011).

On 14th December 2011, then Secretary of State for Environment, Food and Rural Affairs, Mrs Caroline Spelman, announced “the next stage in the eradication” of bTB, involving a pilot scheme of badger control, which included licences granted by Natural England for the culling of badgers by shooting (Parliament, 2011). On 19th January 2012, DEFRA confirmed that the areas of West Gloucestershire and West Somerset had been selected and invited licence application submissions to Natural England to undertake culling operations (DEFRA, 2012). Natural England, a non-departmental UK public body and “the government’s adviser for the natural environment in England” (Natural England, 2017) issued licences later that year, and culling commenced in August 2013, continuing until November 2013 (DEFRA, 2015). After the initial pilot year, DEFRA announced that culling would continue for a minimum of four years, and West Gloucestershire and West Somerset were granted licences for a second year, undertaking culling operations from September to December 2014 (DEFRA, 2015). The third year of culling took place in autumn

2015 in the existing two areas, and an additional licenced area in Dorset (Hirst, 2017). On 17th December 2015, then Secretary of State for Environment, Food and Rural Affairs, Mrs. Elizabeth Truss, announced that the cull would be extended for 2016. With changes to the requirements, seven areas were identified with additional areas selected in Cornwall, Devon, Dorset, Gloucestershire and Herefordshire (Hirst, 2017).

Natural England have since 2006 been authorised by DEFRA to discharge their functions in the culling of badgers and provide annual guidance (DEFRA, 2016). DEFRA clearly define the methods of culling badgers within open and closed seasons, namely; cage-trapping and shooting badgers; controlled shooting; and cage-trapping and vaccination, to “deliver an effective cull” (DEFRA, 2016, p.4). Natural England are then empowered to issue licences and set minimum and maximum cull numbers for each area, based on advice from an Independent Expert Panel (Natural England, 2014). Natural England also have responsibility for developing a monitoring regime alongside DEFRA and the Animal Health and Veterinary Laboratories Agency (AHVLA), including monitoring accuracy of shooting (Natural England, 2014).

The debate on the effectivity of a badger cull continued. The cull was supported by the National Farmers’ Union (NFU) who described it as a vital component in the plan to “control and eradicate bovine TB where the disease is endemic” (Batters, 2015). However, The Wildlife Trusts voiced concern that available scientific evidence did not support a cull, because a cull would not decrease occurrences of bTB to cattle from badgers, rather “disperse badger populations to the detriment of the countryside” (The Wildlife Trusts, 2017).

Opposition led to numerous protests, demonstration and marches throughout the South West of England, starting in 2013 in Gloucestershire, with marches organised by Gloucester Against Badger Shooting and supported by national wildlife charities such as Badger Trust, Born Free and Animal Aid (Green, 2014). Other groups such as the Stop the Cull group and Hunt Saboteurs groups, some of which included members “who acknowledge past convictions for aggravated trespass and criminal damage but condemn intimidation or violence” (Carrington, 2013) used more direct actions in protesting, such as publishing the details of farmers or landowners signed up to the cull, and deploying “an arsenal of proven, non-violent, direct tactics” (Hunt Saboteurs Association, 2013). As the culling operation increased and contractors in other areas of the South West region gained licences, so those opposed to the cull made their voices heard through a variety of mediums, including protests, marches, demonstrations, badger patrolling and direct action.

2016 heralded the first licences for the culling of badgers in Devon and Cornwall. The cull period lasted for over six weeks, between 29th August and 18th October 2016 (DERFA, 2016), however before it had even started, those in opposition took to the streets. March 2016 saw the first significant demonstration, organised by the Badger Trust, and involved an assembly of over 200 anti-badger cull protesters at Plymouth Hoe before they marched through the city (Irons, 2016). In August, it was reported that members of Devon and Cornwall Against the Badger Cull (DCABC) joined with other groups to hold “a peaceful protest against badger culling” at the Holsworthy and Stratton Agricultural Show (Cleave, 2016). The culling operation commenced in September and coincided with protests in Bideford (Keeble, 2016), as well as near to the office of the NFU Exeter (Sleightholme, 2016) and inside the Totnes Civic Hall, where a meeting was called by the Devon Badger Group and Cornwall Against the Badger Cull (Acourt, 2016). The protests gained media coverage, and the cause was supported by celebrities, including Queen guitarist, Brian May (Winter, 2016). Alongside protests and demonstrations, others took a more active role by undertaking badger patrols on a regular basis (Derrick, 2016) and support was provided after Camp Badger was established (Birchall, 2016) to accommodate anti-cull supporters. As the cull moved in to October, protests continued to occur in places such as Ashprington, where it was reported that a group of around 25 protesters marched through the village, carrying flags, wearing masks, and “clashing with a parish councillor” (Dennis, 2016). Further protests were reported in the streets of Launceston and on the beaches of Bude.

By the end of the cull period in December 2016, DEFRA reported that all cull areas had achieved their minimum number and did not exceed their maximum number of culls, with a total of 10,866 badgers killed; just under half (5,219 badgers) were caged and shot while the remaining 5,672 were shot (DERFA, 2016). The NFU praised the safe, humane and effective way the cull operatives had carried out the cull (DEFRA, 2016). DCABC however criticised the “unscientific and unethical badger cull” and claimed that the target number of culls were “mysteriously halved” in the week before the end of the culling period, seriously questioning the “supposed science behind the cull” (DCABC, 2017).

Interested parties

Identifying interested parties

Button and John (2002) observed that there existed a complex range of interested parties involved in the policing of environmental protest. Such a complexity was immediately evident

in this case study as participants described the large number of diverse interested parties involved in the badger cull. Groups within groups in the anti-cull community were described and a crossover of membership identified, consistent with ESIM (for example, Reicher, 1996; Drury and Reicher, 2000). Furthermore, there were numerous groups and organisations identified who to the onlooker might not have been considered interested parties that not only became ensconced in the cull but were engaged in dialogue with the police during that period. Identifying interested parties allowed a consideration of institutional, organisational, cultural and contextual levels of analysis as presented when applying the Flashpoints Model (King and Waddington, 2005; Waddington, 2012).

There were numerous interested parties identified in this case study who engaged in dialogue with the police during the badger cull period. One PLT observed that although interested parties were often simply divided into either for or against the cull, it was much more nuanced. To consider the research question it was therefore paramount to first identify interested parties and their identity and map the dialogical process.

Every participant in this case study research identified that there were different groups of people opposed the cull, and the actions and responses of each group varied. A significant group identified were often referred to by Commanders and PLT as the “*Middle England*” group, although one PLT caveated, “*We’ve got to be careful about the terminology.*” The term was used by many police and Business participants to describe those who were against the cull and who attended cull areas to walk the pathways and support wounded badgers. The group were described as “*moderate,*” “*engaging,*” “*law abiding,*” “*haven't got a confrontational bone in their body,*” who had “*never had any contact with the police*” and who “*wouldn't dream of having contact with the police.*” One Commander summarised;

“You had the Middle England brigade, who were passionate about badgers, and still are. And, what they didn't want to do is see badgers being culled. They thought this was an illogical approach, why not vaccinate? They were the Badger Trust people. They were Middle England. They were completely lawful. They would never dream of coming across police officers, you know, they would never dream of disagreeing with the police officers. They didn't particularly even like trespassing; they would if they had to. But they would carry out sett surveys to identify where there were badgers.”
(Commander C)

Many members of the group referred to as “Middle England” were members of badger groups, such as the Cornwall Badger Group, the Devon Badger Group and the Somerset Badger Group. Many PLT and some Commanders referred to these groups specifically, identifying them as people from all walks of life; *“they could come from anywhere;” “one was a postal worker, someone who just felt very strongly about it;” “they would be at work all day, come out in the evenings, were knackered, were very engaging with what we were trying to achieve as the police.”*

One Protector explained that the badger groups comprised people who wanted to protect badgers and help injured badgers. Some of the badger group members also belonged to groups specifically opposing the cull, for example, Devon and Cornwall against the Badger Cull. This provided a point of contact for people that opposed the cull and wanted to get involved in activities such as the patrols. The Protector explained how they had become involved in the badger group;

“I suppose I have liked badgers since a very early age. I think they are cute, mysterious. So, when the cull first came about in Devon and Cornwall, I started looking at it, thinking, ‘Why are they doing this?’ Looking at what had happened previously. And I had started signing petitions and making my own posters, and I thought that I need to do more. So, my first event was a march in Exeter, which was a real eye-opener, to go along with so many other like-minded people. And, from there, I joined the Devon Badger Group, and gradually, progressively, became more involved with the group.”

(Protector C)

Another Protector also explained how they as an animal lover had also become involved in opposition to the cull;

“I saw a thing on the TV. They were going to cull badgers in Somerset. And, well I thought, ‘I don't think that sounds right,’ even though I didn't know the pros and cons of it. So, I just knew I had to do something about it. So, I Googled Somerset Badger Group and I rang, and I spoke to [Protector] and I went up there on a walk. And that was it, really, I got involved then. And went up about two or three nights a week for the whole of the six weeks of the cull.... Of course, the first year, none of us knew what we were doing. We were just sent down the lane, ‘Oh, go and walk up and down there, until you can't do it anymore, and then go home, and come back the next night.’ So, we did that. We did feel that we were doing something useful..”

(Protector A)

Such groups would turn up to patrol every evening in the various cull areas, meet in local car parks, don high visibility jackets, carry torches and undertake injured badger patrols along public footpaths. However, participants also described another group of those opposing the cull, who were described by Commanders as “*more active,*” with a “*much more hardened edge*” and as “*people who are willing to take more direct action.*” One Business participant shared their perception regarding the differing approaches;

“There was the middle-class, the ones that came out 8 o'clock in the evenings. They done peaceful protest, they kept to the footpath, they made a few noises, flashed a few lights, caused disturbance, all within the law, and they probably went home at 11 o'clock. Totally lawful. And then there was probably a harder protest group, where they came and they were not lawful. They did trash some of our equipment. They damaged fences, left gates open, and they would not be within what we perceived was lawful.”

(Business A)

Many participants located the hunt saboteurs (sabs) in this group of “*political activists*” and “*domestic extremists,*” and noted that whereas the badger groups were predominantly from the South West area, various hunt sab groups attended from elsewhere in the country. A Business participant explained that this group had two objectives; to located and destroy cage traps; and to disturb those contractors culling the badgers at night thereby disrupting the cull. One Protector assisted in outlining sabs’ objectives;

“You know, the whole idea is to blend in and just get on with what we do, without causing any problems for anyone. But I do know in other areas of the cull, there's all different groups involved, and in some areas, there has been intimidation of farmers, and vice versa, intimidation of activists. But my main aim is to not cause anyone any problems.”

(Protector B)

Although groups were united in opposing the cull, differences and disagreements were apparent in their respective approaches and tactics. One PLT explained that the structure was quite complex, and there were groups that did not talk to each other or disagreed with others’ tactics. A Protector described “*in-house fighting*” and “*things getting nasty*” within an anti-cull community consisting of “*people from all walks of life, with all different lifestyles,*” and “*egos that try to make things bigger than the issue.*” Another observed that some had “*gone further,*” destroying cages and entering farms in the middle of the night, actions they believed to be “*intimidation*” and “*wrong.*” Conversely, another Protector observed some were not prepared

to engage in activities that others might do, but they still were “a useful group of people to have on board.” This Protector favoured a more direct approach to the badger patrols, but added;

“Basically, it is a good working relationship with them [badger patrols]. If there was areas we wanted to visit, they acted as a good decoy to get us into areas that we found it difficult to get into. They'd maybe go and patrol an area and draw the attention to themselves, whilst we could go about our work.”

(Protector B)

A further group were identified as anti-cull, which were described as the “top end category; animal rights extremists.” A Business participant however observed that the presence of this group was limited as the cull was “probably too low-key for them.”

Camp Badger was referred to by many as a key location for those opposing the cull, providing accommodation and food. The camp was open to the “Middle England” groups and hunt sabs alike and became a meeting place and focal point as well as a target during the cull period. Although there was opposition to the camp in the local community, there was also lots of support “on the quiet” demonstrated by constant donations of food. One participant explained how the camp originated;

“We became involved firstly, because we did a sett surveying course down in our woods, at the beginning of last year. Because, we wanted to understand more about how to spot what the badgers were doing and understand about our sett. And, from that, we met a few people, and we went to a meeting in [location], to find out what was happening with the cull. And, after that, we had an email from one of the ladies, who'd been at the sett surveying weekend here. And, she asked us if we knew anybody who had some land and who would be prepared to host a cull [opposition]. And, we had already thought about it previously, and so, we said yes, we would host the cull [opposition], and so that... Camp Badger, so, that's how it started, basically.”

(Protector D)

Several Protectors explained that as well as the activities at cull locations, they wanted to raise public awareness of cull sites as a part of their opposition and so organised demonstrations aimed at certain organisations. One explained;

“We have had demonstrations outside the NFU and DEFRA and Natural England, to try and draw attention... Well, we have had some media attention as well, just to raise the profile as it got a little bit nearer to the cull. But we've also tried to get meetings. Twice, probably three times I have asked personally the NFU to

come and sit around the table with us, because, you see, they haven't really got any scientific argument."
(Protector A)

Research into the policing of protest has predominantly concentrated on the relationship between the police and the protest groups (for example, McPhail, Schweingruber and McCarthy, 1998; della Porta, Peterson and Reiter (2006; Waddington, 2012). However, this research identified a whole host of other interested parties who were ensconced in the cull process with whom the police engaged in dialogue. If charting the identity of those opposing the cull was complex, establishing the identity of those the subject of this opposition similarly produced an intricate picture. Participants identified several key interested parties which included Governmental departments, particularly DEFRA and the Home Office. There was great interest from Chief Constables from other police areas as well as from Police and Crime Commissioners who wanted to voice their *"different views on how things should be done."* Natural England were identified as key in the culling process and perceived by many as a lead pro-cull agency, although one Commander advised that because of their affiliations and protection of animal health, they had encountered several people within Natural England who were *"less than pro-cull."* Another stakeholder identified was the Animal Plant Health Agency (APHA), a subsidiary of DEFRA who, one participant explained, oversaw the humaneness of the cull by monitoring the contractors. Another described APHA as *"more animal loving"* rather than pro-cull. The contractors and culling companies themselves were significant players, with several companies involved, all *"separate entities,"* as were the landowners who were required to sign and apply for a licence before the cull could take place.

The most complex and diverse group as identified by every participant in the research was the farming community and some Commanders suggested that this was a group often missed. The farming community ranged from smallholders with a couple of fields and few livestock up to 1000-acre farms. Some farmer, as landowners, were licenced for cage trapping or shooting, and farmers would actively take part in the cull. However, every participant made it clear that there were different communities within farming, and it was wrong to label them all as pro-cull. One PLT explained that within farming there are some who are pro-cull, pro-hunting and *"pro lots of different farming activities,"* but then there are also people in the farming community who aren't pro-cull, who may be pro-hunt, but see the cull as Government driven and do not support it. Another PLT explained that some farmers would not sign their land over because they did not agree with the scientific evidence and favoured a vaccination approach. Several Protectors concurred and provided examples of farmers who disagreed with the cull, favouring evidence

that the main transmission of bTB was from cattle to cattle rather than through badgers. One Protector explained that the badger groups were not *“anti-farmers,”* but that this was the rhetoric that was being promulgated to alienate Protectors from the farming community.

A Commander suggested that many anti-cull farmers came from the non-beef or non-dairy farming population. A Business participant suggested that support for the cull was often location related, with farmers in more rural areas tending to either support or at least have no issues regarding the validity of the cull. However, others noted that one of the locations where the anti-cull group met was on a rural farm, where the farm owners were against the cull. What was agreed by several responders was that those farmers that were anti-cull would tend to be less overt about their opinions. One Protector recounted the pressure that they had witnessed applied on individual farmers by the local community for opposing the cull, and several Protectors pointed to the NFU as having *“intimidated”* and *“put huge pressure”* on farmers if they did not sign up.

The NFU were therefore also key stakeholders within the cull, described as *“a very powerful body”* by one Protector, *“the ones that are driving this policy”* by another and became the subject of protests at their offices. However, even with the NFU support was not clear cut. One Protector and farm owner explained that they were members of the NFU, as it was an insurance requirement due to owning thatched rooved buildings, even though they were vehemently anti-cull. Another Protector recounted that they had spoken to lots of members of the NFU who do not agree with the cull, which they found *“quite surprising.”* Contrastingly, a Business participant involved in the cull stated that they were not affiliated to the NFU because they were *“not from that background”* and that in their area it was very much independent farmers who were behind the cull.

As well as the farming industry, there were numerous ancillary industries linked to farming with whom the police liaised, including a large creamery, feed merchants, poultry merchants, egg suppliers, farm shops and supermarket chains. Other interested parties who engaged in dialogue were those involved in pheasant shoots, hunting, fisheries and gun sports. Some of the ancillary industries themselves became the subject of protests and demonstrations. A PLT described how they had liaised with one feed company who were *“being targeted quite regularly”* and receiving nuisance phone calls.

The extended community also emerged as significant stakeholders. One Business participant recounted how anti-cull posters had brought fear of live firing in the area. Local authorities and town councils were identified interested parties, and PLT explained the variance in different areas; some communities were predominately pro-cull but there were towns where councillors were *“openly anti-cull”* and one Commander described a town where a protest of 3000 participants would occur *“at the drop of a hat.”* Neighbourhood Watch teams and coordinators wanted information from the police regarding what was lawful and legal. Other members of the public expressed concerns to the police regarding the number of resources dedicated to policing the cull and protests. One PLT explained that they had dialogue with local schools who wanted to know what stance they should take with pupils regarding the cull. Several Commanders observed that Devon and Cornwall Police was also internally divided; some for the cull; some against; and some indifferent. Finally, the cull and opposition played out in local and national media, and this was augmented by support from *“other interested parties, such as Brian May, Queen’s guitarist,”* who attended protest events and marches.

Identity and nomenclature

Participants were unanimously keen to assert that the dialogue and engagement process was more than simply identifying stakeholders; there was a need to understand the identity of key groups to build relationships, further discussed later in this chapter regarding nomenclature.

Button, John and Brearley (2002) described an emergence of “full-time protesters” in their research into environmentalist protests. However, it was apparent from all participants in this research that the term *“protester”* was itself problematic, and all Protectors vehemently distanced themselves from the label, which they felt was forced upon them and had negative connotations. The suggestion that they might be *“professional protesters”* was seen as particularly offensive. Participants who opposed the cull were asked how they would describe themselves. They responded;

“Passionate. Angered. And feeling that I can make a difference by standing up and saying, ‘No!’”
(Protector C)

“Just normal! We are just people... We are just a family who live here, who want to save our badgers.”
(Protector D)

"It's not about the cull. We are a badger group, and so we deal with garden problems, planning and development, road casualties, all that sort of thing. But obviously, the cull is always in the back of everybody's minds."

(Protector A)

"We are not protesters. It's not a protest. We are people who don't agree with the unjust law."

(Protector F)

"I'm not a protester, I'm a hunt saboteur. I go out and stop fox hunting actively in the field. I don't go protesting, I actually go out with the hunt and stop them killing animals. Same with the badger cull, I go out and stop them killing badgers."

(Protector B)

"The Government have forced the cull here, it is going to happen on your doorstep. We don't agree with it. So, they've labelled us as protesters. No, we're not! We just, we want to live our life, and be normal. But, hang on a minute! You've decided you're going to kill all the badgers in your area, to protect the cows. Wrong, anyway. But you can't just let it go on. We didn't move here to deliberately stop anything like that happening, we were already here! They brought that in to create us as protesters, so they've labelled us with that. We are not, we just want them not to do what they are doing. Protester is the wrong word."

(Protector E)

There was a clear feeling amongst all those opposed to the cull that there was a human element to their opposition which was being overlooked. One Protector explained that, *"Good people are against the cull. Educated people. Doctors, scientists, lawyers. Not idiots with guns!"* Another observed that those opposing included social workers, lecturers and a senior person in Citizens Advice Bureau. A further Protector describe people from all walks of life; *"a mum and her two children came along to the protest, because the little boy loves animals, badgers being one of his favourites."* One Protector described how a couple had joined the opposition to the cull after being alerted about ongoing protests when stopped by the police. The couple had a Wildlife Trusts sticker depicting a badger displayed in the car and the police stopped them because they thought the couple were Protectors! Another described their personal sacrifices in opposing the cull;

"It's a huge involvement. It's been a massive part of my life. I've spent a considerable amount of my own money and a considerable amount of time and effort on it, you know, and having to use five weeks' holiday as block holidays from work to be able to go and do this. I take every single bit of leave in one go."

(Protector B)

All PLT participants were also very mindful of terminology, and recounted occasions when they had been corrected for using the word *“protester.”* PLT recognised the negative connotations associated with the term and accepted the explanation that this label might wrongly lead the wider community to view those opposing the cull as aggressive and violent. A Commander described the dangers of labelling and recognised that there was affiliation and crossover within groups. A PLT identified that the terminology used in police briefings had painted the *“protesters”* as the *“bad guys”* and the farming community as *“victims,”* and this had subsequently been addressed. *“Protector,”* PLT explained, became an accepted term to describe the activities of the badger groups, although for some anti-cull, they identified as *“hunt saboteurs.”* PLT explained how there was an education for police staff in terminology, with *“Protector”* being provided to press departments and Commanders as the preferred collective term. A Commander simply summarised, *“We’ll call them whatever they ask us to call them.”* A PLT explained that they tended not to refer to them as a group at all, rather individually, to make it personal.

It was not only those opposing the cull that expressed a lack of concern with the human aspect; farmers and contactors commissioned to carry out the cull also described their identity and why they supported the cull. Business participants explained the threats on their livelihoods caused by bTB and that they were attempting to protect their livestock and wanted to reduce bTB *“by the best means possible,”* as directed by the Government. One Business participant talked about the losses that he and others had suffered to bTB. Another outlined the colossal impact on farmers and landowners and spoke of six farmers who had committed suicide in a six-month period post the foot-and-mouth outbreak. They recounted that pressures were continuing to mount on farmers thorough bTB, which massively affecting their well-being and mental health.

Illegitimacy and lack of trust

There was a common perception expressed by participants from all interested parties that the actions of outgroups (Drury and Reicher, 2009) were not lawful or legitimate. This sense of illegitimacy extended to police responses and resulted in some expressing a lack of trust.

Business participants explained how some anti-cull had *“trashed equipment,” “damaged fences,” “intimidated,” “destroyed cage traps,” “left gates open”* and acted outside *“what we perceived was lawful.”* Participants explained that there had been times when the police had

been called to respond but did not take any action because they said there was not enough evidence.

Protectors explained that on occasions, cull operatives had reverted to free shooting and desecrated incidents where live shooters were operating near Protectors, *“totally contrary to all the guideline that are issued by Natural England and DEFRA.”* One described how they had witnessed *“dogs being set on wounded badgers.”* Another commented;

“If they were to carry out the cull as it’s properly supposed to be carried out, I might have a slight bit of respect for them. But, not when we’re finding illegal snares on badger runs.”

(Protector B)

Some Protectors described how they had been intimidated by pro-cull groups, which included *“throwing firecrackers”* and *“shining laser lights”* into where the Protectors were located. Most appalling was the description by one Protector of a *“dead deer outside the gates, skinned, with its feet cut off and put on top of it.”*

The perception of legitimacy has been identified as a key component of both ESIM and procedural justice theory (for example, Drury and Reicher 2000; Tyler and Lind, 1992). Legitimacy also emerged as a significant theme in this research and Protectors described interactions with the police where they perceived their actions to be illegitimate. Notably, all such incidents referred to interactions with the *“ordinary police”* who were described as *“not so friendly,”* rather than with PLT. One Protector described how they had initially been told by a police patrol that they were being arrested under the Protection of Badgers Act and searched until then being informed it was mistaken identity. A Protector described how they had been *“accosted, pretty much, by a police officer”* whilst walking a footpath. Another observed that when Protectors were stopped by the police for doing *“something that is perfectly legal,”* it dissuaded others to join their patrols. Several felt that the police as an organisation sided with the farmers, classing Protectors as *“criminals.”* One shared;

“The police are being influenced by the farmers. Because, the farmers are seen as the legitimate part of the community. Protesters are labelled with being a certain type of smelly, dirty, horrible person that doesn’t do anything, has no brains. When it’s actually the complete opposite way around.”

(Protector D)

PLT also recognised that there were police internal issues and misperceptions regarding the legitimacy of protests. One PLT observed;

“There is still often a generic mistrust of the term protester within the organisation, and if there are a protester, they must be a trouble causer. That’s not generic, obviously. But there are still some people that hold that real archaic opinion.”

(PLT A)

Moreover, PLT described how their own colleagues received them *“with mistrust,” “with joviality,”* and how *“sometimes people questioned the role,”* consistent with challenges recognised by Stott, Scothern and Gorringer (2013). PLT described how their own colleagues needed educating and several described how PLT had influenced police briefings and challenged terminology when the anti-cull community were depicted as *“the bad people”* and the farming community as victims. One PLT noted;

“If an anti-cull was to be a victim of crime, that wouldn’t be reflected in that terminology in the briefing, which of course put somebody in the mind-set that the bad guys already are the protesters. And they’re not.”

(PLT D)

Another PLT who had engaged with the farming community described how colleagues misunderstand their role;

“Because, the other thing is, they [police colleagues] all think I’m having a laugh out and about with farmers, and eating cake, drinking tea at the farmers table. It’s not that at all. I’m in some shitty cow shed talking to 50 farmers to say, ‘Look, we’re here for you. Anytime you want to phone me, I’m available.’ I get phone calls at 10 o’clock at night, but I never book my time off. I don’t put any overtime in when I do 12, 14 hours a day, when I get phone calls at nine o’clock in the evening from a farmer. I don’t want a gold medal. I’m not interested in being bigged up. I just want to make sure that these communities are getting the service that we are giving to the protesters.”

(PLT E)

Police responders also described difficulties experienced with police intelligence departments requesting information gathering by PLT and how PLT had refused this to protect their relationships with those with whom they were engaging. Several described the challenge PLT faced in not being perceived as intelligence gatherers, and how this was a barrier to their

relationships with those with whom they were engaging. One PLT explained how they had dealt with internal requests from intelligence departments;

"We just go straight back and say, 'No! Sorry, that's not our role.' And so, if the people in our own establishment don't know what we do, that there is no hope for people in the protesting community. So, that's a massive difficulty that we come up to quite a lot, and it's one that we can just repeat over and over again to any protesters, that we are not there to get as much information, we just want to facilitate people's protest."

(PLT F)

The perceived illegitimacy of outsider groups led many participants to describe a sense of injustice on occasions in how certain incidents were addressed. One Protector voiced their frustration;

"They [cull operatives] gone there, half the time, covering up their number plates. And I've got [PLT] on the phone, saying to me, 'Oh, well, we've made the decision. We are not going to let them get away with covering up their number plates anymore.' If my lot would have covered up their number plates, they would have been arrested straightaway! They stopped cars continually, all the time. That lot locked people in! Had guns on the floor in their car, not sheathed. Have cans of beer in the car! We've got videos of everything everywhere. And driving around with their number plates disguised, and the police do nothing, and openly say, 'Oh, we're not going to let them do it anymore.' And you say, it's fair, and we haven't been put in this position, and we aren't there having to defend ourselves against all these hooligans. They are the hooligans! They are the ones who go out at night and think it's fun to go out legally shooting everything, scaring everything at night."

(Protector D)

It became evident during the research that there was in fact a level of trust built between the police and all the interested parties during the badger cull. However, it was also clear that the trust was intrinsically linked to perceptions of legitimacy driven through dialogue, themes which will be further explored.

Mapping the dialogue process

D. Waddington (2012; 2016) and Stott, Scothern and Gorringer (2013) advocated the use of PLT in both problem-solving and mediation between protesters and commanders. This research reinforced the positive impact of deploying PLT to engage with Protectors. Further, however,

evidence supported the use of PLT not just with protesters but extending further to liaise with all interested parties.

The use of dialogue was identified as a key strategic intention by police participants, and from the outset Commanders sought to engage in dialogue with all the interested parties and implement a process that provided every individual and group a pathway to communicate with the Silver Commander. PLT and Commanders recognised that the process became more convoluted in time with further groups identified and new relationships continually being forged. Commanders needed to balance between recognising the diversity of groups and memberships with a pragmatic approach to dialogue. A Commander explained;

"It's wrong to say two sides of this, because that suggests a kind of differentiation already, in relation to parties. But the reality is, there are people that are pro-cull, and there are people that are anti-cull."

(Commander B)

Despite the complexity, Commanders explained that the solution was *"extremely simple;"* implementing a single command structure with command protocols. All PLT were aligned via team leaders (Police Sergeants) to PLT sub Bronze Commanders in each police force area, and they in turn fed in to one overall PLT Bronze for the region, responsible for all engagement relating to the various stakeholders involved. Therefore, there was a network of dialogue mapped out, with some PLT liaising with those opposing the cull, and other PLT liaison with those engaged in the cull and providing the links with the farming communities. (These officers were designated as *"Cull Liaison Officers (CLO)"* in the South West area for this role, although are encompassed in the generic term of *"PLT"* for this research). A Commander explained that this ensured an independent chain of command for the dialogical process rather than PLT working to geographical Bronze Commanders in their force areas.

This research therefore saw a complex map emerge depicting the interaction and dialogue between the police and interested parties. A chart outlining the interactions identified in this research provides a pictorial overview of the dialogue undertaken prior to, during and post the cull period (see Figure 1). This **Dialogical Wheel** visually portrays the numerous interested parties that were identified as being engaged in dialogue with the police during the research, and the officers who acted as liaisons between the police commander and the groups.

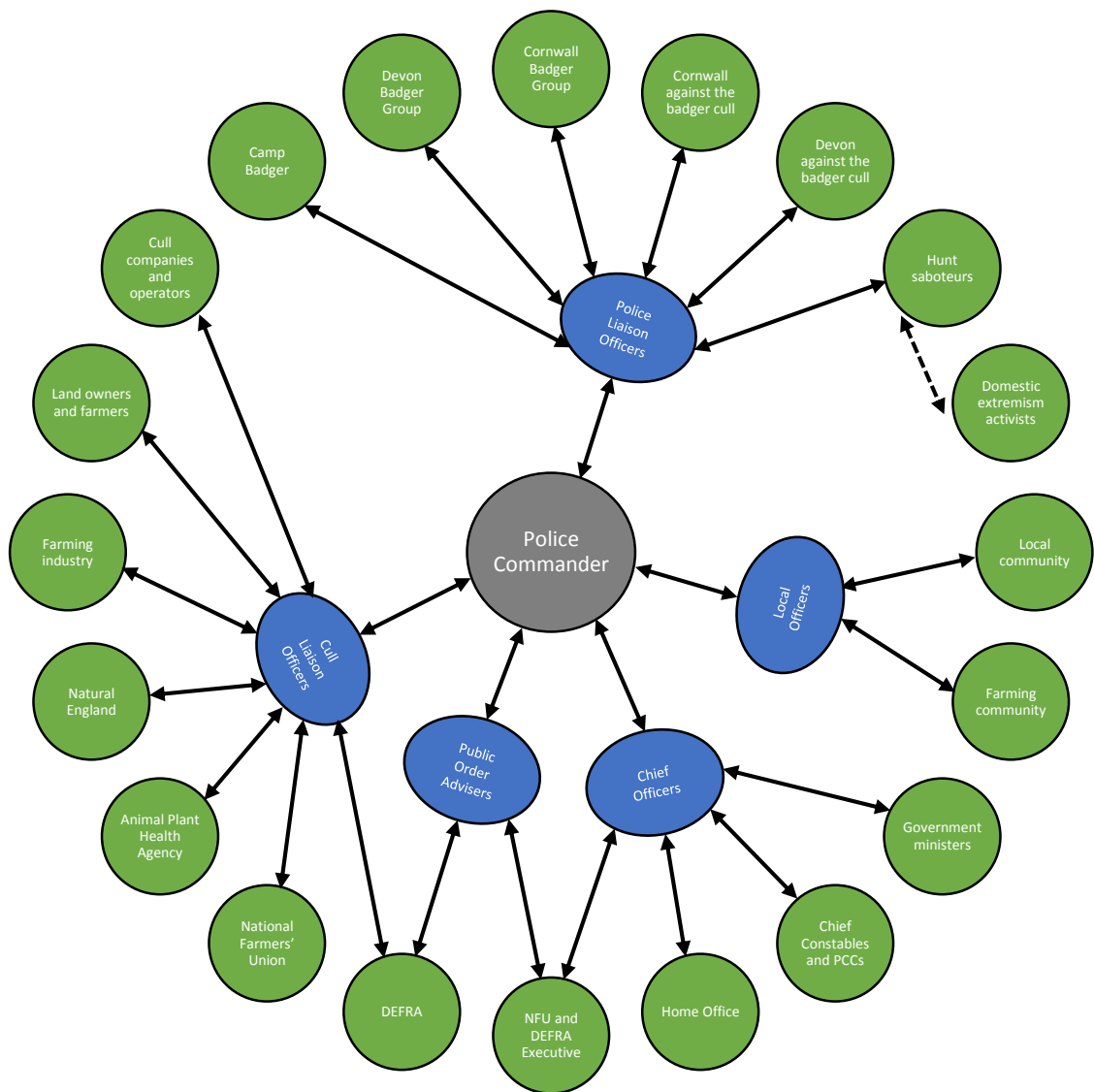


Figure 1: The policing of the badger cull dialogical wheel

PLT were aligned either with anti-cull groups or with pro-cull and the farming community, and one explained that *“never the twain shall meet.”* This allowed Commanders to dissemination information and keep a sterile corridor between the groups. A Commander explained, “We wouldn’t necessarily pass all of that information, all of the stakeholder feelings, across to the other groups.” PLT explained that PLT and CLOs worked from different police stations and in many cases did not know the identity of their counterparts. A PLT working with Protectors observed;

“That was good, to me. I wouldn’t have liked to have known any more information. You know, the fact that we didn’t know where the cull was specifically taking place. We weren’t party of any of that information. That worked.”

(PLT G)

A PLT liaising with cull companies also advocated the structure and observed that this negated confidentiality issues presenting potential risks for people initiating cull companies and this further promoted the development of trust, further discussed later. The police were open and clear about the structure to all engaging with the police. One Protector summarised their understanding of the policing response;

“We've got our liaison police, and then the farmers have got their liaison police, and they've got liaison between the two. And then, you've got the regular police, who would turn up when you are doing patrols, or who would drive up and down, shining their lights in if someone had seen someone walking up the road.”

(Protector D)

PLT aligned with those opposing the cull therefore sought to engage in dialogue with groups such as the badger groups, individual Protectors and hunt sabs. A Protector explained how they had been approached by a PLT at the camp gates of where they were staying and “had various conversations throughout the cull” with them. Another explained how PLT had asked them to become a point of contact for the Protectors in liaising with the police, and actually how this had become “very difficult” for them when asked by Protectors to deal with numerous incidents reported to them day and night, and balancing this with working full-time.

PLT aligned as CLOs engaged with cull companies, contractors, parish leaders and the farming community. PLT held meetings with Natural England, the NFU, APHA and DEFRA and liaised with other stakeholders such as feedstuff companies, the dairy industry, deer hunter packs and fisheries. One Business participant explained how the liaison worked;

“We then had a police liaison officer assigned to the cull area, who attended all of meetings, we had meetings prior to the cull and during the cull, who kept us in the picture really, of what was happening, along as we did with him if we saw any activities or any sort of strange cars, we would speak to him.”

(Business A)

PLT were of the lowest police ranks; Constable and Sergeants. However, rank did not present a barrier to those engaging, and participants commented that their PLT provided them access to the decision makers. One Business participant outlined how the PLT would hold meetings and feed information in to their “*hierarchy*.” Another observed that the process worked “*really very well*,” and although they had previously met with officers of a higher rank, having a designated PLT provided understanding and accessibility. One Commander recounted that initially Natural

England and DEFRA wanted to go directly to the Commander but were encouraged instead to engage through PLT and *“after the first couple of months finally got the message and went through the cull liaison leads.”* Another Commander described how there was a command structure escalation system in place where people from both sides were able to access the senior police Commanders (Gold or Silver). They observed;

“The protest liaison side were very good. They only pulled the card to communicate with Gold once, and Silver twice, which during an operation that started planning in December 2015, and didn’t finish until the start of November 2016, I think was really good. I would say that the Governmental departments were a bit more free with that card, shall we say.”
(Commander A)

In mapping the dialogical process concerning the badger cull and its opposition, the police demonstrated an approach consistent with ESIM, Flashpoints and procedural justice theories, which allowed police commanders to identify numerous groups and sub groups (Drury and Reicher, 1999), understand their goals and values (Waddington, Jones and Critcher, 1989) and engage in a manner which allowed a fair and transparent approach (Lind and Tyler, 1988). Seeking to engage with all groups, Commanders evidenced an approach largely of strategic facilitation (Waddington, 2011) in facilitating protest which, contrary to Gilmore, Jackson and Monk (2016), was not limited to protest sanctioned by the police. However, other approaches to the policing of protest were deployed. For example, there was an element of a strategic incapacitation approach (Gillham, 2011) evident where police commanders sought to engage with those not wishing to enter dialogue, such as the *“more direct action”* groups. Furthermore, police liaison with Government departments was very much one of negotiated management (McCarthy and McPhail, 1998).

Political pressure

The Government were clearly major stakeholders in the badger cull, and all Commanders spoke of the political pressures they faced. P.A.J. Waddington (1998), della Porta and Reiter (1998) and King and Waddington (2005) described political influences that implanted on police responses and similarly Commanders in this research described *“Ministerial pressure”* for the cull to pass *“with as little incident as possible”* and to ensure that the *“cull operatives were able to work unfettered.”* However, there was a clear defiance expressed that the police would not move away from a negotiation (Waddington, 1998). One Commander posed the question;

“At what point do you allow central Government to dictate police policy around policing protest? That's almost a dangerous step, isn't it?”
(Commander F)

Several Commanders observed that the situation was augmented by internal pressure from Chief Constables and Police and Crime Commissioners who became involved outside of the command structure because of political questions asked of them. One Commander expanded;

“There are obviously times when political pressure, there's an immediate imperative to get an answer for something. The Home Office weren't so forthcoming. They would go directly to Chief Constables, or the Gold Commander, when they wanted an answer, which resulted in a difficult phone call or conversation. And sometimes a quite honest answer, 'I don't know that information, and when I do know, I'll phone you back and let you know if I'm able to tell you that information.' The whole concept of the operation being that if you didn't need to know something, you didn't need to know something. And that involved a lot of managing upwards.”
(Commander A)

Another Commander provided a frank insight into how they had managed some of the political pressures;

“I'm now on my fifth Secretary of State. One Secretary of State was so demanding. Because they lived there, they were getting phone calls from farmers who are demanding action of them. And I was having to deal with the political pressure. And of course, the Prime Minister was getting these phone calls as well. So, you're dealing with the highest-level scenarios where the Prime Minister is demanding that the police arrest people, and we are saying, 'No.' That was again PLT to a certain degree. That's effectively what I was doing on a Ministerial level.”
(Commander C)

Protectors also viewed the Government as a significant stakeholder. They observed that only scientists with a vested interest, such as the Chief Veterinary Officer and the Chief Scientific Officers for the Government, believe the cull would address bTB. They shared significant scientific evidence that disproved the effectiveness of the cull, *“if only the Government would listen.”* One said of the Government, *“They're spending £26 million on 6% of the problem. It is utter madness.”* Another stated;

“Scientifically, it doesn't work, and this is my biggest issue with it. And the fact that the Government will not listen to anyone makes me get up and do

something. The biggest thing for me is actually keeping it in the public eye and making Government accountable.”
(Protector C)

The dissent by those against the cull naturally led Protector groups to demonstrate outside Government establishments. Their presence required police attendance to facilitate peaceful protests, and evoked discussion on where the police sat as servants of the Government.

The police as the state?

Whenever there is protest against Government policy, there will naturally be questions regarding police impartiality. This was certainly considered by those interviewed and participants from both pro and anti-cull stances questioned *“on whose side”* the police sat. A Protector questioned the fairness in which the cull was policed and concluded;

“It was totally biased on the side of the farmers, with our side, being the outsiders, being looked at as criminals. There's no two ways about it.”
(Protector E)

However, Business participants saw the situation from a different viewpoint, that their *“lawful activity”* was being *“interfered with,”* and one expressed the opinion that the police could have been firmer with the Protectors.

A Commander explained that there would usually be a presumption that the Government, like the police, would *“occupy the centre line,”* however in reality, because this was a Government-led cull through DEFRA, the Government *“were on the pro-cull side of the business.”* This presented a conundrum for the Commander, as they observed;

“If a democratically elected Government has said that this is the way that we need to go, in relation to our policy, if that particular operation is not safe, the licence cannot be granted. So, there's also something here around, you know, not allowing small groups of people to destabilise what is democratically elected policy from the Government.”
(Commander B)

Mansley (2014) argued that the police are the embodiment of the state at political demonstrations. However, all police participants distanced themselves from the state in their decision-making processes instead strongly asserting that the police has sought a position in the centre of all interested parties to safeguard everyone. A Commander observed that the job of

the police was to make sure that law was upheld rather than enact it. One Commander described the police strategic approach as *“the style of British policing, where the police are the public, and the public are the police,”* and another summarised;

“We as the police have kind of made sure that, in terms of the Code of Ethics and our unique position in relation to the British Policing Model, we've positioned ourselves right at the centre of impartiality and proportionality in relation to how we police everything.”

(Commander B)

Police participants suggested that the strategic approach allowed them to get amongst the community and understand their needs. A PLT explained that the police could not function *“without the consent of the public, and that was our most valuable commodity, and we've got to do everything we can to preserve that and to protect it.”* Another PLT further outlined how they saw the police strategy;

“Right from the word go, Devon and Cornwall's stance was ‘We are right down the middle with this. The cull is lawful, and we will police to allow that cull to take place. However, people have a right to protest and as long as they protest in a lawful way, we will facilitate that protest.’”

(PLT B)

Several Commanders suggested that the use of PLT had facilitated an understanding of the position of the police in relation to the state. One commented;

“In the past, there has been a feeling of anti against the police with some of these groups. So, having the PLT has helped to break these barriers down, and it's made the Protectors trust the police more, and actually see they're friendly people, rather than the police as a part of the state.”

(Commander H)

A PLT explained how they had to manage the expectations of those who were pro-cull;

“I think the difficult thing came up probably with regards to the protests at Government establishments and convincing the Government establishments that the individuals have got a right to protest. Because some of them in the establishment had the view, ‘Well, you're the police, you're on our side. They're protesters. You're on our side, and we don't want them here, so stop them!’ You know, wave the magic wand. And it was getting this appreciation to one side, ‘Well, hang on. They have got rights. Just as you've got rights, they've got rights as well. And you have to appreciate that.’”

(PLT H)

Once the interested parties were identified and the dialogical process was mapped, an examination was made of how the liaison process was undertaken.

Police liaison

The role of a PLT and selecting appropriate officers

A definition of the roles and responsibilities of a PLT can be found in Authorised Professional Practice (College of Policing, 2016b). However, participants in the case study provided an insight into their perception of the role as undertaken during the badger cull. PLT described the role as *“literally facilitation,” “providing reassurance”* to those with whom they were engaging, *“enabling”* and *“quelling fear.”* A Commander described the role as *“community engagement and negotiation.”* One PLT describe how their role was not to change people’s mind-sets, rather to facilitate their needs in expressing their opinions. Several PLT expressed that there was nothing special about the role; *“it is good old-fashioned policing;” “it’s not complicated;” “it’s just policing skills, it’s just being able to speak to people;”* and *“it’s just about having a little bit of knowledge.”* One PLT summarised;

“It’s about being able to talk to people. But all’s it is, it’s a skill of talking to people. And I don’t care if it’s the Queen or a tramp, I’ll talk to anyone.”

(PLT E)

It became apparent from all PLT that there was some level of personal commitment and on occasions personal sacrifice that, although was not found in any definition, they felt went with the territory. PLT expressed how they undertook the role for specific reasons; because they believed in the rights of everyone to express their human rights; because they wanted to make a difference to people’s lives; and because they wanted to serve their communities. One described the fact that the role was *“liaison 24/7,”* despite the fact that they never claimed or received extra pay or time off for answering calls off duty. Several PLT described regularly receiving phone calls in the middle of the night and when on leave, and there was an overall acceptance that although they were not required to take the calls, by so doing they continued to foster relationships with those with whom they were engaging. One explained;

"My phone never stops, and I probably take on too much, but I'm pleased. That's my main role as I see it."
(PLT E)

Protectors also provided an insight in to the role of the PLT. Most felt that PLT offered them protection; from pro-cull individuals but also from the *"regular police."* One recalled;

"And I know I rang [PLT], and I said, 'Well, I can't get hold of your team, I don't know where they are.' We felt as though they were there to protect us, we needed protecting. He said, 'That's not the role of the police liaison.' But, it ended up, that's how it felt, they were there to protect us against other people."
(Protector A)

Commanders and PLT alike articulated it was paramount that the most appropriate police officer was selected to liaise with interested parties. Two common themes were prevalent; officers identified needed to have the *"right skill-set"* and *"personality type"*; but also, there should be a matching of the *"right person to the right group."*

The importance of selecting an officer who is willing to talk, listen and engage rather than one with public order knowledge, as identified by Gorringer, Stott, and Rosie (2012), was a key criterion identified in selecting suitable PLT. One Commander described selecting officers who had the *"gift of the gab."* *"Patience," "perseverance," "empathy"* and *"flexibility"* were other qualities recognised. Commanders observed that a PLT must not be *"too judgemental,"* but can *"see both sides of the argument,"* and be able to *"bite their lip on occasions."* One Commander responded that a PLT must be; *"Approachable. Honest. Good communicator. Happy to talk. Even happier to listen."*

Further, many police responders suggested that the liaison officer must be able to communicate appropriately with those with whom they were liaising. Commanders explained selection was not about choosing officers who necessarily agreed with one side or other, rather identifying PLT who would connect with the groups and to whom the groups might *"warm,"* and not selecting PLT *"who will wind them all up."* Those that had been deployed as PLT with anti-cull groups often described their passion for facilitating the rights of those who wanted to protect the badgers. One explained;

"My view on people's rights and ability to protest and get their point across lawfully is that I've as strong a view about that as people do about the badger cull, or about animal rights, or about whatever. I feel really passionately about

it. So, if you get key people with that kind of ethos into a particular environment that can be useful. In the protest community it has a massive, massive impact.”
(PLT C)

Commanders also described how they selected *“the right PLT to engage with the right farming community,”* officers who had existing links with the rural communities, understood the *“communication channels”* and therefore were best placed to *“build up a good rapport and a good working relationship within limitations.”* One PLT explained they were selected *“because the boss said I speak the local dialect!”* Another explained that in their liaison with the farming community, rather than wearing police uniform and the traditional PLT blue bib, they dressed in *“farmer’s uniform”* to fit in, as the non-verbal communication of dress code was *“massively important, and the farmers didn’t want to see a uniform down their lanes.”* Contrastingly, one commander described issues they had encountered when utilising a PLT with the anti-cull groups who *“looked, felt, tasted like a member of the pro-cull community,”* which became a barrier to communication. Another Commander summarised how PLT were chosen because of their understanding of the communities within which they liaised, and provided an example;

“We’ve also got a PLT who was born and bred in the country, lives down in darkest, deepest [rural location]. In terms of their accent, demeanour, style, they are very famer-ish, very at ease sitting around a farmhouse table eating cake and drinking mugs of tea. And, that whole concept, which links back to that strategic style that I mentioned around the style of British policing, where the police are the public, and the public are the police, we have found really, really works in relation to getting amongst the community, understanding the community’s needs. And so, by positioning those PLTs within those particular groupings, not only are they identified as part of that group, and people feel more at ease with that particular group and are able to communicate with that group.”

(Commander B)

As well as the farming and protector communities, liaison was also affected with other groups such as DERFA, Natural England and the NFU, on occasions at chief executive and ministerial level. In such circumstance, Commanders explained that liaison was often undertaken not by formal PLT but by other officers, including public order tactical advisers and senior officers as the liaison conduit. One PLT suggested that for future selection, specialist officers such as Wildlife Crime Officers might be ideal in a PLT role, because of their existing relationships. The consistent message from participants was that rather than utilise any randomly chosen trained PLT officer, it was vital to select the right person to liaise to encourage open dialogue. Consistent

with D. Waddington (2007), selecting officers who already had relationships fostered with communities aided both the police and the communities they served in facilitating their needs.

“Stockholm syndrome” and the role of PLT Bronze

Although commanders and PLT observed that liaison was most effective when the *“right person for the right job”* was selected, there was a concern that in so doing so, officers and ultimately those with whom they were liaising might become compromised. This was recognised both by Commanders, several of whom identified the presence of elements of *“Stockholm syndrome,”* and by PLT themselves, particularly in a long running operation as the badger cull.

Many PLT spoke passionately about those with whom they had liaised. On rare occasions this went further, with PLT expressing an affinity for the cause with which the group were concerned, although this was predominantly observed in the responses of PLT working with the farming community. For example, one PLT described their role as *“looking after the interests of the farming community,”* and added *“that’s what I’m quite passionate about.”* Another talked about how they shared a little of their background with those the farming community and explained to them, *“I’m on your side of the fence.”*

However, even in such cases, PLT were very keen to stress their impartiality particularly when it came to matters of law. Generally, PLT expressed a desire not to be seen to be taking sides, but still voiced a *“sympathy”* with the plight of their groups, a *“frustration”* that the groups were not being listened to or there was inaction when they had cause for complaint, and a desire to champion the rights of their groups. PLT who liaised with farmers talked about understanding situations from their viewpoint, such as farm gates being deliberately left open and stock put in danger. PLT liaising with Protectors recounted the conversations that had occurred, where Protectors had shared with PLT the *“facts and figures”* and *“evidence”* against the cull, which had affected them too. One PLT observed that they found the evidence interesting and even compelling, but also felt like the Protectors were justifying their cause and trying to recruit them onto their *“side.”* They talked of the challenge of remaining impartial, showing an interest in their arguments without *“passing any view, if you can help it, either way, because you don’t want to be seen to be taking sides.”*

Often the source of the frustrations for PLT was perceived fairness and parity, echoing procedural justice theory (Tyler and Lind, 1992). A PLT commented that farmers weren’t getting the *“same level of service that I think they deserve,”* in comparison to Protectors. Contrastingly,

another PLT felt that police officers responded differently to farmers than Protectors when an offence was disclosed. They concluded;

“Officers were more inclined to believe the farming community were the victims of what was going on but were less likely to believe that the protectors were to be victims of crime themselves; more likely to be the perpetrators.”
(PLT D)

Commanders acknowledge the juxtaposition and potential for “Stockholm Syndrome.” There was an acceptance and an “inevitability” that PLT would align themselves to the groups to whom

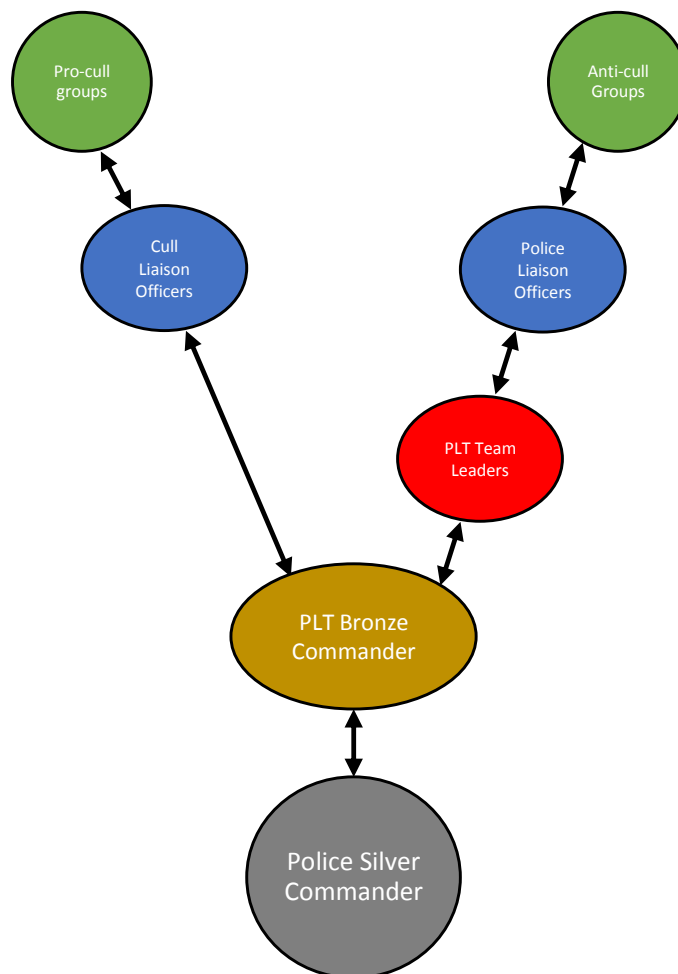


Figure 2: Bronze PLT command structure for the policing of the badger cull

they were appointed and feel responsible and protective of those communities. Indeed, as previously identified, this alignment was encouraged when selecting appropriate PLT. However, to ensure impartiality in command decisions, Commanders explained that a “conduit” was utilised in the command structure, with liaison officers working to a Bronze PLT, who recognised the allegiance but also sought to realign PLT (see Figure 2).

A Commander explained, *“There will be that drift. We’ve got to bring them back together.”* Another Commander shared how there was the *“opportunity for a little bit of Stockholm syndrome to come into play”* and described how PLT became aligned with the groups that they liaised with and on occasions adopted their stance. The Commander described how they had pre-empted such tensions and observed;

“We must build in to these long running operations a point whereby we reset the compass to true north. Because, as the cull goes on, the CLOs, the compass needle will go to the cull side, and the PLT, the compass needle will go towards the protest side. And I think it’s very important that there’s reset points, where we come together and we recognise how it’s going, and we reset ourselves to true north.”

(Commander H)

Dialogue pre-event

Gorringer, Stott, and Rosie (2012) observed that utilising PLT pre-event provided an opportunity to maximise perceptions of the legitimacy of police action. Similarly, Watson and Angell (2007) supported pre-emptive dialogue and observed that a procedural justice approach had most impact early in police encounters. All participants in this research concurred that the pre-event period was the most important dialogue phase. It was described by different Commanders and PLT as *“really important,” “massive,” “key,” “crucial,” “paramount,” “like gold dust”* and greatly assisted in building up rapport and trust from an early stage. One PLT suggested that their role would not have been anywhere near as successful without pre-engagement. Another summarised;

“I think the pre-event stuff is probably the most important part of it. You get the pre-event stuff right, you will make the event part of it got so much more smoothly.”

(PLT I)

Pre-event engagement took many forms. PLT supporting pro-cull groups attended training days and debriefs, to inform farmers and cull companies about the police perspective and operational processes, as well as providing conflict management and expectation management presentations. With Protectors, PLT attended weekly meetings, maintained one-to-one contacts, which included meeting in person and email correspondence and often daily phone calls. Liaison with DEFRA, Natural England and NFU included inputs from Public Order Tactical Advisers and Public Order Command Trainers in conjunction with PLT and allowed all present to

explore legislation and considerations through training and table-top exercises. Relationships were built and maintained between the police and outlying through social media.

Commanders and PLT extolled the benefits of pre-event dialogue. They believed that the engagement provided reassurance for groups, education and guidance in matters of legislation, and insight in to how the “*other side*” might react. It also gave an opportunity for the police to explain their tactics in an open and transparent way, break down fears, manage expectations of what the police could and would do or not do, and thereby provided an understanding of legitimacy.

PLT observed that pre-event dialogue also provided the farmers, contractors and Protectors with a voice. One PLT commented that the process paid “*dividends for everyone.*” Another saw this as crucial, observing that some Protectors had never had any contact with the police at all prior to the cull. Protectors and Business participants concurred. A Protector explained how the PLT had helped them to make contacts at some of the locations where they were going to demonstrate, when previously they had been “*hitting a brick wall*” in trying to make direct contact. A Business participant outlined the value of prior liaison which afforded them an understanding of the police role and consideration of “*various different scenarios, and how to deal with them.*” Another Business participant wanted to “*praise the police for their involvement during the run-up to the cull, because otherwise I think it could have been fistcuffs, and then we would have lost the battle*” (Business A).

There was therefore universal acclamation for the pre-event dialogue that occurred between the police and the different groups involved. One Commander summed up the value they placed on pre-engagement;

“It reduces the tension, it reduces the conflict, it reduces the fact that both sides will scream 'foul' when those things happen. It reassures the community that we understand their issues while at the same time are tolerant of a democratic society. And sometimes the farming community didn't like it because they didn't really understand what the police role were. But, when we explained it, they got it. Conversely, when we use to discuss it with the protesters, they also appreciated that, you know, the farmers have a perfect right to do it. They just don't agree with this tactic.”
(Commander C)

Dialogue during the event

Pre-engagement dialogue provided a platform for on-going liaison between PLT and groups during the six-week period of the badger cull. PLT explained how “*key players from the Protector world*” would contact them to inform them where they were meeting daily and their plans and intentions for the evening. PLT would then meet with Protectors in locations such as public car parks and at Camp Badger and were then able to update Commanders with the views and intentions of those in attendance, and any tensions or concerns raised. PLT explained that often at the meetings they would engage with other Protectors, and there was a “*natural link*” that would also form with them.

Having PLT deployed regularly in their distinctive blue bibs, provided a clear branding, as recognised by D. Waddington (2012). This insignia encouraged Protectors who had not previously liaised to approach and engage with PLT officers during events. Further, PLT explained how their daily presence facilitated engagement with “*more challenging extremist activists*” and hunt sabs. One PLT explained;

“Some of them would really engage, no issue at all about engaging, and were very clear to us that we knew that they were up to illegal activity but knew that we couldn’t do anything about it until we could prove or have any evidence that they had committed illegal acts, criminal damage, theft or whatever.”

(PLT A)

PLT working with the farming communities also spoke about how they maintained daily dialogue with the various groups and individuals, at meeting and on occasions at people’s homes. One Business participant explained about how having that dialogue during the cull allowed them to continue to adapt and work around anti-cull activities.

The presence of PLT “*on the ground*” was advocated by many, with several Protectors and police officers explaining how there were situations where PLT had defused flashpoints. However, participants consistently linked the success back to the work that had been undertaken by all engaged parties pre-event, and one Commander summed up the generally held view that “*the fact that they were able to engage on first name terms was brilliant, a real positive*” (Commander F).

Dialogue post-event

The dialogical process was described by participants as cyclical in nature, supporting observations of della Porta and Reiter (1998), with post-event engagement preceding pre-event

engagement for the next event or year. Although this was the first cull in Devon and Cornwall, participants who had been involved in previous culls in other police areas recounted how the approaches had been “*tinkered*” with and improved to meet the needs of all parties, based on post-cull dialogue.

PLT explained how they conducted informal debriefs after the cull period with those with whom they were liaising, which maintained relationships. Some Protectors opined that there should have been a formal debrief held by Devon and Cornwall Police, which although had been muted, had not occurred; one felt that they had not had “*closure*.” Several PLT recognised that this was an identified gap, although one explained difficulties that had been encountered in arranging such a debrief. It was however evident that post-event dialogue had not only occurred, but that this had impacted upon Commanders in their decision-making. A Commander shared that feedback they had received indicated that Protectors were pleased to have a conduit through PLT but were not always satisfied with the service that was provided by the police in general.

Maintaining open channels of communication post-event featured highly on the agenda of all those engaged in the dialogue process. Commanders referred to the “*long-term investment*” of having PLT “*running in the background*.” It was identified that there were organisational pressures in releasing PLT from their “*day jobs*” to maintain relationships, however all police participants advocated the approach, and expressed that it was foolhardy not to do so. Several suggested that the approach was one of “*investing to save*” in that releasing PLT would ultimately reduce the costs of deploying numerous officers to police events in the future. Some PLT suggested that this process was still lacking, and police forces should do more to maintain an open two-way dialogue process utilising the same officers to develop relationships post-event that had been initiated pre- and during the cull.

Participants described how dialogue was ongoing post-cull, and a Protector shared during their interview that they had even called “*their*” PLT earlier that day, some four months after the cull period, to discuss matters. Another Protector offered;

“We kept in touch right the way through, even after the cull. I have had various phone calls off [PLT] since the cull. You know, updating me on that particular case. I wouldn't want to get them into any trouble but even, even as far as, ‘We'll have to go for a pint next time you're down.’”
(Protector B)

Commanders however identified post-event engagement with the wider farming community as lacking. One Commander stated this was because the police *“haven’t maintained those identified individuals that have built that rapport.”* Another concurred, explaining that the cull was temporal, and afterwards most who opposed it left the locations, however, the local community was there permanently, and there needed to be a *“buy in”* with continuing liaison.

Human rights

Human rights implications

As Mansley (2014) observed, it is incumbent for the police to protect the rights of both those engaging in protest and those wishing to continue their lawful business. Several Articles of the Human Rights Act (HRA) 1998 were engaged during the cull period. For Commanders, the right to life (Article 2, HRA 1998) was *“paramount,”* in terms of being absolute, particularly with firearms present in cull activities, and there was an acceptance from Business participant and Protectors of the dangers of live firing. However, the perceived human rights implications for participants varied depending on the responder’s viewpoint.

Protectors described their human rights in terms freedom of speech and freedom of assembly (Articles 10 and 11, HRA 1998). Protectors described how tradition methods such as writing to MPs and holding protests had been tried without success and therefore, they wanted to exercise their rights through being allowed lawfully to walk public footpaths and make their points, *“without threat of any harm.”* One explained;

“As an individual, I wanted my voice to be heard, and I also had the right to do what I was doing, because I was within the parameters of the law. And I think we are in a place at the moment where little else works. So, as a person, I want to see that challenged.”

(Protector C)

Some Protectors explained they felt that rights included the right to life for all creatures. One expanded;

“The only sort of human right I would sort of say, it's my right to defend the voiceless. Animals are voiceless, they get persecuted by humans constantly, and it's my human right to defend the voiceless.”

(Protector B)

Mobbs (2009) claimed that the state sought to stamp out any protest that proposed change and that in the UK this had limited protests to activities that do not promote change, such as letter writing and lobbying MPs. This research refutes the claims of Mobbs and argues that the police facilitated protest even where this caused disruption. All police participants articulated that the police had recognised their positive obligation to facilitate peaceful protest in a democracy and had accepted that this had included occasions when there was an intention to disrupt the local community, DEFRA and the NFU, when it included trespass and *“even when it’s unlawful.”* One Commander responded that it was *“highly appropriate”* for people to *“use legitimate ends to try and influence that democratically elected policy,”* and the police were very keen to facilitate this, because *“that is our independent role.”* Another Commander added;

“Our job is to keep the peace, our job is to facilitate peaceful protest, our job is to allow, if necessary, illegality, but being very clear on when we will take action, when we won’t. And we do so because we are not law-enforcement officers, and we have discretion. We do so because we believe in a fair and legitimate society. And all of these are value driven rather than legality driven. Now, that does mean that we don’t arrest everybody just because they commit a criminal offence.”

(Commander C)

Business participants opined that they had the right to go about lawful activities. They expressed their main objective was to *“make a living without living on compensation,”* and to carry out the cull as per Government policy without interference. Police responders also recognised the right for people to enjoy their property (Article 1 of Protocol 1, HRA 1998), and go about their lawful business. There was also a recognition of the right to family and private life (Article 8, Human Rights Act 1998) and inferences with this right. Some Commanders commented that they felt the community were *“let down quite severely,”* with an overemphasis by the police on peaceful protest.

Balancing human rights

Existing research into the balance of human rights at protest events primarily examined the balancing of protesters’ rights with maintaining order (for example, Reiner, 1998; de Lint, 2005; Werren 2014). The limited research that has recognised the requirement of a balance to be struck between the rights of those demonstration and the wider society described the process as difficult and challenging for the police (della Porta, Peterson and Reiter, 2006; Donald, Gordon, and Leach, 2012). Gravelle and Rogers (2011) described this as an *“unenviable task”* for the police service. This research provides further evidence in support. All police participants

described the conundrum that existed in balancing the competing qualified human rights of all involved in the cull; those in opposition; those undertaking lawful cull operations; farmers and landowners; and the local communities in which this played out.

A PLT described the challenge as *“the real fine balancing act,”* in protecting the right to express an opinion, yet *“balancing that with insulting someone who does not share that point of view.”* Another spoke of balancing facilitating protest with ensuring lawful activity could take place, and observed, *“That’s the fence we had to sit on all the way through.”* A Commander provided an example of where they had encountered this balancing act;

“We had one farmer cornered by what he termed as ‘protesters’ on his land. They are saying they are lawfully protesting on his ground, not on a footpath. So, immediately that balance comes into play, doesn’t it, where he said he was out with a rifle on his ground, because he had to go put a calf down, something like that. And, the protesters weren’t having it, and they were expressing their opinion to him, and what they thought he was doing with that firearm on the ground at night. So, you’ve got human rights of the cull operatives who were acting lawfully on their grounds, their right to do lawful activity on private ground, balanced against those who wish to protest. And whether they need to protest on private land, whether they could assemble on public ground and make their protest from outside. They were the big issues.”

(Commander F)

It was evident from the responses that there was subjectivity in where the balance lay. A PLT observed that the balance *“differs depending on the individuals that you discuss that with.”* Another concurred;

“I met people with a vast array of opinions in relation to what they considered acceptable in terms of human rights, in terms of what they considered lawful and peaceful protest, and what wasn’t.”

(PLT C)

Commanders’ descriptions of how they balance the competing rights demonstrated this subjectivity. One commented that there was *“no right and wrong answer in relation to the various Articles that we try and balance, because there could well be Articles 9, 10 and 11 on both sides.”* Another Commander talked about a *“line”* that Protector groups *“stepped over,”* thereby infringing on the right to family life. Yet another referred to a *“level of harassment that is not acceptable,”* and *“intimidation tactics which went too far.”* One shared their *“perspective,”* that there are responsibilities encompassed within any rights, and in making decisions regarding

competing rights, the Commander should consider *“which group is irresponsibly conflicting on the other.”*

The views of Protector and Business participants were also subjective in relation to what was considered *“lawful activity.”* A Business participant observed that the right of peaceful protest became an issue *“when it interfered with what we were doing, a lawful activity.”* Another stated that they felt that the Protectors *“exceeded more than their rights,”* whereas their stance was to *“keep the moral high ground and keep law-abiding.”* A Business participant gave an example of *“an invasion of about 50 balaclava-clad people”* turning up on a farm, causing *“massive trauma”* to the family inside, which they described as *“a serious issue on breach of human rights, to the rights of someone to live a peaceful life.”* Similarly, a Protector described breeches of human rights they had experienced, where *“shooters”* were *“driving around with guns in an unsafe manner,”* obscuring vehicle number plates and *“not going about their duties in a lawful manner.”*

Commanders observed that ultimately the final decision regarding balancing competing human rights lay with them. There was universal agreement from all police participants that the police positioned themselves in the middle of this balancing act, which composed not of opposing views, but of multi-sided issues, human rights and opinions. In doing so, police participants referred to their role not as agents of the state, but under the British Model of Policing, sat at the *“centre of impartiality and proportionality.”* A Commander explained the significance to the police of this approach;

“It means that we can retain our moral high ground. It means we can retain our position in the community, which is one of respect and independence and legitimacy. We are not seen by either side as being heavy-handed. We are seen as being reasonable all the time.”

(Commander C)

Another explained how this positioning assisted their decision-making;

“Because the moral compass decision that I make as a Commander is not really based upon the world according to me, it's really based upon the views and opinions of all the stakeholders, and all the lessons learned. And by assimilating all of that information, and then comparing and contrasting that information against what, hopefully, is a very well written gold strategy, the decisions for me drop out of that fairly clearly, particularly if you're operating in the middle ground.”

(Commander B)

A PLT succinctly verbalised how they saw the role of the police in balancing competing human rights;

“Not just the PLT role, but the police role is about facilitation. Just being that, dare I say, piggy in the middle, and not taking sides, but being there to reassure them and explain it to them.”

(PLT A)

A dialogical approach

A point of contact

For a dialogical approach to be effective, there was an agreement that having a point of contact was of great benefit. Business participants explained that this provided them with someone who was contactable, able to respond to incidents if required, and someone always available even if their specific PLT was not. Protectors also advocated having a point of contact, providing *“someone who is on your side,”* to whom issues could be raised.

A point of contact provided participants with someone who knew the situation, rather than a cold call to the police. One Protector expanded;

“Yes, it definitely helped having a single point of contact. Because, having dealt with the police and badger incidents, trying to go through the whole system and get to speak to someone is quite a difficult process. So, having someone you can go to straightaway to say, ‘This is what is happening,’ was definitely easier. And it also felt that there was someone out there that, if we had any problems, they'd be able to deal with it.”

(Protector C)

Building a connection with the point of contact was of most significance to responders. Participants talked about having *“a face,” “a name,” “a regular contact,”* someone they *“will see again,”* and this further elicited discussion regarding relationships that were formed and developed throughout the cull period. One Protector explained that they had found it intimidating to deal with the police and the PLT *“wasn't just another faceless person when dealing with official people.”* Commanders also identified the significance of having a consistent

point of contact. Several recognised that although it caused a strain on resources, it was an *“invest to save,”* reducing resourcing in the long term.

Relationships

Building relationships, as advocated by Hinds and Murphy (2007) in applying a procedurally fair approach, was unanimously described by PLT as invaluable in implementing a dialogical approach. Relationships were described as *“valuable,” “massive”* and *“key.”* PLT described how they proactively sought to build relationships during the pre-event phase, and how liaising before the event helped them *“on the day”* to link in with those with whom they had engaged, which aided building *“valuable relationships.”*

Several PLT described the investment required for relationship-building, which had to be balanced with day-to-day roles. One explained how they tried to maintain their relationships whether on duty or off duty, answering phone calls any time of the day or night. The PLT described the pressures that this had caused in family life but justified this as they *“wanted to keep that personal relationship going.”* Similarly, another PLT explained that this was *“more than work,”* however strong relationships built *“depict whether the event is successful or not, ultimately.”*

Being in a relational system (Redekop and Paré, 2010) allowed PLT to be on occasions *“quite stern”* with those they were liaising, even when they needed to have *“quite frank conversations,”* or justify police decisions. A PLT recalled an incident when a NFU representative made *“quite strong representations”* after the police had taken action against another member, causing the PLT to take an uncompromising stance with the NFU representative. The PLT recounted;

“And, within 15 minutes, he phoned me back, and he said, ‘Look, I’ve thought back on what you’ve said. Yes, I appreciate you’re a police officer. I appreciate that you’ve got to be beholden to the law. I appreciate what I was asking you to do was unreasonable, and please accept my apology.’ And I wouldn’t have got that, I don’t think, unless we’d built that relationship up beforehand.”
(PLT H)

Protectors similarly reflected on relationships they had built with PLT over the period. Several provided examples of where this relationship had allowed them to contact PLT at varying times of the day and night, when the *“normal police”* had not been able to address the issues. A Protector observed;

"It was a relationship built on respect, more than anything. At the end of the day, [PLT] was making sure that their side of it knew that when they were overstepping the mark, that it had to stop as well. You know, he was being quite fair with both sides, to be honest."

(Protector B)

A Business participant also described the building of relationships with PLT;

"I think that has been a relationship built up with the liaison officer, because I think there's been an understanding. I mean, you know, it's always been very clear where their line is, and what he can and cannot do. But I think I think we do have a very good understanding of each other."

(Business B)

Evidence of significant relationships forming was provided by participants' descriptions of those with whom they engaged, consistent with D. Waddington's (2012) observations of the PLT being perceived as a "kinder" police response. Several Protectors referred to their PLT as *"our police,"* in contrast to *"the normal police," "the cull police"* or *"the regular police."* Similarly, PLT described themselves and the *"normal police"* as different entities. This sense of ownership supported the overarching evidence that relationships were built on shared experiences. PLT were aware of the significance of relationships, and several described being *"on edge"* in situations whilst liaising with groups on the ground. One spoke of the relationships that they had developed with individuals as providing *"comfort"* in such situations.

Relationships were not without issues, and like many relationships there were *"ups and downs."* PLT described occasions when relationships were *"dented,"* each time as a result of command decisions. Similarly, a Protector recounted that they had told their PLT that they were *"not dealing with them anymore"* because they had not accepted the Protector's point of view, although the relationship was restored a short time later. The PLT concerned also recalled the incident and described the breakdown due to *"misinterpretations,"* explaining how it required a meeting with the Protector to rebuild the relationship. Another PLT recalled a fellow PLT taking a *"bloody great knock"* when encountering a breakdown in their relationship with Protectors.

Even when PLT faced challenging conversations, explaining legislation and decision rationale, PLT observed that existing relationship made them the most suitable officers to do such. One summarised;

“And as much as you build up those relationships, they can be broken very, very quickly. Not necessarily by us, but by decisions that are made within the organisation. And we have to obviously go and try and let them know why, and how those decisions came about. You know, it may not be that we agree with those decisions, or they're not going to like what we tell them. But, if you've been working with them for the last two weeks, and you have to let them know like a Section 60, for example, is in place, at least then, they've got a little bit of... They've got respect, really... Relationships did deteriorate, and then they built up again. And that's only through consistency of the officers, really, I think.”
(PLT G)

Existing relationships also provided opportunity for Protector and Business participants to question the police and voice (Watson and Angell, 2007) their opinions, even when the PLT provided what one Protector, with laughter, referred to as *“bullshit reasons”* why Commanders had made particular decisions. The responses of Protectors also evidenced an understanding of the human element present within relationships, and a reciprocated empathy. Several Protectors recognised the *“aggro”* that PLT received and that PLT appeared on occasions *“overwhelmed”* by the process. One Protector shared;

“I think probably, it could be improved if the actual liaison officers themselves didn't feel that they weren't actually getting the support they wanted from higher up within the police force. I think that they don't feel that they can deliver what we need, because they don't get what they need from the commanders.”
(Protector D)

The proof of the ongoing relationships was most evident in the fact that all PLT, Protectors and Business participants were still in contact with each other at the time that interviews were conducted, several months after the cull period, and the relationships were described in terms of moving forward towards the next cull period rather than looking back. Several participants commented that the relationships were ones of continual learning, and although *“tetchy”* at times with some individuals, generally the relationships were *“fantastic.”* One PLT provided an example;

“It might sound very, very minor, but for me was quite a major thing, getting a text at Christmas, wishing me and my family a Happy Christmas from a couple of the organisers. That shows that there is a relationship there, and a mutual relationship. There is still so much work to be done, and it will never be perfect, we've got to accept that. There is a long, long way to go.”
(PLT A)

As well as being advantageous to the police, all non-police participants advocated to varying degrees building relationships with liaison officers. One Protector summarised;

"It's better to have a working relationship with the police than to not have any relationship with them at all, in my book. That's what I found from 20 years of experience, and more so now, nowadays. It's much better to explain to the police what you're about rather than them thinking you're just a bunch of who knows what."

(Protector B)

Most participants explained that the building of relationship was intrinsically linked to a developing trust between individuals, later further discussed. One Protector however did voice that although there were *"benefits that you do have some kind of a relationship,"* trust was not a given, *"in that I don't trust their motives, and they don't trust me."*

Communication and dialogue

De Lint (2005) described communications as the best way to improve public order practice. This research evidenced that the relationships developed were very much based on two-way communication and dialogue, and face to face contact was integral in this process. Several Commanders shared their thoughts;

"So, it ain't just a one-way, it a two-way street. We are explaining to the protest groups or the farmers, 'This is what's acceptable, this is what we expect from you,' and they are coming back to us. It's just getting that two-way."

(Commander D)

"And, actually, it's a two-way flow. I'm happy for the Protectors to gather intel and information via PLT, and back. Because, that's the point, isn't it? It's a two-way flow of information. I want them to understand how we will respond, how we will police them. We are in essence negotiating with them over what is or isn't acceptable. Yes, you know, how far will we let them go, before we unleash the nasty police commander and his PSU officers? It is a negotiation."

(Commander E)

Commanders also recognised a requirement for continued communication with consistent officers, which was integral in the decision to dedicate specific officers as PLT. This process promoted a communication flow leading to the building of relationships. There was also a sense of empowerment expressed by Commanders, letting PLT *"get on with it."* PLT concurred with the views of their Commanders;

"It is two-way. They are very passionate about what they do, and it would tend to be for them, talking, quite rightly, about... to do with the badger cull. They were trying give you lots of information, which would support their cause. I don't know if there are trying to justify what they were doing. They didn't need to."
(PLT D)

"We always made sure that we had face-to-face contact, whilst planning any protest marches, which we just think is important, because then they have got used to the... it's not just a voice in a phone."
(PLT F)

The two-way nature of communication was also evidenced by non-police participants, who described the *"good dialogue"* between the police and those involved in the cull;

"[PLT] would give feedback, you know, the information he'd gathered that week. There are weekly meetings that were held during the six-week period... He would tell us what action was being taken, if there was any incident, you know, how it was being dealt with. It was a two-way thing."
(Business A)

"We were allocated a liaison officer. And I've tried to work very closely with him, being engaged with other contractors, and other cull companies and everything else. So, I've just... I think that with these things you either, you know, if you work together, sometimes you might have difficult conversations, but at the same time, if you work together, you will achieve what has to be done in a sensible way."
(Business B)

"It's much better to have a bit of a working dialogue with the police... by having a little bit of dialogue and [PLT] saying, 'I'm not happy about this,' then we can level it off and stop it escalating."
(Protector B)

Non-engagement

All participants identified that there were some who would not engage in dialogue with the police. Although all Protectors and Business participants interviewed had engaged, they provided insight as to why they felt others did not.

For Business participants, the main barrier to engagement was the preservation of anonymity. Participants admitted a *"reluctance"* to get involved, not wanting to *"advertise the fact"* that they were involved in the cull. One Business participant explained their views;

“The law-abiding people in this, especially in terms of things like the cull, they are... most people are not going to put their neck above the parapet, because they know, or they've seen a perceived intimidation that will lead to a lot more.”
(Business B)

For Protectors, lack of trust appeared as the most common reason suggested for non-engagement, supporting research by Gilmore, Jackson and Monk (2016). One Protector offered that some *“don't trust the police from previous run-ins of previous campaigns that they've been involved in.”* However, one Protector observed that some Protectors wanted to *“just do their own thing,”* which prevented dialogue with the police, implying that some Protectors believed police engagement might hinder their activities.

Some Commanders noted that there had been *“criminality”* committed by some opposing the cull, such as criminal damage, and provided this a reason for non-engagement. A Commander suggested that one protest tactic employed was to *“cost the police and government more money,”* and engagement hindered this tactic. Another described occasion when the police had to warn individuals regarding their actions, and this elicited discussion as to what constituted engagement. Engagement described included communication, dialogue and relationship building on different levels between individuals and the police during the cull.

PLT provided several reasons from their experiences of why some chose not to engage. Anonymity was a reoccurring theme; PLT described *“extremer activists”* wearing *“balaclavas, disguise themselves, and would not speak to us at all.”* One PLT suggested that some would not engage because they were *“going out and causing damage.”* Another PLT recounted a conversation with activists who informed them that they did not want attention drawn to themselves from the pro-cull community and felt that engaging with PLT would attract attention. One PLT however suggested that it was wrong for the police to presume that those more likely to be involved in criminality would not engage. They observed;

“I have had some fantastic engagement from some of the absolute activist sabs. There is no doubt, I am confident that they are out committing crime when I'm not talking to them. But they've been really open and engaging and quite honest actually. Whereas some of their colleagues who won't talk to us, won't acknowledge that we are out there, whether it be PLT, whether it be a patrol cop. Not interested at all.”
(PLT A)

The suggestion that the desire to engage related to an individual's disposition or experiences rather than their intended activities was supported by many PLT. One PLT described several groups within which individuals would not engage. Another noted that those individuals *"weren't rude, they weren't offensive, that's their chosen thing."* Several PLT suggested that non-engagement was linked to Protectors having *"deep suspicion,"* that PLT were *"intelligence gatherers."* One PLT offered that there was from some *"a mistrust which still goes on from historic encounters where the police got it wrong."* A PLT explained how they had continued to try and engage and *"not give up on them."* Another explained that they did not want to *"push"* people into engagement, because they did not want to lose the relationships with those that were willing to talk. However, several PLT described situations where they had gained the trust of individuals who had originally not wanted to engage with them, because they had managed to change their perceptions of the role of a PLT.

Non-engagement was not limited to Protectors. PLT liaising with the pro-cull community described many issues in encouraging engagement. This is supported by the difficulty experienced in recruiting participants from the pro-cull community for this research, as described previously, and provides further evidence of the desire for anonymity. One PLT voiced the difficulties they had experienced;

"Natural England are sometimes hard work, quite a secretive organisation, and I've banged the drum, saying, 'Come on! Four years. Start trusting me!'"
(PLT E)

Conclusion

This chapter has explored a case study examining the policing of the badger cull in South West England in 2016. The data gathered from interviews provided a view of the cull period through the eyes of those integral to the policing of events; police officers commanding the response; police liaison officers engaging with those for and against the cull; those opposing the cull; those carrying out the cull; and those whose business was affected by the cull and the protests against it.

It was evident from the outset, through the experiences of participants, that there were numerous interested parties and groups integral in the cull policing process. Consistent with ESIM, this research mapped groups within those that opposed the cull, for example, Badger

Groups, hunt saboteurs and Camp Badger. The case study extended ESIM and identified groups and sub-groups across all interested parties. The study evidenced that identity was “*more nuanced*” than simply pro or anti-cull, with for example the farming community falling into both categories. A Dialogical Wheel provided a pictorial illustration identifying the diverse groups and interested parties engaging with the police during the period. An overview of the case study, through open source material, provided a cultural, contextual and situational analysis of the policing of the cull, consistent with the Flashpoints Model, and this allowed a deeper analysis of participants’ accounts of their experiences. The study also provided a political / ideological analysis, both of the climate regionally and nationally and within each of the interested parties and evidenced the political pressures on police commanders and their strategic intentions to remain “*at the centre of impartiality*” and “*right down the middle.*”

At the heart of this research, the case study allowed analysis of the dialogical approach of the police at an interactional level (Flashpoints Model) recognising that the protests, as crowd events, were characteristically intergroup encounters (ESIM). Further, analysis of dialogue allowed an examination of the relationships and social experiences consistent with procedural justice theory. This case study identified that the presence of trust and perceived legitimacy, central themes found in all three theoretical frameworks, were integral to the policing of the badger cull. Participants identified a lack of trust between in and out groups and described how dialogue between police liaison officers and individuals engendered trust and became the foundation of relationship-building. Dialogue pre-event was described in the case study by all participants as being key to building trust. The case study also purported that selecting the most appropriate officers to engage as liaison officers was significant and highlighted the need to temper the potential of “*Stockholm syndrome*” by deploying a PLT Bronze to “*reset the compass to true north.*”

Through the evidence presented in this case study, this research argues that a dialogical approach allowed the police to hear the voice of all interested parties and build relationships and trust through liaison officers prior to, during and post the badger cull. This research argues that by doing so, the police sought to remain impartial and undertook the role of “*piggy in the middle*” in policing the badger cull, attempting to balance the competing human rights of all interested parties engaged in, opposed to or affected by the cull.

6. Case study 2: the EDL march

Introduction

This chapter contributes to the thesis by examining the policing of the English Defence League (EDL) march in Liverpool on 3rd June 2017. The study provides insight into the experiences of those marching, counterdemonstrating and responsible for policing the march, as well as others external to the event but affected by it. The study examines dialogue undertaken between the police and interested parties prior to, during and after the march, and considers how this approach facilitated a balancing of competing human rights.

Background to the march

The city of Liverpool has witnessed numerous protests, marches and demonstrations over many years for a variety of causes from diverse groups. In August 2017, the tradition of “Liverpool as a city of protest” was celebrated with an art exhibition so named, which depicted the city as one that “is often associated with defiance and non-conformity and spoken about in a way that sets it apart from the usual narrative of modern British political history” (Bido Lito, 2017).

The EDL march of June 2017 was the third march in Liverpool city centre within a two-year period that attracted a large counterdemonstration, with reports of disorder occurring during the event (Maxwell, 2015; Weston, 2016; Dunn, 2017). Almost all participant that were interviewed for the EDL case study referred to the previous two events. Therefore, this section provides a short overview of the first two events, and a more detailed examination of the EDL event, to provide context in which to consider the experiences of those participating in the study.

On 15th August 2015, a “white man march” was organised in Liverpool by “right-wing” group National Action (Atherton, 2017). The marchers were “given the green light” by Merseyside Police, who quoted the Human Rights Act 1998 “in their defence” and an obligation to facilitate peaceful protest (Joseph, 2015). National Action were greeted at Lime Street railway station by anti-fascist protesters, who turned out to show their opposition (Atherton, 2017). Counterdemonstrations were held by the Anti-Fascist Network and Unite Against Fascism and the march was cancelled after “rival groups fought inside the train station” (Joseph, 2015).

National Action reportedly “ended up locked in left luggage at the city’s Lime Street train station, surrounded by the Police for their own safekeeping” (Maxwell, 2015). Two further National Action marches were subsequently planned in the following weeks, however despite the presence of counterdemonstrators in the city awaiting their arrival, National Action failed to materialise either time (Thomas, 2015).

Further incidents of disorder involving National Action occurred around the UK in 2016 (Elgot, 2016). Subsequently in December 2016, National Action became the first extreme right-wing group to be proscribed as a terrorist organisation, under the Terrorism Act 2000, following “an assessment that it is concerned in terrorism” (Government, 2016). Further far-right groups Scottish Dawn and NS131 were proscribed by Home Secretary Amber Rudd in September 2017, having been identified as alternative names used by National Action. Rudd described the group as “vile, racist, homophobic and anti-Semitic” and stated that she would not allow them to “masquerade under different names” (Travis, 2017).

In February 2016, the Liverpool Echo reported that “far-right group North West Infidels” intended to stage a rally the following day in Liverpool, rather than Manchester as originally planned, to exercise their “democratic rights to freedom of expression, speech, movement and assembly” (Weston, 2016a). The report stated that “according to opponents, the group originally broke away from other racists like the English Defence League because the latter were not racist enough for them” (Weston, 2016a).

On 27th February 2016, the Liverpool Echo reported;

“Liverpool city centre erupted into violence today as a far-right group calling itself the North West Infidels clashed with anti-fascist protesters outside St George’s Hall. Although police tried to keep the two groups apart, they were heavily outnumbered and on at least two occasions a number of the ‘Infidels’ group broke through the cordon and fought with anti-fascists.”
(Weston, 2016b)

Events were again focussed along Lime Street and near to the train station, the main inter-city rail access to Liverpool, and culminated in disorder outside St George’s Hall on the Plateau, where it was reported that swastikas had been daubed on the walls of the building (Culley, 2016). A number present were identified by the wearing of jackets bearing a “Hooligans Poland” motif on the back (Weston, 2016b). Merseyside Police were reported to have said that the incident involved missiles being thrown and scuffles among protesters, resulting in one police

officer being struck by brick and hospitalised, and a number of arrests (Wheatstone and Weston, 2016).

In May 2017, it was reported that “far-right organisation” the English Defence League (EDL) were intending to march in Liverpool. An organiser from the EDL was reported to have told the Liverpool Echo that they wanted to have a peaceful march and make speeches, and further stated, “Originally when we started it was violent – we can’t deny that, but we’ve got rid of the violent element. There has been lots of violent confrontation in Liverpool in the past, that isn’t what we want” (Atherton, 2017). The event was confirmed on the EDL website, where it was described as a demonstration “in support of British values and free speech, and in opposition to the Islamisation of our country and left wing ideologies, bullying and violence that enable this Islamisation” (English Defence League, 2017b). The EDL press release explained that the group had been invited to the city by their supporters and were “delighted to respond positively.” Further, the release stated that they would be “focusing on free speech, the roots of political correctness in ‘cultural Marxism’, left-wing councils and council employees and their virtue-signalling support for ‘refugees’ over Liverpudlians in need” (English Defence League, 2017b).

However, opposition was also announced, with “anti-Fascist activists” planning a “mass mobilisation” in an attempt to stop the march. A representative from United Against Fascism was quoted as saying, “Our priority is to keep Liverpool fascist-free, so that these organisations cannot march or speak freely” (Atherton, 2017). Reticence to the EDL was also voiced by Liverpool mayor Joe Anderson, who was vocal in calling for the government to give him the power to ban outright “far right groups like this” from coming to the city. Anderson stated that the march was not a matter of allowing freedom of speech for the EDL, rather “about a group that wants to intimidate and bully people” (Thorp, 2017a). An alternative “peaceful, multi-faith event” was also planned at the Hindu Cultural Centre in Edge Lane, with speakers including Merseyside Police Chief Constable Andy Cooke, Police and Crime Commissioner Jane Kennedy and members of the Tim Parry and Jonathan Ball Foundation for Peace (Thorp, 2017c).

On 3rd June 2017, it was reported that a march by “right-wing group English Defence League erupted into violence in Liverpool city centre” (Dunn, 2017), after “supporters of the far-right group scuffled with anti-fascists close to Liverpool Lime Street Station” (Burke, 2017). The incident included confrontation between the EDL and anti-fascist protesters, the Merseyside United Against Fascism group, on St George’s Plateau. It was reported that missiles, which included bottles and what was believed to be firecrackers were thrown between the opposing

groups (Burke, 2017; Dunn, 2017; Mansfield, 2017). The police presence was described as “heavy” (Mansfield, 2017), and Deputy Chief Constable Foulkes from Merseyside Police described the support that the force had received from British Transport Police and colleagues from Lancashire, Cumbria, Cheshire and North Wales (Dunn, 2017), with a reported 12 arrests and the use of public order legislation to disperse demonstrators (Mansfield, 2017).

The response to the EDL march was varied across news reports and social media. The Liverpool Echo recorded that the event was a success for the left-wing demonstrators in blocking the “far right,” who were “laughed out of Liverpool for the third year running – as thousands of protesters forced them to cut their march short” (Hughes, 2017). Although this was an EDL march, a different group to previous marches by National Action and North West infidels, the reports suggested that they were in fact one and the same group; “the far-right group attempted to march through the city again, but it didn't really work out for them, again” (Dunn, 2017). The Liverpool Echo also published “Faces of hate: 8 pictures that sum up the EDL” (Hughes, 2017). Further afield, it was reported that the EDL were prevented from marching through Liverpool despite “an unprecedented level of police protection” (Heneghan, 2017). Liverpool Councillor Sean was reported to have posted on Twitter, “Liverpool sends the EDL packing again. Lots of love to @MerseyPolice@MerPolChiefCon managing situation so well Liverpool heroes” (RT News, 2017). The Socialist Worker reported that thousands had stopped “Nazis from marching through Liverpool,” and that this was the fourth time in the last two years that fascist groups have been met by mobilisations against them in Liverpool” (Jenkins, 2017). United Against Fascism listed on their website some of the groups and individuals involved in protesting against the EDL;

“Merseyside UAF’s protest was supported by seven Regional Trades Unions: CWU, FBU, GMB, NUT, PCS, UNISON and Trade Union support: Unite, over 25 local Councillors, Show Racism the Red Card and others. The day started at noon with the UAF rally featuring speakers from the local trade union movement and cultural figures from the city, including: Deputy Mayor of Liverpool Ann O’Byrne; Julie Ward MEP; Lynn Collins, Regional Secretary of North West TUC; Martin Cavanagh of the PCS union; Tony Kearns, acting General Secretary of the CWU; Writer Alan Gibbons; Mark Rowe, local Regional Secretary of the Fire Brigades Union, and others.”
(Unite Against Fascism, 2017)

The EDL unsurprisingly reported the events of the day differently;

“We were outnumbered 10 to 1 in Liverpool by a largely left-wing crowd. We were bombarded with about 200 rotten eggs, 50 drink bottles (at least one was a glass bottle), 25 full drink cans and bananas and a handful of smoke bombs, darts, large fireworks and coins. We threw nothing – other than a few returns. We were there for the victims (and victims-to-be) of grooming, abuse, bombings, vehicle attacks and attempted beheadings. And we are not going away.”

(English Defence League, 2017a)

The EDL claimed that those opposing their march had “blood on their hands,” a chat that had been heard from the EDL during the event and stated that they were overwhelmed by the support that they had received in marching, despite the opposition from the “regressive left” in Liverpool, who revealed their “seditious intentions” (English Defence League, 2017a).

The EDL emerged in 2009 as a mass street protest movement able to attract supporters in the thousands to demonstrate against “Islamic extremism” in towns and cities across the UK” (Kassimeris and Jackson, 2015 p.1). There is much debate regarding the status of the EDL, particularly in the claims of those opposing that the EDL are far right extremists, fascists and “Nazis” (Jenkins, 2017). At the time they emerged, then Commissioner of the Metropolitan Police, Sir Paul Stephenson, was reported to state that the EDL “per se” were not viewed as “an extreme right wing group in the accepted sense” and that the group had the right to protest (Pitt, 2009). In 2010, Chief Superintendent Adrian Tudway, then National Co-ordinator for Domestic Extremism, wrote that the EDL “are not extreme right wing as a group” and that their published material indicated that they were actively moving away from the right and away from engaging in violence (Dodd and Taylor, 2011). Lord Tebbit in 2013 challenged the founder of an anti-Islamophobia monitoring group to prove the group adhered to far-right principles and said calling the group “right-wing” was “an attempt to smear mainstream conservatives” (Elgot, 2013). That same year, the leader of the EDL at the time, Tommy Robinson, when interviewed, declared that he was “not a Nazi, and that he hated Nazis and hated fascism” (Hope, 2013).

The EDL stated in their mission statement that they stand for human rights; that their activities are peaceful; and they are committed to non-violent street protests to further their mission. The statement claims that EDL demonstrations provide opportunity for a collective voice, and whilst other groups may make their protests through writing articles, debate or violent activities, the EDL are “loud and proud, but then we go back home to our families” (English Defence League,

2016). The group states that they “stand firm in support of the right of both Muslims and non-Muslims to speak freely” (English Defence League, 2016).

Research into the EDL also differs in establishing the political and social stance of the group. Copsey (2010, p.25), observed that the EDL is “not an archetypal far-right party or movement”. Meleagrou-Hitchens and Brun (2013, p.25) observed that the EDL’s political stance could be most accurately described as “a new form of cultural nationalism.” Pilkington (2016, p.123) concluded after three years of research into the EDL that there was “a genuine aspiration to non-racism among grassroots members of the movement.” This, Pilkington noted, was evidenced in an organisational commitment to make the group accessible for all, by excluding racism from the EDL and creating clear demarcation lines between the EDL and groups and movements perceived as racist.

However, Kassimeris and Jackson (2015, p.12) stated that whether the EDL leadership sincerely believed the group not to be Islamophobic was “a moot point” as the EDL “employed a culturally racist discourse of Islamophobia.” Further, Meleagrou-Hitchens and Brun (2013, p.12) observed that whether intended or not, the EDL message and tactics used were “bound to attract race nationalists, and there is plenty of evidence that it has.” Nevertheless, Meleagrou-Hitchens and Brun warned against using terms such as racist and fascist, acknowledging that although such traits may exist in some within the organisation, this was not representative of the EDL ideology. They concluded (p.39) that such terms were unhelpful, as they provided a biased and inaccurate analysis of the EDL, which was unhelpful both to those making policy decisions and for the general public in their understanding of the EDL.

Allen (2011, p.290) observed that as far as placing the EDL in the far right, the group “undoubtedly resembles other organizations within that milieu,” and therefore, despite the EDL protesting to the contrary, concluded that it was very difficult not to place them politically as such. However, Allen cautioned that in doing so, there was a danger of underestimating the strength of support for the EDL, and not recognising that their ideology was different to traditional far right groups. Further, Allen observed that the appeal of the EDL to, and incorporation of, minority groups often excluded by the far right, bucked the trend from other historical far right groups. Oaten (2014) concurred and noted the EDL’s inclusivity in attracting supporters from different religious faiths and sexual minority groups, evidenced for example in the existence of the EDL Lesbian Gay Bisexual and Transgender Division, who stand alongside the traditional right-wing supporters. Oaten concluded (p.333) that the key to understating the EDL was in “understanding the EDL’s identity as collective victim.” Pilkington (2016, p.229)

observed that despite the ideology and political activity of the organisation, EDL members often “articulated a rejection of politics per se,” perceiving this as meaningless discussion.

Interested parties

Identifying interested parties

The most obvious interested party in this case study was event organisers the EDL. Unsurprisingly, the presence of the EDL brought opposition with groups unified politically and culturally (Waddington, Jones and Critcher, 1989) in a city that had witnessed serious disorder during previous marches. Further to previous research, this study evidenced numerous other interested parties aside from those marching or counterdemonstrating with whom the police engaged, and initial analysis sought to identify such parties and map the dialogue undertaken.

The EDL provided notification to Merseyside Police of their intention to march on 3rd June 2017, six weeks before the event. The notification caused Commanders to question whether the EDL would “bring anyone else with them,” or attract “other interested parties” in support. An EDL member explained why Liverpool was selected;

“The main reason we went to Liverpool was because Liverpool is the centre of Antifa, and black bloc, and Social Workers Party. That is where the left are centred and originate from. We went there because we had observed certain behaviours from the left in Liverpool, where they stopped marches by massive violence. Our argument with that was we don't agree with certain directives that the groups were doing, because as far as we are concerned, they are racist, like being Nazis, and stuff like that.”

(EDL A)

The presence of the EDL provoked a counterdemonstration, and most participants referred to those opposing as the “left-wing.” This group were often collectively called the United Against Fascism (UAF) group. An Activist explained how the UAF were an organised regional body and described their stance;

“The core aims and objectives are on the internet, but they are very much about the 'fascists off the streets', whether that's locally, whether that's nationally or internationally. And they are not a group that actually resorts to action in terms of actual physical action. They just peacefully counterdemonstrate. But they

always are able to galvanise large groups of people together, and put the call out, and likeminded people will then come to have a counter-protest."

(Activist A)

Every participant identified numerous groups within groups (Drury and Reicher, 2000) opposing the EDL; UAF members; trade unions such as Unison, Unite the Union and the Communication Workers Union; student groups; the Anti-Fascist Network (Antifa); politicians and local councillors; and the public. Police participants described the component elements within this group, which included; students; *"the public-spirited citizens, the people of Liverpool who have left-wing views;"* those passing by; some *"who are troublemakers"* intent on engaging in disorder; and causing trouble; and *"a hard-core element of left"* who were *"identifiable by clothing, flags"* and who were *"intent on causing issues."* Some described the complexity of the group make-up;

"I think the left-wing, you could go on and on and on in terms of breaking them down, and what people's involvement may be."

(Commander K)

"Certainly, my reflections after the event, this morphous body called the left-wing. And they ranged from the general community of Liverpool, who are more left-leaning than most other cities in the country, and have a very powerful, political voice, based on history, to the more extreme left-wing, the anarchist bloc that would do anything, can tend to use violence et cetera to achieve their aim."

(Commander L)

"All different banners, all different people. There were some with the anarchists' symbol for the left-wing, with face coverings, dressed all in black, and bits of red, carrying flags. Through to people identifying themselves as teachers. There were union members there. I saw a number of Unison banners. Members of the local community. People who they identified themselves as, 'We are not part of the counter-protest as such, we are here to just tell these people they can't come to our city.' And people who just identified as being Liverpoolians, and people from Merseyside, not wanting the EDL to be there. Definitely not a homogenous group."

(PLT J)

"Even young people, even teenagers from some of the tough areas. They thought it was hilarious. Get the bus into town, have a laugh at these, what's going on here."

(Commander O)

Police participants recognised that although the group were united in opposition to the EDL, they still had their “own crusades.” One Commander cautioned against using “left-wing” as a collective noun;

“You’ve got everything from your anti-fascist, black bloc type groups, who will use violence and will potentially call themselves communists if you spoke to them one-on-one, with what could be considered very left-wing views. But you’ve got groups of black lads from L8, who might not think of themselves as political at all on that continuum. You’ve got mums with pushchairs. Trade unionists, who maybe would consider themselves just left of centre. You’ve got literally every man and his dog, doesn’t really want these people in the city. So, I don’t think we should use left-wing in that respect.”

(Commander O)

An Activist described the counterdemonstration against the EDL march and identified numerous union groups which were augmented by members of the public;

“Some of the Antifa, as they are called, they were present. We actually had some community members, as in people who were from different diverse groups, who’d come along, because they’d heard that the EDL were coming to Liverpool, and they wanted to come to demonstrate. And officially, there were community organisers present as well. So, people from the Irish community, people maybe from the black community of Liverpool et cetera that came along to actually say, ‘Sorry, we don’t want the EDL on the streets of Liverpool.’ We had the Deputy Lord Mayor was present. And there was media... There was quite a lot of groups that came together in a uniform voice to actually say, ‘Not on our streets!’”

(Activist A)

However, aside from the EDL and the counterdemonstration, there were numerous other interested parties identified as key in the dialogical process. The local authority, including elected members were “key stakeholders,” and this included those involved in “building work or cleansing works in the city centre in and around such events.” The retail sector was an interested party, and this included the Liverpool One shopping complex and the “Business Improvement District that represents 650 retail businesses.” Pubs were also identified as key stakeholders. One Commander observed;

“You had the Wetherspoon’s that closed down, and other public houses that had to consider their approach. And, even then, within a small geographical area, you had some pubs say, ‘We are closing down,’ and then you had another pub who was willing to accept them [EDL]. So, even when you group the pubs

together as a party, within that, you've got people who are supportive and willing to host, and you've got others who aren't."

(Commander K)

Other businesses were identified, particularly those located near to the start of the march route. These included Lime Street train station, the Liverpool Museums, the Empire Theatre with *"up to 2,380 attending a matinee performance at the same time,"* and St. George's Hall, where there was *"quite a bit of damage and a lot of violence on the steps during the previous event."* The wider impact affected the transport network and interested parties were identified from Merseytravel, Network Rail, individual train operating companies, train stations and bus companies, who were duty-bound to as far as possible *"create a safe environment for passengers and to make sure the network keeps running."*

The emergency services were key stakeholders; Merseyside Fire and Rescue Service; North West Ambulance Service; Merseyside Police; and British Transport Police (BTP). Despite relationships existing between the police services, participants still recognised differences in approach. One Commander commented of BTP that *"they are a business, and that's challenging."* Contrastingly, another Commander observed that BTP had challenges further afield, including the UEFA Champions League final in Cardiff on the same day, which resulted in *"specific key strategic objectives"* peculiar to BTP *"that may not necessarily reflect strategic priorities with Merseyside Police."* The EDL march had further reaching implications;

"We also had notification that there was going to be a simultaneous protest outside Birmingham New Street, in the West Midlands. So, again, part of who were the interested parties who were involved right up until the last week, were senior stakeholders in Merseyside police, and senior stakeholders in West Midlands Police, senior stakeholders in terms of British Transport Police strategic command. I had senior stakeholders in terms of very powerful and influential train operating companies, and that multi-billion pound industry that moves those billion odd passengers around the UK every year."

(Commander P)

Finally, there were what many described as *"the population of Merseyside"* who were *"going about their normal daily business."* One participant explained that the Liverpool city centre population had risen from 3,000 in 2001 to 40,000 at present, further augmented by visitors on a busy Saturday afternoon. Another expanded;

“There's lots and lots of people. People just going about their general daily business as well. Wanting to take their kids to the museum, wanting to go on the ale, you know what I mean, the old fellas on a Saturday afternoon. You've got all that movement where people just want to carry on as normal. But something like this can just cause gridlock, because there's the traffic footfall as well.”

(Business G)

Identity and nomenclature

For participants, recognising interested parties required understanding their identity. This was particularly significant in light of previous “right-wing” marches in Liverpool resulting in disorder (Maxwell, 2015; Weston, 2016), and all participants referenced these events and their impact on planning for this march. All police participants were very clear that the identity of the EDL was very different from the Polish Hooligans, National Action and North West Infidel groups. Police participants unanimously agreed with Copsey (2010) and Allen (2011) that, despite local and national media references (for example, Burke, 2017; Hughes, 2017) the EDL were not a far right-wing movement. Consistent with Meleagrou-Hitchens and Brun (2013) and Pilkington (2016), police participants saw a danger in branding the EDL as far-right, and most located them right of centre. One PLT explained how they had conducted research in lieu of dialogue;

“If you look at the ideology, it's not as far right as you think it is. And there's probably common areas that a lot of the population would agree with.”

(PLT M)

A Commander concurred;

“I don't see a danger, personally, in relation to the EDL as categorising them as right-wing. We've all had briefings and see the different categories and where people sit on some sort of continuum. And, I like that briefing, and I know that we show the EDL just to the right of centre, not too extreme. And that's fine by me, and that category sits well for me in relation to the EDL.”

(Commander O)

Some police participants expressed a fear in the planning stage that members of “far-right” groups might return and be “rebranded” as EDL, however this fear was alleviated through the dialogical process implemented. An EDL member explained;

“I pointed it out to the liaison, and said, ‘We are nothing to do with the NWI. They are a splinter group.’ The North West Infidels. Who teamed up with the Polish lot. I said, ‘We had nothing to do with them.’ At the end of the day, most

of their leaders are in nick, anyway. We was quite aware that their presence affected the police decisions outcome, on the way they treated us. But I think we put it forward enough, and professionally enough to sort of say to the police, 'Well, look! We're not that sort of group. We do understand people's rights, other people's rights. We know it needs to be proportional.'"

(EDL A)

However, Activists described the EDL in the same vein as previous marching groups, referring to the EDL as “neo-Nazis” and “fascists,” and suggesting that despite the ideology, those marching displayed “extreme right-wing” tendencies. One Activist observed;

“We see them as fascists. Well, it's what they stand for. Their terminology that they use, they try to twist it.”

(Activist B)

Despite the labelling of the EDL as “extreme right-wing” by those opposing, several Commanders commented that this was a ploy to stereotype the EDL and associate them with previous groups. One explained;

“They are seen that way. But, deep down, those people who are opposing them would know the difference. I'm quite sure they would know the difference. But the people who oppose them use the categorisation of saying they are all the same to rally support for their own ends. Deep down, they know that there are shades of grey within the political spectrum and where people stand, I'm quite sure they do. I don't think many people would be that naive as to not know the difference.”

(Commander O)

Another Commander suggested that local media had influenced perception regarding the EDL's identity;

“I think our local media here has a complete misunderstanding of what the EDL say they are about. Straight on, as soon as the march is advertised, making links and references back to the previous marches by other groups, neo-Nazi groups, and terrorist groups, which are now banned, in the same article. So, if the media put those three groups in one news article, well the general members of the public probably collate them all into one, you know, 'They are all neo-Nazis, and that's what they are.' So, disappointment in the local media, definitely, and definitely out trying to stir up a bit of interest and sell a few more papers, by sexing it up a bit more, I think.”

(Commander M)

An EDL member described their ideology and mission statement and explained how they had worked to rid their ranks of “far-right” supporters;

“Basically, what happened was all those egos and stuff like that, or bullies, people who say, ‘You do it my way, or it’s the highway, or I’ll come around and knock on your door,’ that all got dealt with. And then you had people splintering off and doing their own thing. But not standing by our values. So, we turned round to them and said, ‘We will never have unity with you lot. As long as you are holding us up, we will never have unity.’ So, basically, you have people splinter off. We don’t get no football firms come along any more. All’s it is, is it’s women and kids, I mean like youth, and just standing up for the right to demonstrate, the right for freedom of speech, and also highlighting what is going on in England. You know, Jack Straw said, 10 years ago, that there is a problem going on here, when it was first identified in Derby. So, basically, it’s us protecting our children. That’s how we value ourselves. We are protecting the future of our children, and children’s children.”

(EDL A)

Those opposing the EDL march were often referred to collectively as the “left-wing.” Police participants observed that the same groups had united on several previous events in Liverpool, such as student marches, anti-NHS protests, trade union demonstrations and opposition to “right-wing” groups. One Commander suggested the group “*badge themselves differently depending on what event they are attending.*” Another observed the same transience, noting that although there had been three different groups who had attended Liverpool to march in the past 18 months, “*it’s the same left-wing that came out on each occasion.*” Yet another Commander commented;

“It’s quite interesting to see how the different people will turn up to protest often for what they’ve previously protested against. So, people who previously opposed Mayor Anderson would have effectively sided with him in terms of opposing views against the right-wing on 3rd June.”

(Commander J)

However, all participants identified a diversity within the opposition, and a necessity to understand the identity of diverse groups to identify intentions. Commanders recognised “a splinter” in the groups and that “*you can’t treat them all the same, because they’ve all got different perspectives and interests.*” Activists specified their stance in terms of group membership and responsibilities. One commented; “*I wasn’t responsible for this demo. I wasn’t even responsible for the participants from our branch.*” An Activist defined their level of acceptable activism, and how their identity affected their actions;

"We are bound by codes of conduct. And, as a full-time officer, when I'm out and representing my union, I could bring my union into disrepute if my conduct... Like in any job. So, you are mindful of what you can and you can't do. I mean, you're not going to resort to doing any criminal damage or physical violence. But you can peacefully protest and demonstrate against, you know, fascists on the streets, in my city, that I love dearly. So, people like that, like-minded people, lots of people come on that basis. There are other people there, I can't speak for them, that may have had a different agenda, which may have been that they would resort to, you know, taking more forceful action is the word I would use. And, obviously, I can't speak for them. But in terms of me and my union, and obviously lots of my other colleagues from the other unions I've named, we would be there to have a peaceful protest, and be compliant in terms of public disorder, et cetera. Because we are representing our union, and we are not there to cause a riot. But we are there to protest."

(Activist A)

Another described their stance;

"I try to get as close as I can, and at some stage I was within about five feet of the EDL, although, obviously, I had the police in front, trading banter. But I wouldn't stoop to throw a bottle. I wouldn't stoop to throw these cherry bombs in, or whatever. I wouldn't stoop to pushing a police officer out the way or anything like that. There's a limit, that I do my best to protest, but, at some point, this is going to cross the line, and that's when I back away. I'm a shithouse!"

(Activist B)

Those marching described and identified diverse groups within the left, also recognising different levels that people would reach in activism;

"What we would classify as extremist left is Antifa. Black bloc. We call them 'Hate not Hope!' It's 'Hope not Hate', but we call them that. There's Unite Against Fascism, UAF. And the Socialist Workers Party. Let's put it this way, the Socialist Workers Party, they will sit down and try and prevent you from doing the march, as they did in Liverpool. The Antifa, the same as the black bloc. So, we'll classify them as extremists."

(EDL A)

Activist were, however, very keen to distance themselves from the term "protester." One explained;

"Activists, rather than protester. Because I may take an action against what I see is, you know, fascist. I feel compelled to go out and as an activist, to say, 'Not

on my streets. This is my city, and I don't want whatever agenda you are bringing.”

(Activist A)

Another concurred;

“The definition of the word protester is a bit vague to me. If I go to London, I've been on anti-austerity marches, so I'm protesting against the government. I've been to another one not so long ago where it was a 'Save the NHS'. So, I'm not protesting against the NHS, I'm a supporter. So, I suppose it depends what the cause is, what you are going there for.”

(Activist B)

Illegitimacy and lack of trust

A perceived illegitimacy in the actions of outgroups (Drury and Reicher, 2009) was expressed by participants from all interested parties, and this led to a lack of trust with external parties. EDL members perceived the actions of those preventing their march as totally illegitimate;

“They certainly have the right to freedom of expression. And we have the right to walk in a peaceful and controlled manner, to march in a peaceful and controlled manner, and to our speeches on the day. But the thing is, they weren't respecting our values. And I get sick of... and I did point it out. When you get people throwing darts, when you get people throwing bottles of urine, when you get people throwing cans of sardines, flowers, broken wood, smoke bombs, used hypodermic needles... They weren't respecting the fact that we have got the right to democratic speech. At the end of the day, if they had let us do our speech, we wouldn't have been back for about 18 months.”

(EDL A)

A business participant also described the illegitimate actions of some who they had witnessed throwing *“a lot of missiles”* at the EDL. Several police participants concurred; one PLT opined that the police *“need to get to grips with the left-wing”* because *“they are getting away with murder!”* Another stated;

“To be honest, the EDL had the right to march, and through bullying, intimidation and downright criminality of the left-wing, they were stopped from marching. That's me saying that just as a police officer. It's got nothing to do with having sides. I mean, they have the right to protest. And they were stopped. And not lawfully, in my opinion.”

(PLT M)

Activists saw their whole *raison d'être* as opposing a group whom they believed to have “*vile policies*” which they had a “*right to stop*.” However, even within those opposing there was a sense that some acted in an illegitimate manner. One Activist described a minority who they believed acted in a way not in accordance with their cause;

“People, and a lot of them I would say, just joined on the day. They had no advanced knowledge of it. So, I would say 90% just your average Joe or trade union. 10%, it's the mindless idiots that I always really hate, because they're the ones that detract from what the issue is. That group, they would act the same way whether you were protesting against the EDL, whether you were protesting against anti-austerity. They are just there, that hard-core, for the mayhem, the mischief, whatever you want to call it. I don't believe they are genuine activists who believe in a cause. I may be doing them a disservice, but I don't believe it for a second. The 10%ers, as I call them.”

(Activist B)

Business participants also described the actions of a minority who were intent on causing disruption and extensive damage. One identified the difference approaches of “*counterdemonstrators that were lawful and were staying in where they were told to go by the police,*” and those that were “*actively moving away*” in order to “*cause trouble.*”

Participants also questioned the legitimacy of some police actions. An EDL member observed that the police were not equitable in implementing public order legislation and stop and search powers. They described how the EDL march was brought to a standstill after activists sat down in the road, preventing the march passage, with some wearing face coverings, contrary to Section 60AA of the Criminal Justice and Public Order Act 1994. They shared the feelings of fellow marchers;

“They're going, ‘Oh, these are sitting down now. Why aren't you Section 12-ing them? You can go and get them. You've got your Section 35, you know, power to disperse them?’ One of my peers was quite irate. They are quite within their rights to get irate as well, because, you know, why aren't they being policed the same way? And this is where we stood up saying this all the time. And you know, like facemasks, Section 60AA. We've always got that on us. And then you see people all scarfed up, with crash helmets on. And the person throwing the smoke bombs, and they use thunder flashes, and they also emit a bright light. The first time it was thrown in, [PLT] shit himself! You could hear them in the city centre 700 yards down the road. And it was a big boom. You know, and our lads, some of my peers were pointing the bloke out. And the police stood there!”

(EDL A)

Some police participants also questioned police fairness. PLT observed that *“there was Section 60AA in place that was never enforced,”* and that *“little or nothing was done”* in relation to large numbers of opposing group members *“wearing masks”* to the frustration of the EDL. An Activists described a confrontation with a police officer when the officer threatened to arrest their son for *“stepping outside of the cordoning”* when he was *“standing there with two of his friends,”* *“doing nothing”* and only approached because *“he seemed to be an easy target.”* Despite eventually receiving an apology from the officer, the Activist questioned the fairness of the police when there were others within the group acting illegally who were not reprimanded;

“Yet there were ones who were covered up, that you couldn't see their faces, who were being allowed to walk around freely. And, that really made me cross. So then... I think the police officer didn't realise that I was actually the chair of the event, and that's when then afterwards he apologised. He didn't apologise immediately. He apologised once I think he thought... And I said, 'Apology accepted. But you need to be more engaging and a bit more tolerant.'
(Activist A)

Participants from further afield also experienced unjust responses in the events of 3rd June. Several Business participants described how their staff had been abused with *“colourful language and threatened”* by members of the public who had been disrupted by the march and counterdemonstration. Another described the unfairness for couples who had planned weddings at St Georges Hall on the same day;

“Legally, they can get married. And they've done all the natural thing they can do. They've registered their banns, they've got the registrar, it's all done. It's unfair. What we can't deal with is the unfairness of this. If it's unfair, are you going to stop it? If I want to have my wedding that day, what are you going to do? So, what's the priority? It's quite difficult to get your photos in the garden if there's people legging it around doing whatever they're doing. So, it could have been spoiled to some degree.”
(Business C)

PLT experienced a lack of internal trust. One described issues they had encountered with colleagues who *“think that you're not a police officer any more”* because of performing the role of PLT. Another described how they had been refused a lift back to police headquarters by colleagues after they had tried to diffuse a confrontation, simply because they were PLT officers, which made them feel *“like you were out your own a bit really.”* A PLT described how they had challenged a police commander who had directed them to arrests *“as many as they could”* for

breaching a Section 14 Public Order Act order and asked whether other officers could be used instead. They explained the difficult position that they felt placed in;

“And then, it looks to your colleagues that you may be a coward, or you’re unprofessional, or you don’t know what you are doing. And it’s not that, it’s just... because there was 18 carriers full of police officers who could have arrested those people. So why do the two people who are trying to engage with them, why choose them to go and arrest them? Because that just compromises you. They didn’t understand it.”

(PLT K)

Finally, police Commanders described the illegitimacy they perceived in the media reporting prior to and during the march, which they believed had an influence on those attending to counterdemonstrate. Two Commanders described their feelings;

“The media aren’t involved in any planning process. They are not aware of the intel, they’re not aware of the issues that we have. And so, if I was actually going to look at anything here, I’d look at the media. Because how the media framed the February one, so the one prior, was that the right-wing were the ones at fault. And they brought weapons, I don’t excuse their behaviour. However, the left were using violence that was most likely to result in death. The throwing of the cobbles was by the left. They could have killed somebody. And that never got reported in the media, which then frames how many people that come out for the next one in June. And so, I believe that probably the reporting of the last one had an impact on the left that turned up in this one as well. And then they will praise the left and say that they were great, you know, well-behaved. It’s not the case. The left prevented the right doing what they had a lawful right to do.”

(Commander K)

“Some of the media reporting was very, very unbalanced. You look at the recent history around the EDL. Do they drink? Yes. Can they be disruptive? Yes. And can they use violence? Yes. But actually, it was often the left that are more violent, more disruptive. So, you do question some of the reporting, some of the behaviour.”

(Commander L)

Mapping the dialogue process

PLT were deployed by police commanders to engage in dialogue with demonstrators (Waddington, 2012; Stott, Scothern and Gorringer, 2013) pre, during and post the events (College of Policing, 2016a). Commanders implemented a strategy based on engagement with those wishing to march and counterdemonstrate from the outset. A Bronze PLT was appointed who assessed the intelligence and information and *“pretty much vaguely decided that it was a left*

versus right protest.” Two teams of PLT were identified; one allocated to the EDL and one to *“the group on the left.”* PLT were then tasked simply to engage pre-event with identified groups. A Commander explained the rationale;

“What we definitely didn't want was having members of staff sent an email from the Force Resourcing Unit and turning up on the day with their refs bag, putting on their blue bibs with absolutely no input at all either on the background of the operation, who the groups are, what they look like, and without having tried some engagement with the group to give them some sort of legitimacy. Because, we didn't want to just have a blue bib meeting someone at Lime Street station as the doors of the train open, and there saying, “Hi! I'm your PLT for the day!” So, it's just not legitimate. It wouldn't be seen as being legitimate by the protest groups or the marching group. Or us as having been sincere at all in any way. So, that's what we really tried to do. Engage with them beforehand.”
(Commander M)

However, the dialogical process exceeded simply engaging with the EDL and Activists; it was *“multifaceted,”* and involved engagement with all the interested parties identified. One of the central lines of communication between the police and key stakeholders was maintained through a series of planning meetings, with attendees from other emergency services, the local authority, Merseytravel, key locations such as St George's Hall and the theatres, and representatives from the Businesses Improvement District (BID). The meetings allowed an assessment of the impact of the march and counterdemonstration on each organisation, providing Commanders with an understanding of their thoughts. One Business participant shared their experiences;

“We had a series of meetings with the police based on what the expectations were. The police were very thorough in terms of their sharing of intelligence as well. I thought that the social media management was very good. They were able to say, ‘Well, this is where we are up to.’ The last thing we went to was trial scenarios. So, if this happens, what is our situation?”
(Business C)

In addition to PLT, other officers were used as conduits in dialogue, often where existing relationships assisted engagement; police commanders; community officers; operational planning officers; and public order tactical advisers. Some further engaged in wider areas, for example, one Commander described how they ran a series of their own *“stakeholder group”* meetings to engage with all businesses linked in to Lime Street train station. There was dialogue at a strategic and chief executive level with key agencies such as emergency services and the local authority. Business stakeholders also described how they further engaged with others in their own organisations and areas of business. However, significantly, all dialogue can be mapped through the Silver (tactical) commander who maintained an overview of the

engagement processes, ensured there were “no mixed messages” and “sought the views” of all those engaged in any way with the events surrounding the march.

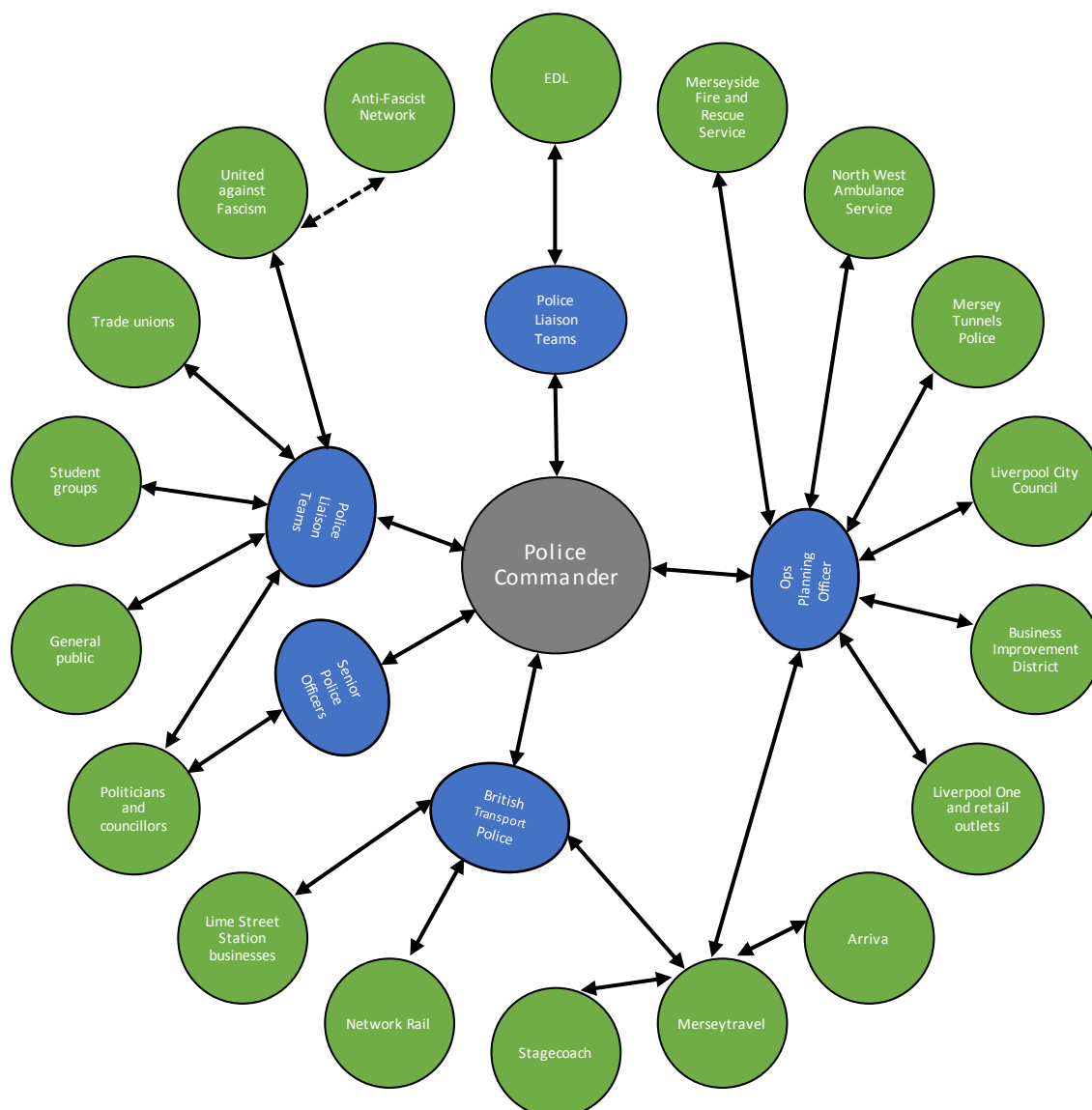


Figure 3: The policing of the EDL march dialogical wheel

The complexity of the interaction and dialogue between the police and interested parties undertaken prior to, during and post the EDL march is presented pictorially (see Figure 3). This **Dialogical Wheel** visually portrays the numerous interested parties that were identified as being engaged in dialogue with the police during the research, and the officers who acted as liaisons between the police commander and the groups.

Political pressure

The policing of protests, noted della Porta and Reiter (1998), is heavily influenced by a political response. Wood (2014) observed that police legitimacy is a struggle within the political framework. This case study reaffirmed the presence of political pressures in police decision-making, and many participants described coercion by local politicians in attempting to sway decision-making in facilitating the EDL march. A Commander observed that there were *“some fairly big statements”* being made *“by politicians around their views around the EDL coming to Liverpool.”* Several Commanders described the local authority in Liverpool as *“one of the big players,”* being *“very left leaning”* and *“very Labour dominated,”* and subsequently there were some *“very strong views from elected members”* voiced, which created *“real challenges.”*

Most participants believed that Liverpool City Mayor Joe Anderson, as the elected leader, created much of the political pressure experienced. Media coverage reported that Mayor Anderson was examining legal challenges to the Home Secretary’s position on banning marches, and that he would *“not let them march through the city centre ever again”* (Thorp, 2017b). Police participants commented on how the mayor *“always has his own say,”* and one Commander opined that the mayor *“actively encouraged”* opposition to the march. Another Commander asserted;

“I think it's been quite public that the mayor, who is historically very well known as a left-wing activist, wanted to ban the march. We looked at the legislation, Section 13, and certainly the criteria weren't met. And, I think he knew that, and probably just wanted to be vocal within his peer group, probably, as far as I'm concerned. It was never achievable, or the grounds, the rationale, certainly weren't there to deliver upon that.”
(Commander J)

Yet another Commander shared their views;

“The mayor gets really strong left-wing backing, makes his views very clear and is very public about it, which really doesn't help any of our cause. I think, if I'm being honest, it's irresponsible. I don't think it shows him having any understanding of human rights, or the right to protest, or the right to have a view, unless it's his view. So, I have to say I personally, take away the fact that I'm a police officer, I'm not particularly impressed by his stance on all of that. Actually, he could save this city an awful lot of grief by simply giving the instruction, and they would listen to him, giving the instruction, ‘Allow this to happen, and we'll get rid of them.’ And then, they won't come back, hopefully. And I think if he took that sort of stance... And he could say, ‘I disagree with

everything that they say.' Like we all do. We all disagree with what they say. But there is a human right to this that he completely and utterly ignores, as far as I'm concerned. He probably stands up and says he fully believes in freedom of speech and freedom of expression. But, there's a hypocrisy around how he acts that out."

(Commander N)

Unsurprisingly, those wishing to march, saw opposition led by the mayor, and believed that there was a proactive approach to prevent their cause;

"Liverpool Council, especially Joe Anderson, they didn't want us there, which they always do, they always have. And I will give you a prime example. The route, where we was going, where we was speaking, the pub we was using, the muster point, was put out on the Liverpool Echo. It was put out on the Liverpool Echo on Tuesday, Tuesday or Wednesday. And we don't release that information till late night Wednesday night, before the march. Now, that got put out. So, automatically, the left knew how to stop us. And they was quite well-planned, because they were coming from everywhere."

(EDL A)

Business participants also perceived a political drive to oppose the EDL led by the mayor. One Business participant described how *"the politicians that run the local authority"* provided contradicting views and support for differing marches, that *"the whole thing is much politicised"* and that Mayor Anderson *"doesn't understand the full implications"* in trying to ban the marches of groups who stood *"against the Labour regime."* A Business participant opined that *"the Mayor of Liverpool was spouting off on Twitter about how he's tried to stop it"* and commented that *"it inflames things for me."* Another described the *"political calls to put pressure on central government to give local authorities powers to ban such marches."* Yet another observed;

"It's fair to say the elected mayor went out to say he wants powers, and still does, powers to ban the marches, which I think is totally dangerous, from a personal point of view. But, yes, he wanted the powers to ban selective... I don't think he realises that if he uses the current legislation as it stands, if you ban a march or a protest, all of the marches and protests have got to be banned. So, I don't think he'd like it if the Santa Dash was caught up in this [laughs]. Well, they probably do understand the full implications, but they want more of their money's worth from the media, than the actual thing itself."

(Business D)

The political pressure was not limited to the mayor, however, and several participants described wider political pressures. A PLT suggested that the response from Liverpool City Council was

different to the EDL march than it might have been for a trade union march; *“I think if Unite or Unison were to go somewhere, and be stopped from marching, there’d be hell to pay.”* A Business participant suggested that *“a lot of politicians”* were *“trigger-happy in sending Tweets out”* and getting *“a lot of mileage”* out of social media and local press, to *“build up their profile”* and *“strengthen their political standing.”* Activists were keen to identify the political support that they received on the day and noted that Liverpool Deputy Mayor Anne O’Byrne gave a speech on the plateau outside Lime Street station. One Activist described the political stance of Liverpool as a city as being significant in providing *“cohesion,”* and its perception as the *“last Bastion in terms of the left”* was what the EDL march sought to challenge.

The political pressure caused issues for Commanders in ongoing relationships with partners from the local authority. One Commander described the local authority as *“very problematic in terms of policing,”* and another described the pressures they felt from a local authority who were *“very keen not to have the event.”* Another Commander agreed and described the strong political view of not wanting the EDL in Liverpool to march and the difficulty they felt in *“trying to bring two political views together.”* The Commander however acknowledged the challenges faced by local authority representatives who liaised with the police;

“I think they faced that dilemma of, ‘How do we support the policing as a partner agency, recognising our lawful requirement?’ to ‘How do we not support having the EDL come here?’ So, they were really torn between, ‘We know what we should do, and what’s the right thing to do, but we’ve got a political mandate for a political view of the world which means we should do it that way.’ And I think that really made it very, very difficult for them. And we had to help them through that journey. And at times, that brought us into conflict.”
(Commander L)

The police as the state?

Mansley (2014) suggested that the police are the embodiment of the state, and this view was supported by an Activist who observed;

“People’s perception are around that the police are the establishment, and they are there really just looking to arrest everyone who are maybe wanting to counter demonstrate.”
(Activist A)

Several Commanders observed that *“the left are anti-establishment,”* and concurred that the police are perceived by some as the establishment; *“we have a crown on our hats, that’s what*

we represent.” However, despite perceptions, all police participants rebuffed the suggestion that the police represented the state in protest events such as the EDL march, and instead propounded that the police were *“independent.”* One Commander asserted that the police role was to *“protect everyone and allow everyone to have their say.”* Another explained;

“We are a democracy, we are there to support democracy in this country, and we should allow those that are there their democratic aim to do that.”
(Commander L)

Police liaison

The role of a PLT and selecting appropriate officers

The responsibilities of a PLT are clearly defined (College of Policing, 2016b), and supported by a national training course (College of Policing 2013), however, participants provided their own insights into the role. Several saw the role as an extension of community engagement; one PLT described how their *“background as a neighbourhood officer in local policing”* assisted in them performing the role. Predominantly however those participating described the role in terms of the qualities they believed were required of an officer to undertake PLT work rather than the responsibilities of the role.

Consistent with Gorringer, Stott, and Rosie (2012), good communications skills were identified by many as a key requirement. One Commander suggested that a PLT needed to be someone *“who have just got that knack of being able to engage with people, able to communicate with groups, and having a sensible head on them.”* Another Commander offered;

“I think the type of people that really suit it are people who are generally committed into engagement, who aren't doing PLT role for any other reason, like trying to gather evidence for showing that they are team working or partnership working or anything like that. People who can really understand and accept other people's views. They might not necessarily agree with them, but they are able to overlook that, really, and remain professional.”
(Commander M)

A Commander suggested that PLT needed flexibility in performing a role which did not finish at the end of a shift, rather the *“communication lines”* were needed far beyond that. Other qualities identified were *“negotiation skills;” “being calm;” “being able to form relationships;”* and patience; *“being able to stand there and get nowhere and not become disheartened.”* One

Commander asserted that PLT needed to have the confidence to challenge decisions of Commanders, and *"explain why professionally you're unable to take part in a certain piece."* Similarly, a PLT provided an example of when they had *"challenge authority,"* by explaining to a senior officer during the event that *"evidence gathering isn't our role."* Maintaining impartiality was another quality identified by several. One PLT described how Activists had been handing out stickers to *"say no to hate crime,"* and when they refused to wear one was challenged by an *"anarchist."* The PLT recounted how they had explained that wearing one might suggest they were supporting the Activist group rather than the anti-hate crime cause *"and I can't be seen to be taking sides."*

Several Commanders described a specific process which was implemented to select PLT to liaise with right-wing and left-wing groups for *"consistency."* One Commander described how particular officers had been requested to work with the EDL *"because I know how well they can engage with people."* Another described a PLT selected because they had *"quite significant service"* and had *"proved the skills throughout their career, being good at engaging with people."* Aligning PLT to specific groups, encouraged the fostering of relationships. It also allowed PLT to *"research"* the groups they were working with *"to get a grounding."* A PLT described how they had *"looked into what the EDL ideology was"* to *"get a background knowledge of what the group was that I was dealing with."*

However, despite Commanders advocating an alignment of PLT with specific groups, two PLT recounted experiences to the contrary. One explained that they had previously policed the *"right-wing"* but for this event liaised with the left, which they believed had the potential to compromise their position and for them to be perceived as an intelligence gathering officer. Another PLT explained that they had previously liaised with left groups but for this event engaged with the EDL. They recalled recognising several anti-EDL on the day, and even had a confrontation with one of them, which they noted *"might come and bite me on the backside if I'm sent to do a left-wing protest now!"* They concluded;

"I think if the force wants to develop relationships then we should be aligned to a group and should develop that relationship over time. Because that way, they develop a trust, and they are going to listen to you more."

(PLT L)

“Stockholm syndrome” and the role of PLT Bronze

PLT exhibited signs of identifying with those with whom they had liaised during this event, although predominately this was displayed through PLT questioning the fair manner (Tyler and Lind, 1992) in which their group had been treated. The bonds were evident more with those liaising with the EDL, who “*sympathised*” with the EDL, for example, where legislation such as Section 14 (Public Order Act 1986) “*wasn't upheld,*” than with PLT liaising with Activists, who were not exposed to the same prolonged engagement pre-event with specific individuals.

The presence of “Stockholm syndrome” was less of a concern to Commanders for this event than it would have been for a long running police operation, however it was still recognised as a potential issue. Commanders described how implementing a PLT Bronze addressed concerns regarding potential compromise and bridged the gap between PLT and the command structure (see Figure 4). This also advantageously allowed Commanders to have a “*one-step back view,*”

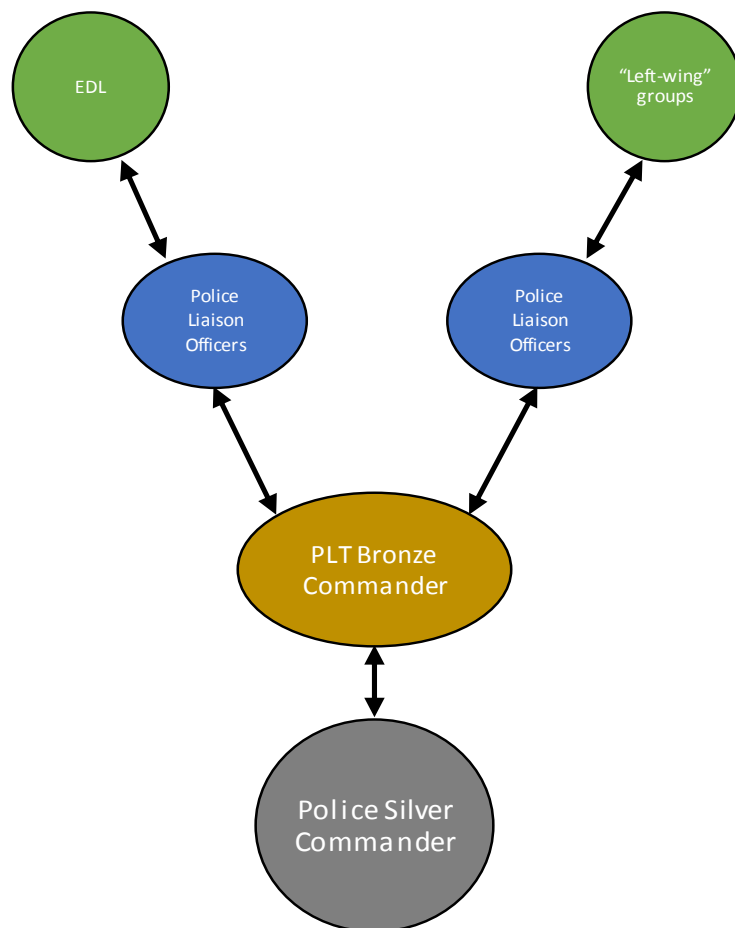


Figure 4: Bronze PLT command structure for the policing of the EDL march

prevented them favouring one group over another, and provided *“the wider picture, rather than getting too focussed on the relationship of one person.”* One Commander explained how having a PLT Bronze assisted them in maintaining impartiality in decision-making;

“At one stage, I wanted to personally go and speak to the EDL, to make sure we weren't getting mixed messages. I was advised against it, around PLT protocols. And in hindsight, it's probably the right thing, because of that danger of becoming compromised.”

(Commander J)

Dialogue pre-event

Most participants concurred with Gorringer, Stott, and Rosie (2012) and Watson and Angell (2007) that pre-event dialogue was key in promoting police legitimacy and fairness. Commanders described their strategic approach based on encouraging pre-event dialogue with all interested parties. PLT described how they were tasked by Commanders to engage with different groups on both sides of the march and protest. Business participants described meetings they attended with the police and other interested parties to plan their own responses on the day of the march. The Activists interviewed in this case study had not engaged with the police pre-event. Nevertheless, when asked, they unanimously saw a benefit for them in engaging in dialogue with the police pre-event.

Dialogue with the EDL was instigated once the police received notification of their intention to march in Liverpool. PLT described how they initiated contact and arranged meetings with the EDL leaders. Police operational planning officers attended initial meetings alongside PLT, to address legal matters regarding advanced notice of a public procession (Section 11, Public Order Act 1986). Thereafter, all engagement with the EDL was undertaken by PLT. Regular dialogue facilitated boundary-setting, managed expectations from both sides, and built relationships. PLT were asked for advice by the march organisers, such as suitable coach parking options and together walked proposed routes. PLT working with the EDL described the pre-event engagement as *“key,”* and one observed that the dialogue would not have been anywhere near as successful *“if we'd have turned up on the day and tried to have these relationships.”* The success may also be attributed to the fact that the EDL were also keen to engage pre-event for this march. P.A.J. Waddington (1994) and Joyce and Wain (2014) suggested that there was a focus on organisers *“having to negotiate with the police.”* However, participants in this case study refuted this claim. An EDL member explained how they had provided six weeks' notice for the march, much longer than the legal requirement of six days, *“because the police have to*

manage those arrangements.” This allowed the police to implement dialogue with the EDL through the blue bibbed PLT. They expounded;

“We’ve worked with liaison now for years, ever since it was first put in place. We call them the Smurf’s! The ones in the blue jackets. These days we liaise. So, therefore, we sit down and engage with liaison, and also engage with their silvers and golds controls and commands. So, basically, what’s put on the table, it’s a clear and precise assessment of what we want to do.”

(EDL A)

Separate PLT were identified to liaise with the *“various left-wing protest groups,”* however, these PLT encountered an initial barrier in identifying the identity of the *“left* and with whom to engage. Unlike the EDL, whose organisers were legally required to provide notification of a procession, participants explained that there was no requirement for such notification where a counterdemonstration without a procession was planned. This provided a challenge for the police in identifying potential interested parties and individuals willing to engage in dialogue. Commanders did become aware of a *“planning event”* in opposition to the EDL march being advertised on social media as *“an open meeting,”* and PLT were sent along in uniform *“to engage with people at that event if they would allow us in.”* Although the officers managed to have *“general conversations”* with some outside, they were refused entry to the meeting itself. One of the PLT observed that because it was an open meeting, they could easily have gained entry if they attended in *“civvies and not identified what we were there for,”* which would have meant they *“could have found out loads of information.”* However, the PLT opined that this would have prevented future engagement and encouraged mistrust if their identity as police officers were later established.

Pre-event dialogue was also instigated between the police and interested parties and businesses affected by the planned march. This dialogue was both through formal police-chaired meetings to discuss responses and contingencies and through informal dialogue between Commanders and interested parties, often with the operational planning officer as a conduit. Some participants described this as *“business as usual,”* observing that the EDL march was one of many events in Liverpool where for them pre-engagement with the police was customary.

Dialogue during the event

For those engaging with the EDL, dialogue on the day of the march was an extension of the pre-event engagement. PLT described how they met those marching as agreed at Lime Streets station and continued dialogue with both EDL organisers who they had met previously, as well

as those attending to march, as the recognised liaison in blue bibs (Waddington, 2012). Participants from both police and EDL described how several issues were addressed through the liaison. A suitable pub was identified for the group, after several other pubs “*shut up shop when they realised it was the EDL.*” Alternative car parking was recommended, after parking permission previously granted was removed on the day. Liaison also assisted in addressing opposition seeking to prevent the march. One PLT described how they engaged in dialogue on the day;

"The EDL I think was starting to react slightly to the left as well, because they were starting to show off a little bit. They would do the usual, you know, the hands out, photograph opportunity, and all that. I think at that point the commander decided that we should start the march. So, I went into the crowd, spoke to [EDL], told them what was expected, that we were going to start the march as planned. As we were starting them, I didn't see it, but I believe some of the left had come in through an alley, through the back. And I don't know if they jeered at them, chanted at them, whatever, but anyway, the EDL had charged down the street in the opposite direction to the march. So, we ran after them, started getting into the crowd, started telling them all to get back. Told [EDL] to tell everyone, to tell the stewards and everything. Unfortunately, because they were riled, it took quite a while to get them all to turn around and come back. I was just trying to say to them, you know, 'You want your march, get going!' sort of thing.

(PLT L)

The PLT described how they continued in dialogue despite growing hostilities, as external factors such as the warm weather and alcohol consumed by the EDL began to exacerbate the situation;

"They were getting quite angry, to say the least. So, we were having to negotiate with individuals, because you'd have different flashpoints as different individuals were getting at the end of their tether. And, you were just saying, 'You are going to march, but have just got to be patient.' Eventually, the left was moved off, and we did a march out... From what I remember, we were supposed to turn right, but I think we turned left. And, that was part contention as well, because they were like, 'We can't be moved from the path,' in their view. But, again, I just had to negotiate with them, saying, 'But, you want to march, and the way you've got to march is now, you know, dictated to how we do it, you know, the best way for your safety.' Which, to be honest, they did have as well."

(PLT L)

There was a short period during the day where liaison between the PLT and the EDL was suspended when the PLT were withdrawn by Commanders. PLT explained that they were removed because they were not wearing protective equipment and missiles were being thrown

at the EDL, some of which hit the PLT. Dialogue was maintained through mobile phone contact during this time. The withdrawal was not a surprise to the EDL. A PLT described how an EDL organiser had discussed their removal; *“He said that he knows that it's gone wrong when he sees all the blue bibs suddenly disappear.”* However, another PLT regaled that the EDL *“weren't happy the fact that they were basically corralled, people were throwing stuff at them and nothing was getting done about it.”* The PLT were reinstated inside the EDL ranks a short while later and reported that *“going back in didn't appear to change the relationship at all.”* However, the PLT explained that the implication was that it *“took quite a while”* for them to relocate the main event organisers with whom they had spent so much time in dialogue prior to and during the event.

Despite having limited success in liaison with *“left-wing”* groups pre-event, the nominated PLT continued to seek engagement on the day. However, having not had pre-engagement, PLT *“didn't know who to look out for, that familiar face as a PLT that people would be happy to come up to and speak to or be seen being spoken to.”* However, PLT did describe numerous proactive conversations with individuals and leaders of groups within the *“left-wing”* (Drury and Reicher, 2000). An Activist participant also described the positive interaction they had on the day with a PLT, despite not having engaged pre-event.

Dialogue with other interested parties who had engaged pre-event also continued during the event. Some partner agencies, such as BTP and the local authority, were present in the police command centre. Commanders also described how liaison was maintained with the local community through *“neighbourhood Inspectors”* to deliver their *“community confidence plan,”* and interested parties such as St Georges Hall were *“kept aware of what was going on”* through liaison via operational planners on behalf of the police Commander.

Dialogue post-event

Authorised Professional Practice advocates maintaining post-event dialogue with protesters though PLT (College of Policing, 2016b) and this cyclical nature of dialogue (della Porta and Reiter, 1998) was evident in this study. Commanders described how PLT were tasked *“to go back to the EDL and effectively debrief”* events, even though the EDL had not been allowed to march their planned route. PLT described how they met up with EDL members and that there was a mutual desire to learn from their experiences. An EDL member shared their observations;

“I had a wash up meeting with [PLT], which I actually thought was very good, because that's the first one I've ever experienced. So that was well taken,

actually, because they know what went wrong, and they are turning round to me and saying, 'Well, look, you tell us what went wrong in your view.'"
(EDL A)

In contrast, no post-event engagement occurred with the *"left."* Despite limited pre-event engagement, several voiced that failing to engage post-event was an opportunity lost. One Commander explained;

"If I'm honest, there hasn't been any attempts to go and engage with the left after the event, which could have some worth to it. I mean, those officers, the PLTs, they didn't walk around for a 10-hour day and not speak to anyone. They spoke to people no doubt throughout that day. Are they a leader of the left? Are they an organiser? No, they might not be. But they are still actors within that side of the group. But it is a missed opportunity if we don't go in after events to speak to certain actors and role players within each group."
(Commander M)

Post-event debriefs were also held with other key groups and agencies that had engaged with the police pre-event. Commanders and Business participants described these as *"really helpful, getting people together,"* which allowed organisations to *"see what we could have done better"* and assisted to *"almost prepare for what would you do differently next time."*

Human rights

Human rights implications

The events of 3rd June were initiated by the desire for the EDL to march through Liverpool, exercising their rights under Articles 9, 10 and 11 of the Human Rights Act (HRA) 1998. An EDL member explained;

"We have the right to free speech, in a democratic society. And movement through the city, which is also exercising our right to free speech in a democratic country."
(EDL A)

As Neyroud and Beckley (2001) and Mead (2010) identified, the police had a duty to facilitate such political marches, being cognisant of legislation and case law. Police participants in this case study recognised the rights of the EDL to march, having *"given us due notice."* One Commander explained;

"Unless the Home Secretary sees fit to ban this march, and then subsequent marches, then the police have got a positive duty to facilitate people wishing to express their views."

(Commander O)

However, there was also a recognition of the same qualified human rights of those opposing the march. One Commander summarised that *"there is the two protest groups, whose rights effectively mirror each other."* Activists saw these rights as enabling their protest which had the intention of stopping the march. There was therefore immediate conflict as to which side had primacy in their exercising of Articles 9, 10 and 11 (HRA 1998). One Activist opined that because the intentions of the EDL were *"emotive"* in relation to some of their actions, their right to march should be taken away. They concluded;

"There's consequences for their actions and what they brought to my city on that day. And part of that consequence was that they were met with a counter demonstration that basically stopped their march."

(Activist A)

Another Activist was more accepting of the EDL's right to march, however similarly concluded;

"There's an argument that, whether you like it or not, they have been given permission to demonstrate. So, have we got the right to stop them? Technically, probably not. Have we got the moral obligation to stop them? 100%!"

(Activist B)

Business participants unanimously accepted that the EDL had a right to march in Liverpool, despite potential issues that the march might cause their organisations. Participants explained that marches regularly occurred in the city, all likely to cause some disruption to businesses. The difference between those marches and the EDL march was that there were *"people who want to stop it from even starting."* A Business participant explained;

"It's a tricky one, because you always got to the point, 'Oh, why are we putting it on? Why are we doing it in the first place? We know there's going to be issues, we know there's going to be trouble, why are we doing it?' But they are a legitimate organisation. It was done correctly. They asked can they march. And then we couldn't vouch for who's going to turn up on the far left side. But it was a legitimate march, and they've got the right to march."

(Business C)

Another agreed;

“The left had thrown the challenge there to some extent by saying, ‘We don't want these people in our city.’ And yet, ironically, like other protests and marches, the EDL actually followed the procedures. They'd given notice. They'd actually engaged. They'd said they were peaceful. And it was the potential backlash from the anti-protesters that caused the concern, which is ironic really.”

(Business D)

However, there were other competing human rights identified by participants that did impact on businesses; the right for people to enjoy their property (Article 1 of Protocol 1, HRA 1998); and the right to family and private life (Article 8, HRA 1998). Business participants explained that there was an impact to *“the visitor economy,”* to travellers and to those wanting to shop or attend local museums and theatres. Several also identified the right to marriage (Article 12, HRA 1998) as being impacted upon during the event. One Business participant explained;

“We had weddings. St Georges Hall does a thousand weddings a year. I think we had eight weddings that day from what I recall. So, if you're getting married it doesn't matter if that march is on, this is the girl's memory for life. So, we had a real duty of care for them.”

(Business C)

Despite recognising the rights to march, to oppose and to go about daily business, police officers observed that all were qualified rights. Several Commanders explained that their overarching aim in policing the march was the absolute right to life (Article 2, HRA 1998) particularly in light of violence that had been encountered in previous contentious marches in Liverpool. One summarised;

“The overarching right for me of course is Article 2, and I will always address that in terms of taking all feasible operational steps to protect life. And, for me, that goes right down to even the steps that we will take that may lead consequentially to a use of force.”

(Commander P)

Business participants concurred and explained that their *“main concern as a business”* was *“the safety of staff and our customers”* and that they did not want *“any of our staff to be concerned or put anyone at risk,”* because of the march and counterdemonstration.

Balancing human rights

The balancing of the right to protest with maintaining order has been recognised as a difficult, challenging and unenviable task for the police (della Porta, Peterson and Reiter, 2006; Donald, Gordon, and Leach, 2012; Gravelle and Rogers, 2011). All Commanders in this study assented and described the difficult challenges they encountered in facilitating the EDL march whilst fulfilling their “*positive obligation*” to ensure that “*general members of the public who aren't actively engaged in the protests, are safe,*” and “*don't become harmed.*” One Commander explained how they balanced the qualified right to peaceful protest (Articles 9, 10 and 11, HRA 1998) with the absolute right to life;

“I am going to facilitate your 9, 10 and 11. They are not absolute. I will balance your 9, 10 and 11 rights but at all times that will be held against the candle of Article 2, and not just your basic the right to life, but those nuanced ones about taking reasonable operational steps to protect life, by planning to minimise recourse to the use of force.”

(Commander P)

However, the greatest balancing act for the Commanders was to be found in allowing the EDL to peacefully march and protest whilst also allowing the “*left*” to protest in opposition and still allow the general public to go about their daily life with minimum disruption. One Commander observed that although there was guidance in how rights should be balanced, “*it is a challenge in terms of how I should turn that into a practical reality.*” The nub of the challenge was that the EDL wished to march through Liverpool and those opposing fundamentally stated “*they will not march in this city.*” It was therefore impossible for both sides to be appeased and ultimately the EDL march was curtailed on the day. Despite making the decision to direct the EDL march back to Lime Street station, several Commanders “*felt as though we'd failed because we hadn't got that march through.*” One explained that this was not about sides, rather about upholding their right to march. A second said that it was about “*fairness,*” having the same approach for all groups irrespective of their identity. Another observed;

“I don't think that we were successful at all. Because, we didn't balance the rights of both. Because the rights of the EDL weren't fulfilled. The rights of the left were. Because, they were protesting against, you know, ‘That's not going to happen.’ And so, their protest in the end outweighed the EDL. And, it's not a case of leaning to one of them over the other. That's not the case at all. We simply couldn't facilitate the right-wing's human rights. Which is disappointing, I think. On two levels for me. One is as a police officer, that's what I signed up to do, to facilitate that sort of stuff. But two, because for Merseyside, they almost are blind to the fact that there is a potential that they may well come back in bigger

numbers, they may not, but you will be concerned as to how they would come back."

(Commander N)

A further Commander shared their opinions;

"I feel quite uncomfortable about the march. Let me put it in a different context. Imagine it was the gay community marching for equal marriage, and we didn't let that march finish. How that would be perceived by that community and by a lot of the country? It would be quite uncomfortable, I think, and there would be questions to be answered. In this case though, because they are views that the majority oppose, maybe it feels a bit more easier to justify that this march can't go ahead. But I was still very uncomfortable that we could not facilitate them doing their route."

(Commander K)

One Commander explained the challenge was exacerbated when *"some of the left were there just to cause issues."* Another voiced that although they did not agree with the EDL's principles, they found it *"quite shocking"* that those opposing were *"so unwilling to allow anyone with a different thought to them in this city."* A further Commander explained that there was also the challenge of maintaining core policing duties with reduced resources across the rest of Merseyside, and further afield where other police forces had provided officers in support.

Business participants accepted that there was a balance to be had in allowing everyone to exercise their rights, and many empathised with the police in their role as arbitrators. One accepted that it was *"really hard to get that balance,"* identifying *"where you draw the line,"* and *"what's acceptable or what's not, what would be tolerated, and what wouldn't."* Another said that they found it *"hard that you hear that there is police shortages,"* particularly considering that the march occurred a short time after the Manchester bombing which required resources to protect and investigate, that so many officers should be needed to police the march and counterdemonstration. One Business participant thought that *"everybody on the day would say their rights were broken in some way."* Many Business participants not only accepted there needed to be a balance, but actively assisted the police in ensuring the balance was met as far as they could. One Business participant described their role as *"partners in the planning process,"* and once the police decision to facilitate the march and counterdemonstration was made, *"our job was just to try and get the march through and gone, and get it done in as safe a manner as possible."* Another participant from the travel sector agreed;

"To be honest, we will have probably carried people from both sides into town, and we will have probably taken both sides home! And that is our duty as well."
(Business H)

However, not all partners were perceived by Commanders to be so supportive;

"Liverpool City Council saw a view on it, which was an interesting one, as a public organisation. As a public authority, they're there to protect the human rights. Their view was to make it a hostile environment for the right to operate. Which is interesting, because is that really what we want? We don't want to make it difficult for people. That isn't our job. If communities want to make it difficult, then they will do so. But we should be independent, as should the council. Because, there will be many people within the city who hold the same views as the EDL, and maybe they're not marching, but they will hold a view, or a similar view, or a diluted view, who would be offended to think that actually the authorities were determining which groups could have a protest. And I don't think it really shows a balancing of 9, 10 and 11 in particular. I wasn't comfortable with that sort of positioning."
(Commander K)

"The real challenge for me was this was the first time I had publicly seen, publicly and within partner agencies, publicly seen some of the key stakeholders saying that they didn't want to facilitate the protest. In fact, there was a comment made that 'facilitation does not mean making it easy for people to come to the city and protest.' And that 'we wanted to make it as awkward for them as we could, so they wouldn't come back.' I have to tell you from me that fundamentally goes against the planning of this from a human rights perspective."
(Commander P)

Participants from all groups represented located the police at the centre of balancing the human rights of all interested parties. One Activist described how the police tried to intervene when heated exchanges began between the EDL and counterdemonstrators;

"It was the police trying to separate the two groups, and that's where it always gets the heated part then, and the police were in the middle, getting it from both sides."
(Activist B)

An Activist described it as *"like a sandwich"* and thought that *"the police are damned if they do and are damned if they don't."* Another described the scenario as having three elements; *"you've got us as activists, you've got the police, and then you've got the EDL or fascists"* and observed

that the “*police are sort of in the middle.*” A Business participant describing their liaison that “*the police were caught in the middle and I think that’s kind of key to this.*” A Commander concurred;

“I think everybody would say that their rights have been impacted on. Whatever they want to do on that day, they have a problem with. And, we’re stuck right in the middle. We are damned if we do, damned if we don’t.”

(Commander O)

Another Commander explained the precarious nature of the balancing act;

“This balancing, this isn’t all on one plane. You’re trying to balance a plate on top of a spike, and keep it level all the way across. Because it dips at one side, and then it goes up at the other. And then you’re all over the place, aren’t you?”

(Commander K)

One PLT summarised how they perceived the role of the police;

“Unfortunately, we’re... I was going to say ‘piggies in the middle’ then, but [laughs] not a good example! We are stuck in the middle, aren’t we, here. And, while we’re doing a job for EDL, or [PLT] was doing it for the left-wing, still our primary focus is we’re police officers. And it’s doing our job as police officers.”

(PLT M)

A dialogical approach

Point of contact

Having access to police decision makers through officers designated as points of contact was very beneficial for those that engaged with the police. For the EDL, the police point of contact was designated once they provided notice to march, with PLT appointed to facilitate all liaison after an initial meeting. An EDL member described PLT as “*a communication point,*” and explained how this gave them “*100% access.*” They remarked that meeting their PLT beforehand, allowed them to “*put a face to a name,*” and this assisted greatly on the day of the march, as they “*constantly engaged.*”

PLT who had liaised with the EDL also advocated having a point of contact within the EDL. One PLT described how having an “*in*” provided “*group acceptance*” for them in the eyes of the EDL, and this provided evidence of in-group and out-group interaction consistent with ESIM (for example, Drury and Reicher, 2000; Stott et al., 2008). They expanded;

“Because I've got a dialogue with one person, it filters out, and everyone starts approaching me to ask questions, or help with problems or gripes or whatever. So, it was because I'd had dialogue with that one person, who everyone looked to as the lead of that group.”

(PLT L)

An EDL member highly praised the engagement they had received in Merseyside, however commented that they had experienced *“different behaviours from different police in different areas we go to.”* They recommended having a *“central point of contact”* to provide a consistent approach and encourage relationship building and trust.

A point of contact was also commended by Business participants, although many observed that there was already regularly liaison in place for normal business, and this was an ongoing process. Several described how they had subsequently become the police point of contact for their own organisations, providing updates internally to staff.

Relationships

Redekop and Paré (2010) advocated relationship building between protesters and police to ensure interests were mutually affected. Hinds and Murphy (2007) observed that relationships assisted in ensuring fair processes were implemented. Similarly, many participants in this case study noted that the development of relationships between the police and interested parties was *“fundamental”* to the dialogical process.

Business participants described their existing relationships with other agencies including the police as maintained through regular communication. One described it as *“a special relationship”* between *“all agencies, but particularly with our roles, between ourselves and the police,”* which was described as different to many other cities in the UK, where the relationship was not as strong. Another Business participant also singled out unique relationships which they suggested had been developing *“in Liverpool from at least 2008, the Capital of Culture year.”* A further Business participant described specifically the *“long-standing relationship”* they had professionally with one of the police Commanders, which engendered *“confidence”* as they *“seem to understand the bigger picture.”* Business participants described the relationships as *“two-way,”* enabling cooperative working, providing *“reassurance”* within businesses and engendering *“trust”* even when there was disagreement;

“The communication is very organic, and very two-way. And, because I've worked so many marches and protests, it's quite comfortable as well. Although,

I'll be honest with you, there's been occasions where it hasn't been as comfortable as that, because there's been times where some have been at loggerheads."

(Business D)

PLT described their role as being relationship-based, where early dialogue was essential and post-event engagement further maintained relationships. PLT that had struggled to establish relationships pre-event had still been able to initiate some relationships on the day with individuals who were taking active parts in leading the counterdemonstration. However, there was a feeling that had the PLT been empowered by Commanders to foster future relationships on the day, they would have been able to share contact details and arrange for post-event dialogue, which would have encouraged relationships for future events. There was a strong emphasis by participants on investment and continuity in relationships. Some acknowledging that relationships were made with *"people who are quite difficult to build relationships with"* or someone *"who they might not normally build relationships with in their personal or professional lives."* A Commander saw real value in aligning PLT to *"keep those same relationships with certain groups going."* A PLT shared;

"There is a longevity in this. It's about relationships. I've done it today. I've not spoken to somebody since February, but there's a group now coming to protest at a retail premises, so it's getting back in touch with them. And, I think things probably can then be done a lot smoother and simpler rather than that awkwardness if you've not done that in the first place. So, I think it's broken down a lot of barriers."

(PLT N)

Communication and dialogue

Waddington, Jones and Critcher (1989) advocated analysis at an interactional level between police and protesters. Bourne (2011) further asserted that the right to peaceful protest was intrinsically communicative. Participants in this case study described how communication and dialogue between the police and interested parties was a significant element of the policing of the EDL march.

The communication between the police and the EDL was described by participants as *"really positive," "of great benefit"* and *"pretty strong."* One Commander suggested that having the dialogue meant that those engaging *"then gave us the consent to be policed even in a public order scenario."* An EDL member explained that the two-way dialogue with the police allowed them to express their views and provided a *"full understanding"* for both parties. Police

Commanders described the EDL as being *“really forthcoming”* and *“happy”* to talk *“very openly and candidly”* throughout the whole process, which helped to *“manage their expectations.”* One PLT described how when the march was stopped by the opposition, the EDL decided to respond with their own *“sit-down protest.”* The EDL were incensed, and were even prepared to be arrested if necessary, however the PLT described how through dialogue with the EDL leaders the situation was averted. Another PLT explained that post-event dialogue was essential for PLT to be effective; *“we need that dialogue after it as well, and to keep it going... you need that building up between the two parties.”*

Despite limited pre-event engagement with Activists, dialogue did occur with police officers on the day of the march. Some of this was varied, and one Activist observed that some of the communication of officers from external police forces with counterdemonstrators *“was quite heavy-handed,”* which exacerbated the situation. Contrastingly, the Activist described another officer who had been present whilst the crowd *“began to push;”*

“This police officer was very engaging, very personable, was making some jokes about the situation, but actually wanted to have some dialogue that wasn't hostile. So, wasn't like you know being authoritarian and what have you. And there seemed to be a difference. And I think, I don't know whether that's a difference in forces, I don't know whether it was because of the brief that some were given different to others. Because there was a collective of police officers there.”

(Activist A)

Commanders reiterated that *all* police officers were encouraged to communicate, not just designated PLT in blue bibs. Several Commanders voiced concerns that officers did not readily engage in dialogue at such events as they would in normal policing, concerned that they would *“say the wrong thing.”* One Commander opined;

“Culturally, our police officers in those situations will not speak to people. They're frightened to death. The Bobbies are frightened to death. They won't speak to people; they won't challenge people; they won't arrest people; they are terrified. And they won't do their job. And that's our challenge.”

(Commander O)

Dialogue was also evident between the police and other interested parties, which Commanders suggested *“helped in people acknowledging the rights of others,”* provided *“assurances”* and allowed others to see *“the benefits for them on the day.”* A Business participant described

dialogue with the police as “very important.” Another was reassured by knowing that the police were in dialogue with the march organisers;

“The advantage for the police was the side that was going to communicate with them and have some dialogue, so that they knew what to expect. And, I thought that was an advantage over previous times when the police have just been reacting spontaneously to things. I think you have got to have more respect for people organising a march that they want to do with the support of the police.”
(Business E)

Non-engagement

Participants universally agreed that “left-wing” groups either did not or would not engage with the police. PLT described how they had tried to engage without success pre-event and police officers described how anti-EDL protesters “turned their backs” on them, “ignored them when they speak to them,” and “did not respond to any kind of engagement” from PLT.

Commanders identified certain groups they claimed “would not” engage, such as the Antifa, and provided varied reasons why. One Commander described non-engagement as “a historical issue locally.” Another suggested that this was a global tactic of anti-fascist groups refusing to engage with authority; “and they’ll say, ‘I’ve got nothing to gain from engagement.’” A Commander suggested that being “anti-establishment,” they will not engage with the police who they believe have “no legitimate purpose.” A further Commander suggested that having no identified leaders for the left made engagement “more difficult.” Another Commander agreed;

“The left didn’t want to engage so as to make it more difficult for us to identify who was involved, or potentially be able to take more proactive action, subsequent reactive action, around incidents arising.”
(Commander J)

A PLT suggested that the left had “no motive for engaging,” having no “natural enemies” in Merseyside, so knew they would not be outnumbered. A Commander believed that “there was nothing to gain” for the left from police engagement as “they got what they wanted anyway, which was to stop that march.” Another agreed;

“Is there a benefit for them to engage with us? I would say at this point in time, there isn’t, I guess, because they are winning. So, they could come out in numbers. They can cause us lots of issues. They can disrupt our operation very easily... Through our dialogue, we set the tone with the right-wing. We’ve got no

dialogue with the left-wing, because they will not talk to us. So, we have to set the tone in a slightly different way, and that is by being proactive on the day."
(Commander N)

However, several participants, although recognising that the left were *"really difficult"* to engage with pre-event, on reflection believed that the police might have been more successful if they had been more proactive. A PLT suggested that the police may have approached *"some specific groups, such as students, Unison, Unite"* to engage pre-event. A Commander concurred, suggesting that they police might have *"done more"* in engaging with *"the student population,"* and the *"more general left leaning population."* They summarised that even if it was a challenge;

"...I still think you should try, and if you don't get it, you should try again. You shouldn't just give up, because, it also comes back to that 'no secrets' approach, which is, telling people what you're going to do, and why you going to do it."
(Commander L)

Another Commander agreed that more might have been done and opined that it was *"too simple just to say the left"* or categorising them as *"the ones who wear the black colours, cover their faces, and don't want to talk to us"* as this did not recognise the group dynamics. The Commander suggested that it was *"effectively, just almost like ticking a box"* because it was *"hard work"* engaging with the left with a lot of effort for little reward, unlike the productive engagement that was reaped by dialogue with the EDL. The Commander provided a provided a frank assessment of the police attempts to engage with those opposing;

"I think they're suspicious, and they've told us they are suspicious of us. They think we are just there to gather intelligence. And they're probably suspicious of us because they haven't built a relationship as well. You know, they've just had the odd people stood in for operations. They've probably seen those same PLT doing PSU work before, things like that, probably against them, policing them in other ways. And it just doesn't build any legitimacy, really. And we really only want to go and talk to them when it's time for protest, i.e. three days before a protest, 'Oh, low and behold, I'm getting a call from a PLT wanting to come and talk to me. Why don't they want to come and talk to me before that?' So, I can totally understand their side of things. I think there's so much benefit in putting a lot of energy into this, particularly with the groups that are difficult to engage with. And, a willingness not to accept that they're not going to engage, and just to keep trying. It's just hard work. And I don't think we just not do something just because it's hard work, which I think is all it is. I think it is possible. There'll always be people or groups that we cannot get through to. But I think we have just got to change the culture of maybe just accepting that some groups are able to engage in this."

(Commander M)

A PLT described not contacting left groups as a *“missed opportunity”* and observed that those opposed to the EDL would undoubtedly protest against other groups in the future. The PLT observed that building a relationship would *“pay dividends, for themselves for facilitating the protest, and ourselves.”* A Commander agreed that engagement would have benefited the left as well;

“We'd potentially been able to, for argument sake, given them two protest sites along the route, versus one that we ended up enforcing, or trying to enforce.”

(Commander J)

However, most telling was the response of Activist participants, who despite having not engaged, stated that they would have engaged with the police pre-event, had they been approached. Furthermore, one Activist observed that because the police had not engaged pre-event, it appeared to them that the police were only there *“to protect the EDL,”* which *“created bad feeling.”* Activists stated that such engagement required persistence from the police, *“not a tick box to say, ‘we went once, and we tried.’”* It needed to be a *“long-term”* and *“sustainable”* process rather than a *“quick fix”* and *“tokenism.”* Activists also recommended using liaison officers, *“not the top brass,”* but someone at the *“grassroots”* who *“through education and awareness,”* can bring groups together and *“build trust.”*

As with the badger cull, Commanders in this case study demonstrated the deployment of different approaches to the policing of the EDL march and counterdemonstrations. The use of PLT to engage pre, during and post the march with EDL leaders and with those wishing to engage on the day demonstrated an approach of strategic facilitation (Gorringe et al., 2012). Such an approach was also evident where PLT were deployed during the event to engage with those opposed to the cull. However, there were also strategic incapacitation approaches deployed by police commander, particularly in engaging pre event with counterdemonstrator groups. In addition, when the march met opposition on Lime Street, the police commanders, it can be argued, used an approach more akin to escalated force, where the potential for police use of force was increased, and a negotiated management approach with EDL leaders where a line in the sand (Waddington, 1998) prevented the continuation of the march.

Conclusion

This case study, examining the policing of the EDL march in Liverpool in 2017, provided an insight into the experiences of those who occupied significant roles in event; police commanders; PLT; EDL members; activists involved in counterdemonstrations; local authority members; and those wishing to maintain normality in going about their daily business.

Analysis at the political / ideological, cultural and contextual levels (Flashpoints Model) provided a grounding for understanding the history of right wing marches in Liverpool, the prior experiences of participants and their concerns of potential conflict and disorder with the impending EDL march. A structural analysis (Flashpoints Model) of those opposing the EDL revealed that the counterdemonstrators were not a homogeneous group rather consisted of sub-groups (ESIM), depicted pictorially through the production of a Dialogical Wheel. A political analysis also revealed challenges at local and national levels, but also evidenced how ongoing relationships and dialogue with partners diffused potential conflict. Where dialogue was evident, elements of self-policing was identified in protesters and other interested parties.

Trust and relationship-building were prominent themes that emerged from the data and this research argues that the findings were consistent with a procedural justice approach. Participants explained how professional relationships developed between the EDL leaders and the police, eliciting trust on both sides, with an investment in pre-event engagement identified as key in the trust-building process. However, lack of engagement was also evident with sparse pre-event dialogue between the police and activists.

Through the evidence presented in this case study, this research argues that a dialogical approach allowed the police to hear the voice of those with whom they engaged, promoting and developing relationship-building and trust. This research argues that this dialogue allowed the police to remain as *“piggies in the middle”* in balancing the human rights of all those engaged in, opposing or affected by the EDL march. This case study also identified challenges that the police faced in identifying, locating and engaging with counterdemonstrating groups. This research argues however that if the police wish to implement a procedural justice approach to such events, they need to engage with all interested parties and seek to build *“long term”* and *“sustainable”* relationships rather than resorting to *“tokenism.”*

7. Discussion

The contribution of a dialogical approach

This chapter argues that a dialogical approach to the policing of protest afforded all engaged in protest events a voice with the decision-making police commander and facilitated the balancing of the competing human rights of all interested parties. McPhail, Schweingruber and McCarthy (1998) and della Porta and Reiter (1998) recognised value in police and protesters engaging in dialogue. King and Waddington (2005) identified the importance of examining the interactional level in policing such events. Further, Gorringer, Stott and Rosie (2012), D. Waddington (2012; 2016) and Stott, Scothern and Gorringer (2013) advocated the use of PLT as the conduit between protesters and police commanders. Hoggett and West (2018) identified how PLT could de-escalate risk through dialogue and communication. Research undertaken into the use of police liaison with protest groups has utilised ESIM (for example; Gorringer, Stott and Rosie, 2012; Hoggett and West, 2018) and the Flashpoints Model (Waddington, 2012) as the basis for understanding the dialogical process. This research supports and contributes to this previous research by providing further evidence of the value of dialogue between protesters and the police, and the use of PLT in protest events. Further, this research extends existing literature to provide evidence that there is value for *all* interested parties involved in protest events to engage in dialogue. This is important to sociological understanding of policing because in addition to utilising ESIM and Flashpoints Models, this research proposes that procedural justice theory (for example, Lind and Tyler, 1988; Bradford, 2012) provides a theoretical foundation from which a dialogical approach with both protest groups and other interested parties may be analysed. Finally, this research proposes that a dialogical approach assists the police in their role as *“piggy in the middle”* to balance the competing qualified rights of all those engaged in the event and reduce conflict, by providing a proportionate and procedurally fair response.

The value of a dialogical approach: liaison with protest groups

All participants interviewed promoted a dialogical approach to the policing of the badger cull and provided evidence of the value of such an approach to both the police and those opposed to the cull. One Protector described the use of a dialogical approach as *“absolutely fantastic,”* adding *“I couldn't praise the PLT more.”* Another Protector explained how the presence of PLT calmed situations, and described an incident where, *“if it wasn't for the fact that there were liaison officers there, I think it could have possibly got out of hand.”* One Protector admitted that

they were *“really surprised how helpful the PLT were in facilitating those protests”* (Protector A) and another declared, *“We couldn't have asked for more help, they have been wonderful”* (Protector C). Protectors also described incidents where PLT provided mediation with those against whom they wished to demonstrate. One explained,

“In fact, if it wasn't for [PLT], we wouldn't have been so successful. Because, what he did, from our behalf, he contacted the NFU and Natural England, and actually got permission for me to go in, and certainly for Natural England, to go in and speak to them. Or to go in and hand them a letter. Or for one of them to come out. So, that was something that I hadn't expected them to actually... I thought they might have been there in the background, but to actually help us to have our peaceful protest, I was surprised, and that was really helpful.”
(Protector A)

Another Protector concurred;

“The PLTs have given us a point of contact to a lot of these people that we wouldn't have been able to possibly meet with. I think they were more obliging with the police, and we were able to meet with these people. It made us look less threatening, I suppose. It's getting to the right people, you know, so, in that respect, definitely positive.”
(Protector C)

PLT similarly described how they had on occasions *“encouraged”* representatives from organisations to meet with Protectors, and how this had *“upped”* their credibility with Protector groups. PLT described the dialogical process as yielding benefits to the Protectors by providing a contact where they could *“raise issues,”* and *“talk honestly and openly about the good and the bad, the satisfied, the dissatisfaction of the police activity.”* One PLT recalled how several Protectors had recounted that they felt much safer when PLT were deployed. Another described how educating Protectors in what was acceptable assisted them in achieving their aims of protecting the badger setts without resorting to unlawful tactics. The relationships allowed PLT to address occasions where the behaviour of some Protectors was regarded by the community as anti-social. Several PLT provided examples of how issues of Protectors leaving gates open or wandering off public footpaths were resolved through dialogue, preventing further conflict, which *“made for an easier life for everybody.”*

The value of a dialogical approach to those engaged in protest was also evidenced in the policing of the EDL march in Liverpool. An EDL member explained how they were *“quite amazed”* with how the PLT engagement facilitated their march and provided contacts *“with the right people*

straightaway.” They described the process as “*sophisticated,*” “*engaged*” and “*not dislocated*” in contrast to their experiences with PLT in other police force areas. They assessed the dialogical process;

“Totally positive, totally positive. It was totally positive. It's like I said before, both views and expectations, because it's managing expectations, were put on the table. And it was very positive.”

(EDL A)

The approach not only benefitted those marching, but also those policing the event. Commanders explained how having dialogue with EDL leaders provided the police with “*continuous knowledge of their plan*” and “*an ability to respond to it.*” It allowed the police to identify the groups and individuals and their “*feelings,*” which in turn allowed the police to react most appropriately and efficiently, inform others of their intentions and amend responses accordingly. One Commander explained how having dialogue with the EDL allowed them to keep Liverpool Lime Street open, because they were able to manage them as a group once they arrived, rather than them arriving “*in dribs and drabs at the front of the station into the main city*” which would have caused “*a situation where we would have been having to use force to retrieve the scenario.*” The engagement allowed one PLT to allay an EDL organiser’s fear of police use of force;

“He had a fear that basically we were going to prevent him from doing the march and maybe do some kind of baton charge into them for no reason. I explained to them [laughs] that we weren't likely to do that!”

(PLT L)

PLT explained how their role in the centre of negotiations allowed “*give and take.*” One PLT provided an example of how this negotiation worked;

“Originally, the EDL wanted to tip up, march. They had these mobile speakers and stuff like that, and they were going to go to the Town Hall. So, we put that through to [police commander]. And that was a no-no. He came up with another plan, Derby Square. We went back to them and explained that we didn't want it that way, and why we didn't want it that way. And they were quite receptive. So, it was about... They would say just what they wanted, us going to [police commander] through [Bronze PLT], ‘This is what they want.’ [Police commander] saying, ‘Well, they can or they can't have that, and this is why,’ and us explaining to them why they could or they couldn't do something.”

(PLT M)

It has been identified that there was limited engagement between the police and those opposing the EDL march. Many police participants believed that those counterdemonstrating saw no benefit to dialogue with the police, despite some identifying that engagement empowered the groups and afforded them negotiation rights. However, despite having not engaged pre-event, participating Activists did see advantages in engagement with the police. One described a positive interaction they had with a “personable” PLT officer on the day of the march, who diffused a potentially hostile situation thorough dialogue. They believed that the use of PLT “really helps to break down stereotypical views of the police and what their roles are.” Further, Activists advocated pre-event and post-event engagement, as well as on the day. One explained;

“That communication, that dialogue, prevents any misunderstandings or problems that could come, because you haven't had the dialogue. So, I think speaking before, during and after is key in terms of integrating the police as being part of, not on the peripheral, but part of the whole event. Because, I don't see the police to be separate, in my view. They should be integral into both the safety side of it, and keeping the peace, and all the legislation and all that side of it but protecting the activists who are counterdemonstrating.”

(Activist A)

Another explained that the interview had caused them to further consider the value of engagement with the police;

“Do you know, the more I think about it, I think that the more that there needs to be engagement with the police. If I've got to apply for permission to hold a march or demonstration, is there an argument there that to hold a counterdemonstration, that I've equally got to get permission? Because, when you organise a demo, you organise stewards, you organise a lot of other stuff. But, for a counter-demo, there's no stewarding, there's no control, it's just a mob... I think any relationship that we can build up has always got to be a good and positive thing... It's been helpful. It's really made me think differently about it all. It's made me see things in a way I haven't looked at it before.”

(Activist B)

Self-policing in protest groups

HIMIC (2009b) recommended that the police strategic approach to protest events should promoted self-policing in the crowds. Sunshine and Tyler (2003) observed that the majority of groups self-regulated when police procedures were seen as legitimate. Further, Gorringer, Stott, and Rosie (2012) noted self-regulation in groups, which the police saw as a direct outcome of utilising PLT and provided evidence of self-policing in protest groups facilitated by the use of

PLT. Both case studies in this research provided supporting evidence to suggest that a dialogical approach encouraged self-regulation in those engaged in marches and protests.

A member of the EDL marching in Liverpool explained how the group had been *“basically, policing our own people”* and how certain people, such as *“those that hold extremist views, like racists, Nazis”* and the *“football element”* had been excluded from the EDL. This meant that those attending Liverpool were only those *“that stand by our values”* and did not include *“those that just hang on to cause trouble.”* Further, incidents that occurred on the day elicited a self-regulated response. At one point, several marchers indicated their intention to hold a sit-down protest to mirror that of those opposing. The EDL member explained that although there were *“smoke bombs”* being thrown at them, the group did not want to be *“pushed back”* into the train station. They explained how through dialogue with the police, they were able to agree an alternative route for the EDL to *“march around the corner.”* The EDL member encouraged those intending to sit down to change their plans, and this self-regulation prevented a stand-off and empowered the group to march the group to their final speeches before departure.

Officers policing the badger cull also identified self-regulation within the groups of those opposing the cull. Several participants opined that self-policing was a result of the *“unique relationship”* that PLT had with their communities and described how this *“empowered those groups”* and *“handed over responsibility to them.”* A Commander explained;

“Nobody wants to be told what to do all the time. They don't want to be told how they are going to manage themselves. But by working with them, and through the liaison process, advising them and saying that they could do that, actually, but just to tweak this little bit here, modify their behaviour, they would find that we wouldn't bother them, we would leave them just to get on with it. We were passing down bits of advice which would allow them to go and make their own decisions. You know, it was just that empowerment that really worked.”

(Commander I)

Being empowered allowed some Protectors to challenge the behaviours of others within the anti-cull community. One PLT recalled a conversation they had with a Protector;

“I know this for a fact, because, my liaison point told me this, was that, when they had people coming from all over the country, they spoke to them and said, ‘You've come in to help us. Thank you very much. But please understand that we have a very good relationship with the police. We don't want that spoiled. So,

please abide by the rules that we give you.’ And, I don’t think that you can have better testament to PLT than that. They’re almost like taking our job away! You’ve got a group that’s inviting other groups in, and before they come in they’re saying, ‘This is the ground rules. We’ve got a great relationship with the police. Don’t cock it up for us. Otherwise, we’ll just get rid of you.’ And, that worked on so many occasions for us as well.”

(PLT I)

Similarly, a Protector explained how they had been able to manage those who had not been willing to engage with the police;

“There are some people out there who will take more extreme actions than others. But, you know, sometimes you can get the message off across to them through having liaison with the police. Like, I was able to say to certain people, ‘Look, this needs to stop, otherwise they’re going to come down heavy-handed.’ And it stopped. And no one came down on us, you know, nothing happened.”

(Protector C)

Further, PLT described incidents where the Protectors they had been liaising with actively supported PLT at meetings and events when they had encountered Protectors who were “*clearly anti-police*”. One PLT recalled;

“I could probably think of at least three occasions when almost the police were protected by the Protectors saying, ‘No, we want the police here, they’re good, we really like them here.’”

(PLT D)

The value of a dialogical approach: liaison with others

This research not only contributes to exiguous research (Gorringer, Stott and Rosie, 2012); Waddington, 2012; 2016; Stott, Scothern and Gorringer, 2013) into the use of PLT and the value of dialogue between the police and protesters, but further extends the research and evidences the value of liaison between the police and *all* interested parties engaged in protest events. The two case studies provided evidence that the police, businesses, local authorities and other agencies affected by the event all found benefit in engaging in dialogue. Furthermore, this research suggested that the role of the liaison officer, as a key conduit between the decision-making Commander and interested parties, did not always necessitate the deployment of a formal PLT. On occasions other officers were better placed to facilitate dialogue. Such options included senior officers, public order tactical advisers and operational planners, who have existing relationships, to continue to build trust and engage.

Business participants who had liaised during the badger cull in Devon and Cornwall explained that having regular dialogue with liaison officers provided them with “reassurance” and someone with whom they could “vent their frustrations.” It was important that the officer liaising was assigned solely to businesses and not with anti-cull groups. One provided an example of where this approach made a difference;

“We had issues of gates left open. At that time, I was able to speak to the protest liaison officer, because at that time we were working with them. I said, ‘You just need to get a message back to these guys. Leaving gates open is not going to stop the cull. We’re going to get animals or someone killed.’ And, that message was taken back to them. And very quickly, we saw that both sides shut the gates. So, I think it is very positive having police liaison working with both sides, but keeping both sides separate.”

(Business B)

Business participants described the benefit of receiving inputs from PLT on how to address confrontational Protectors. PLT also provided examples where education in conflict and expectations management had assisted farmers, cull operators, the NFU and DEFRA in dealing with Protectors. One PLT recalled an incident in a small village;

“The Protectors were patrolling outside of a house where the front door literally went on to the road. He was only a young farmer, and he was trying to earn extra money, and he ended up, his wife and two children moved out of the house. They went to live with their parents, because the Protectors were constantly outside of the window, shining their torches in. So, massive trauma. One villager, she put signs up about this individual. Totally divided the village. And for that to happen in [location] is a rarity. Getting the message out to the Protectors and saying, ‘Look, this is what you’re doing. You’re destroying this. By all means have your walks, but you’re not focussing on that place. It’s bordering on harassment, and you’ve got to calm this down.’ And it actually worked, again. That was the one I got the vicar involved to get the community back together. So, that actually worked.”

(PLT E)

The approach provided benefit for the local community too. PLT described how they were able to inform police neighbourhood teams about intended Protector activities and this in turn allowed neighbourhood teams to reassure their communities regarding lawful Protector activities along the lanes at night. The police service also benefited from a dialogical approach. Officers described how the approach lessened opportunities for “bad press,” “misunderstandings,” “policing it wrong or the police to be portrayed as getting it wrong” and

provided an understanding of police limitations for all. Officers also commented that early dialogue resulted in a reduction of police staff required for such events and several Commanders commented that they would not now consider ever policing such events without utilising PLT, such was their value in *“facilitating that open dialogue.”*

The value of dialogue between the police and all interested parties was also evidenced in the experiences of those affected by the EDL march in Liverpool, such as the local authority, travel organisations and businesses. Officers described the approach as one of *“no surprises”* and one Commander explained how they had used this with *“businesses and stakeholders.”*

“When we first invited them and I gave a bit of an overview, you could just see their faces drop. And then you explained, ‘Well, look, you need to understand this is the legislation that sits behind it. This is what they are entitled to do, and then we as police, non-judgemental, need to deliver on this. And this is the benefits I see in delivering a safe event.’ And I was quite open about it, in the hope that if we did deliver a safe event that it may prevent either group coming back to the city for some time in a like capacity. And you could see that talking it through, so having that dialogue with those stakeholders, you could see the uplift, and all of a sudden it encouraged people to work together and to contribute as to how they could assist in delivering.”

(Commander J)

Business participants revealed how attending the police meetings alleviated their fears of disorder, assured them that there were plans in place, gave them an understanding of the intentions of the EDL and the police response, and provided reassurance. The dialogue also allowed them to voice their concerns to the police. One Commander explained;

“The town hall is a really good one. The local authority believed the town hall was such an iconic site that they could not have that taken over. You know, and that became a real focus for them. And, if we hadn't have had that conversation, I might have just pushed it through. And it might have been the right thing to do... Anyway, we never got it to the town hall, so it didn't really matter! But it is those kind of things, you know, understanding what people's views are. Understanding the depth of feeling, I think is really key.”

(Commander L)

The process also allowed Business participants to understand the impact the march had on other interested parties. One shared that *“it was good to speak to the other businesses that were affected, and it made us feel more at ease with the plans.”* A Business participant summarised that the dialogue ensured *“expectations are managed, no surprises.”* Another agreed;

"We knew that if certain things happened then we would have already planned what response we would have. We had those discussions beforehand, rather than it being a knee jerk reaction on the day."

(Business E)

The dialogue assisted businesses in coordinating their own responses and appropriately updating their own staff, customers and the public, in a way *"that is not going to set the hares running."* The process also afforded a voice to interested parties not just with the police but, through the police liaison, with those planning on marching;

"Having that dialogue with the police gives us a chance for the police to go back to the event organisers and say that this is the implications of doing this. Because, we would never have had a dialogue with the EDL, because they would have been elsewhere. So, the police have got those current links. We can put on the table that our concerns are about this, that and the other. They went back. And, once the decision was made, we went with it."

(Business H)

Self-policing in other groups

This research provided evidence of self-policing not just in those wishing to protest and march (Sunshine and Tyler, 2003; Gorringer, Stott, and Rosie, 2012) but further extended existing research by identifying self-regulation in all interested parties engaged because of the dialogical approach implemented by the police. PLT who engaged with the farming community during the badger cull explained how that community *"very much did their own thing," "policed themselves"* and *"sort their own communities out."* Several participants noted that this was a typical farming approach, where many *"find it very difficult to come together as a team."* By having dialogue with the police, farmers were able to gain support and address issues, empowered to self-regulate and carry on with business as usual. This was particularly important for Business participants, who revealed that some of their neighbours were not even aware of their involvements with the cull.

Self-policing was most evident in businesses affected by the EDL march in Liverpool. Business participants described how the dialogical approach assisted them in briefing others both within their organisations and partners who had not been involved in police liaison. For many business, facilitating the EDL march and counterdemonstration incurred extra costs at their expense. One participant explained how they had to employ security staff at a time when normally there would be no requirement. Others described extra security measures that were implemented as contingencies to protect their customers and staff, and all described the extra planning and

briefings that occurred of staff, contactors and partners. It was clear from the responses of all business participants that the self-regulation was a result of engagement with the police, and acceptance of the balancing of human right and a sense of being empowered by the police to manage their organisational responses. A participant provided an example of such self-policing and described how they had spoken to a “stakeholder” to advise them against using their pavement-based dining area during the march. The licensee was initially reticent, however were persuaded to rethink their approach;

“I just had to go up and say to them, ‘What’s the cost of your front window? Because what we’ve got to avoid here is any kind of disorder. We want you to operate your business financially, but we want to facilitate the march. But, if things go wrong, yes, and they pick up a stool, or one of your chairs, or one of your tables? It’s gone through the window. What’s the cost, there?’ Because we know the cost of a window is two and a half grand. But people just don’t think, it doesn’t register. When they think of a march or a demonstration, I think they always think of the Pride march, or the Boys’ Brigade, or someone. They don’t really look at the possible consequences if something does go wrong. And what we’re all trying to avoid and what we’re all trying to facilitate safely, they just think in pounds, shillings and pence.”

(Business F)

Providing a voice

Deutsch (2006) observed that implementing fair procedures provided a voice for those involved in the process. Watson and Angell (2007) described having one’s voice heard by the key decision makers as a key component of a procedural justice framework. Both case studies researched provided evidence of how a dialogical approach furnished individuals with a voice, though the liaison officers, which empowered participants to influence the decision-making police Commanders. A PLT liaising with Protectors during the badger cull described how this approach has assisted Protectors in feeling valued;

“I think all you need to do is speak to members of the protest community whose biggest frustration I heard was that historically they’d just not had a voice to influence any kind of policing operation. Or if they have had a voice, it’s just fallen on deaf ears. So, for individuals within protest communities, Protector communities, to see their opinion and views influence change within a policing plan, is a huge step forward for them.”

(PLT C)

A Protector reiterated;

“Personally, I felt like there was a voice going through. You know, [PLT] was brilliant. I know he's doing a job and everything, but he made me feel as if I had an opinion, and it mattered.”

(Protector C)

A Commander further reinforce the point, describing how it was key for them to hear such voices;

“You've got to listen to the community issues. You've got to listen to the Protectors, the anti-cull community. We can't always give them what they want. But actually sometimes, to be heard, it's what they want, the impact on people's lives.”

(Commander I)

An EDL member described the importance of having “a voice” through the PLT and further expressed that they felt that their voice was being heard by police decision makers;

“There is benefits of having this engagement for me, because this is the first time that our side has been listened to.”

(EDL A)

However, the dialogical process also provided the police with a voice with the EDL, counterdemonstrators and businesses. A PLT observed;

“I think, to allay fears, and for the police commander to be able to reassure these people that we would not be tolerating what happened last time, it gave them a voice, and it did really build a lot of bridges with a lot of stakeholders in the city.”

(PLT N)

One PLT opined that what was key was that the voice was heard, which required investment from Commanders;

“I think that the dialogue method does work, but I think more time needs to be given to it. Before and after, if you want that relationship to be built. And they want us to go into groups and... not be accepted but listened to.”

(PLT L)

Legitimacy and trust with protest groups

For all participants engaged in this research, the aspects of a dialogical approach described culminated in the building of trust between the police and those with whom they engaged. Having a trust between individuals and the police resulted in a perception of legitimacy in the actions of other groups. Legitimacy, trust and relationship building were intrinsically linked in the descriptions provided by participants, echoing established research in fields of ESIM (for example, Reicher, 1996; Gorringer, Stott and Rosie, 2012; Stott, Scothern and Gorringer, 2013) and the Flashpoints Model (King and Waddington, 2005; Waddington, 2012). However, the building of trust has also been established as a key component in applying an approach based on procedural justice theory (for example, Sunshine and Tyler, 2003; Wells, 2008). This research provided evidence in support of utilising all three theoretical approaches to examine a dialogical approach to policing protest events.

Participants from the police, Protector groups and the EDL across both case studies described the process of building relationships and trust as cyclical in nature. Relationships were often built on trust, and as the trust developed, so the relationships deepened. One PLT summarised;

“As soon as you build up that trust with someone, you will form that relationship and you will make progress.”
(PLT A)

Participants also described how an empathetic approach engendered trust. PLT described how they empathised with those with whom they were engaging, and Protectors and Business participant voiced their understanding of the role of PLT and that the *“police had a job to do.”* Transparency was also an element identified as key in building trust. One PLT described how they would share stories about their personal life with Protectors to expose their human side, reveal an openness with them and develop trust. This trust was clearly reciprocated, as one Protector shared;

“The PLTs realised we were just ordinary people doing what we believed was right. And none of us were up to anything untoward, as well, so I think that made it easier for all people concerned.”
(Protector C)

A Commander shared the feedback they had received;

“From the protector movement we’ve had very positive emails at the end of the cull saying, ‘Well done. It was an excellent relationship. So, we trust the police a lot more now.’”

(Commander H)

Trust and transparency therefore required a two-way approach within existing relationships.

One Commander commented;

“It’s having that transparency. You’ve got to build up that level of trust with that group. When you build that trust, people will talk to you and will trust you. You build it up, you understand what they’re doing, they give you that level of trust, but you’ve got to give some back.”

(Commander E)

A Protector explained how trust extended to Protectors traditionally less engaging;

“I think trust is key, because you build up a relationship with the police. It makes us, possibly even sabs further down the line, the ones that are less trusting, if there is someone that you can come to and know that they can be trusted, you’re likely to go to them, whereas if you’re talking to a blank face, it can be rather daunting.”

(Protector C)

Paternoster et. al. (1997) and Tyler and Lind (1992) suggested that legitimacy was dictated by the fairness of the procedures implemented, and this approach further promoted relationships built on trust between police authorities and the public and encouraged a dialogical approach (Bottoms and Tankebe, 2012). Police participants in both case studies also described how trust was built on fairness and impartiality. Some observed that this was linked to selecting the right officers to engage and having a transparent and consistent approach with clearly defined lines of communication. One Commander from the badger cull observed;

“The minute you lose your impartiality, you’ve lost it. The minute your PLT is talking to the contractors and is engaging with the protesters, you’ve lost it. You know, in my view, you have to keep that separate.”

(Commander E)

The responses of Protectors also supported this observation. One Protector described a relationship built on trust with a PLT, *“because he was true to his word.”* Another described their

PLT as “a pretty fair guy,” and described how the dialogical approach was very different to “the old days.” They summarised;

“This cull is completely different. The police are acting completely different to what they've done in the past, which I found to be quite refreshing.”
(Protector B)

This sense of shared experiences in building trust over time was reflected in the observations of many participants. A PLT explained how they had started with “groups of people who absolutely just didn't trust us whatsoever,” but because they had “valued them as a community” had witnessed a “massive turnaround” in the dialogue engaged. A Commander noted;

“We've managed to build up a relationship over a number of years with Protectors, and we've also learned the lessons together... So, you're constantly building up an element of trust in relation to that relationship going forward.”
(Commander B)

Trust, through dialogue, was for many participants a key ingredient in resolving potential conflict. One PLT recounted;

“The trust and rapport was very much two-way. I'll use [Protector] as the example. I'm then able to trust them an awful lot more, because I know that they've told me that something is going to happen or something is not going to happen. For example, the protest at the NFU office. They are saying, ‘This is what I want to do. We are going to have plenty of people here, but we will respect the NFU's right to go about their daily business.’ They did that. So, the next time we have the next protest, at Natural England, for instance, we'll have the similar sort of conversations, and I can reassure Natural England that this is what they will do, they will stick to their word. And that did bear fruit, and it helps us again to reassure those other agencies. But again, that's two-way. We will say to [Protector], ‘These are going to be the ground rules here.’ But they are happy with that and will trust us with that.”
(PLT A)

This trust extended to addressing challenging situations. One Protector recalled;

“I did have accusations made against me of assault... To be honest with you, [PLT] was fair. He could have, you know, basically, the police could have just nicked me. But he did ring me up and say, ‘Look, we've had accusations made against you, and we really need to talk to you.’ To which I said, ‘Well, I'm really busy, as you know. What happens if I don't come in with this?’ ‘Well, we'll have

to arrest you. We'd far prefer it if you come in voluntarily,' which I then did. Which was a nice way of doing it, because it didn't disrupt the timetable of what we were doing."

(Protector B)

PLT liaising with EDL members also talked of a trust that was built on *"explanations," "reasoned arguments"* and negotiation. Consistent with Watson and Angell (2007) an early engagement was identified by police participants as being essential in building trust. However, all PLT observed that continuity was key in eliciting trust. PLT cautioned against Commanders aligning them *"one day with the right-wing and the next week with the left-wing,"* which provoked *"scepticism"* and mistrust. One Commander explained how from the outset their strategy was one of building trust with all parties including the EDL, which required legitimacy in setting boundaries;

"For us to be legitimate, the EDL had to have the confidence. For them to have the confidence in us, we needed to be honest and forthright in our communication, and that's why from the word go I set out for them what we could and couldn't do, and what would and wouldn't be tolerated."

(Commander P)

Another Commander observed that because the PLT had built relationships with EDL members, the PLT were better able to explain on the day why the Commander had decided to *"turn the march around."* The Commander explained;

"I think that the dialogue that we'd previously had, the relationship that we'd previously built, did assist us with the acceptance of what we were telling them. They knew throughout my tipping points, my expectations. It was explained to them that we needed to do it, and why, i.e. for their safety, and they effectively trusted us, and got on with it."

(Commander J)

A Commander summarised how fairness impacted upon their decision-making;

"When people believe that it is procedurally fair, and they are treated in a fair and equitable manner, they will consent to be policed. And that was what the dialogue was primarily about. Because, without that procedural fairness, you get people coming back the following week and the following month. And it's not about supporting one group or the other. It's about what is the greater good."

(Commander P)

Despite the limited engagement with Activists, PLT still identified elements of trust playing a significant part. One PLT further described an encounter they had with one Activist with whom they had previously engaged. The Activist approached the PLT for them to be their *“alibi for her not breaching her bail conditions”* because there was *“that trust”* because of previous engagement. The PLT described how the trust was reciprocated and how the Activist left the area before the march began. Furthermore, Activists also described how through liaison on the day, there was *“understanding”* regarding police decision and *“compliance”* despite not always agreeing with the decision because of the explanations. One Activist concluded;

“Trust. It's a trust thing, that's what you're looking to get. It's trust. So, say for example an Activist had a named person that he knew, and he's dealt with, because he organises demonstrations. He would immediately know Joe Bloggs to go to. And Joe Bloggs know somebody else, and there's that relationship, a rapport, and there's a trust. And okay, sometimes you may disagree and there may be a 'Why?' But at least you've got that understanding and that trust.”
(Activist A)

Legitimacy and trust with other groups

Further to the proposition that a dialogical approach with members of protest groups can be underpinned by procedural justice theory, this research argues that procedural justice theory provided the basis for understanding the dialogical process between the police and all interested parties.

Participants from both sides of the police-businesses relationship in the EDL case study described an ongoing relationship built on trust, which in many cases had survived the test of time. One Business participant explained that a key element was having *“confidence in what Merseyside Police were telling us”* which meant that they were *“happy to go with”* the Commander's decision. Another observed that *“trust does play a part,”* built on *“relationships”* where both parties are *“always fair.”* A further Business participant concurred;

“I say this hand on heart, I don't ever feel that it's a chore, like I'm being asked for something that's unnecessary or anything like that. I know that if [police commander] comes and says to you, 'Can you help me, can you do this for me?' I know the reason, and why they need it. It's not just something that's pie in the sky or something and they want it, there's a real reason why. And I really feel that I need to respond to that, and make that happen for them, because I know that they've got my back just as much as I've got theirs.”
(Business G)

Police Commanders agreed and further described new relationships that were forged. One described relationships they had built *“with people that I wouldn't have done historically,”* and *“trust even with those that wouldn't naturally engage with what we are trying to do.”* Another talked about reassurance through openness and transparency in liaison.

Relationships based on trust was also evidenced in examples provided by cull liaison officers and business participants who engaged during the badger cull. One described how liaising only with the pro-cull community had assisted in building trust with them;

“We had this clear corridor policy that we don't talk to either side of the fence. And, it definitely worked, because the trust that I have now got from the farmers, because they know I do not talk to the protest side. They do know there are policemen talking to them, but the trust that I have built up now has gone tenfold from that time.”
(PLT E)

A Business participant reaffirmed the significance of having a trusting relationship in engaging with the police;

“Our big issue really about working with the police to start with, was around about trust, because we've always had to try and keep everyone's identity as secure as we possibly can. We know that even within our local area, there'd be members of the police who would be opposed to the badger culls, and we can't guarantee they're not going to feed information back. So, it's a case of really getting the right person and developing that confidence to work with that person, knowing they're there for you.”
(Business B)

Using dialogue to balance human rights

It has been recognised (for example, Starmer, 1999; Mead, 2010) that the police performed a balancing in facilitating peaceful protests and managing the human rights of all affected by an event. HMIC (2009a) described the role of the police in such events as “arbiter,” although Gilmore (2013) questioned the neutrality of the police in this role. Neyroud and Beckley (2001) further recognised the complexity of the police dilemma in balancing competing rights. Both case studies examined in this research provided evidence that supported the position of the police at the centre of *“the real fine balancing act,”* and participants from all interested parties opined that the police needed to *“sit on the fence,”* were *“piggies in the middle”* and *“damned if they do and damned if they don't.”*

However, despite identifying the police role as one of arbiter, there is a lacuna of research into how the police might undertake this balancing role. This research provided evidence, through two contrasting case studies with diverse demographics in terms of location, duration and participants, that by locating themselves in the centre of the balancing act and utilising a dialogical approach, police Commanders were aided greatly in balancing the rights of all interested parties. Further, implementing a dialogical approach provided a fair process (Tyler and Lind, 1992) and a voice (Deutsch, 2006; Watson and Angell, 2007) for all affected by the policing of the protest event. Participants in both case studies from every group of interested parties; the police; businesses; and both sides of the disputed cause provided evidence of how the dialogical process assisted in balancing the competing human rights of everyone.

In addition to balancing competing human rights, participants in this research provided examples of how implementing a dialogical approach had reduced conflict. A dialogical framework where those engaging believed that the police treated each party with fairness (Paternoster et. al., 1997; Tyler and Lind, 1992) and were concerned about their welfare (Watson and Angell, 2007; Wells, 2008), provided all parties with an understanding of the issues of others. The process not only assisted in balancing human rights, but reduced conflict and the threat of disorder and subsequently the police recourse to the use of force.

PLT engaged in the badger cull explained how a dialogical approach allowed them to explain to those with whom they engaged the implications for the police in balancing human rights and allowed them to give practical advice and guidance on what was acceptable. PLT described how they reassured Protectors that the police were happy for them to walk the byways and pathways but were able to outline boundaries and the implications of their walks on the privacy of residents. One PLT explained how the dialogue enabled groups who wanted to make their point to *“have that maximum impact, respecting obviously, the human rights articles, but at the same time reassuring the community who were all impacted that there is not going to be a mass riot.”* Another explained that they also took the opportunity to explain to Protectors the necessity for them to observe the rights of farmers and those working on the cull. Yet another talked of how the engagement allowed an education of all that *“trespass is okay as long as you're not intending to commit a crime,”* and an explanation that there were human rights at play as well as criminal offences. A further PLT provided an insight into how they had been able to educate the farming community about the balancing act in play;

“I think that the farmers did not know about peaceful protest whatsoever. So, in my educational speeches and my expectation and conflict management talks

that I give them, they really do shuffle their feet a lot. Because one of the scenarios I give is that they're coming out of their private 'drove,' what we call down here a 'drove,' which is a sort of grass patch between fields. And there's a protester blocking their path on the main road. And I say to them, 'Peaceful protest?' 'No! Get out of my way! You shouldn't be allowed to do this. We'll get the police, and they'll get rid of you!' And I'll say, 'Well, it is!' And, they don't like it at all. And I said, 'We'll come along, and we'll negotiate how long they can be there, so we'll facilitate that peaceful protest, and then they'll go on their way.' And they say, 'Well, this isn't right.' 'It's not right,' say the farmers. And then, I'll refer to the milk protests that we had in Devon, where there is a massive dairy, where tractors went up there and blocked the path of vehicles. I said, 'Are you happy with that?' 'Ah, okay then.' And, they all look down at the floor and shuffle their feet, and that's a great one, as they laugh. And they love it!"
(PLT E)

A Commander described how the relationship that a PLT had built allowed the Commander to address an issue of balancing the rights of Protectors with those of the landowner. They described the issue that the landowners faced with civil trespass and described an incident when an elderly couple who repeatedly refused the polite requests of the police to stick to the paths. The Commander explained;

"It's a civil offence, so there wasn't a great deal we could do in that situation. Through the PLTs, we spoke with [PLT]. A couple of phone calls later, yes, they still trespassed, but when they were politely asked to get back onto the paths, they did. So, it was a simple situation. And that was repeated any number of times."
(Commander I)

Various PLT recounted conversations where they were able to discuss the human rights concerns of different groups but were also able to explain the rights of others and ask them to respect their rights as well. One PLT commented, *"Getting them to understand that balance was, I think, a great success."* There was evidence from all areas of an acceptance of the rights of others, gained through the dialogical work that was undertaken. Some PLT described their groups *"begrudgingly acknowledging that they too have to respect those rights,"* and acknowledging that *"there is a massive grey area in the middle,"* in relation to balancing rights.

Significantly, Business and Protector participants spoke of their acceptance that outsider parties also had rights that were in competition, which they had gleaned from dialogue with their respective police liaisons. It was evident that even though participants did not agree with the stance of outsider parties, they accepted that there was a conflict over which the police had an

arbitrating role and engaging with the police allowed their rights and arguments to be considered. Examples provided and the language used illustrated that Business and Protector participants had taken on board what PLT had shared with them. One Business participant described the “competing human right” and their acceptance that “people have a right to protest,” however explained that there was a complexity when the protest involved trespass;

“When it’s civil trespass it’s governed how people’s rights to invade people’s private property. And that is where it becomes an issue. Policing wise, I think a mistake we made initially was that we didn’t really engage the police to explain to landowners in particular, really, what the police could and couldn’t do. On the side of it, there’s a comparison to, like a protest, I always say, in all these meetings now, you know, if someone is by your entrance and blocking it for a while, then technically, that’s not very different from what farmers have done when they’ve been blockading supermarkets. So, again, there is that line between what you have a right to do and what you do not have a right to do. We have seen, well, I would say, certain situations from the protesters side, where they really pushed those limits.”

(Business B)

One Protector observed that they acknowledged the rights of the “shooters” and realised that they had a job to do. Another Protector commented that they were “well aware of the rights of the farming community.” A Protector observed that the media painted the situation as two sided between Protectors and the farming community, however, this was not reflective of how they felt;

“Everyone’s got a right to think and say what they want, as long as it’s done in an orderly manner. On all sides. It’s not just my opinion that counts. Everyone’s does. And I’m quite sure, from what I’ve seen, from the interaction that I’ve had, the farmers are being ignored. I certainly wouldn’t see it as a ‘them and us.’”

(Protector C)

Examples were also provided by participants in the EDL march case study of how those engaging with the police altered their plans and working practices in cognisance of the human rights of other groups, because of the dialogue effectuated. A PLT explained that “the EDL did modify what they wanted to do and recognised other people’s rights.” Commanders described how their liaison with businesses pre-event allowed an understanding of the balancing act that was required in facilitating a march, counterdemonstration and enabling the public to go about their business. Business participants described how understanding competing human rights through police liaison meant that they implemented “contingency plans,” including extra fencing and

additional security, to facilitate the rights of others. On the day, PLT described how they had spoken to members of both sides during the stand-off and how explaining the rights of opposing groups assisted in diffusing some tensions.

One example cited by many participants which highlighted how police dialogue aided the balancing of human rights concerned several weddings planned for the EDL march day at St George's Hall. Business participants explained their concerns and the concerns of brides, families and staff that the EDL march would "destroy" wedding days and entail serious disorder on the steps of the Hall. Commanders explained how they utilised PLT to discuss the concerns with the EDL. A PLT recalled how having explained to EDL organisers that there were weddings due to take place on the same day, some of which had been planned for a long time, the EDL changed their plans as "they didn't want to impact on anybody's day like that." Another PLT recounted their conversation;

"We told them about the weddings in St George's Hall and that obviously we didn't want people there at St Georges Hall, demonstrating. And [EDL] was quite happy about that. They said, 'Well, we're not going to do that.' They changed the route a number of times to accommodate ourselves and to accommodate hotspots."

(PLT M)

An EDL member corroborated the conversation and explained that they only became aware of the weddings once they had spoken to the PLT. However, they expounded that through the liaison they had "taken into consideration everyone else's human rights," and assured the PLT that their march would not impact on the planned weddings at the Hall. Commanders explained how they were then able to further reassure the affected businesses and ultimately, despite contingencies being in place, balanced the right of those getting wed with the rights of the EDL wishing to march. A Business participant explained how understanding the rights of those wishing to march and counterdemonstration, through the police dialogue, assisted them in both warning and informing wedding parties of possible disruption and allowed them to implement contingency plans, such as sourcing alternative ingress and egress points. Further, there was a compromise made in having police resources visible;

"We didn't want it like that on the front of the Hall. We didn't necessarily want the image of 100 vans outside the Hall, or whatever it was, 80-odd vans. We gave that up. Because of the dialogue, we were able to do options, like reinforcing the fence line. We probably didn't need to do it, but we did as an extra precaution."

Every participating Commander who had policed the badger cull in Devon and Cornwall provided several examples of situations where dialogue had significantly assisted them in balancing competing human rights and in doing so had reduced conflict, the potential for disorder, improved public confidence in the police and ultimately reduced resources. Commanders provided an insight into how they utilised relationships forged to aid their decision-making. One Commander explained how having different liaison officers working under them had aided their decision-making in balancing the rights of Government agencies with those wishing to protest against the cull. The Commander described how PLT would identify location outside a Government facility where a proposed public demonstration would be, and how they would then negotiate with the Government department to facilitate a gathering or the handing in of a letter. The Commander described the initial reticence they encountered in negotiation but how a set of guidelines would eventually be agreed. The Commander explained;

“We would agree where people would stand, it wouldn't be stopping people coming to work, that their workers wouldn't be seen by individuals and things like that. And also, facilitate a private meeting between the protest representative and a representative at the Government agency, whereby privately there would be a letter handed over and they would have a very short discussion and an acceptance of the letter, and then protesters would leave. They would then agree to that and then we'd go back to the PLT and say, 'They've agreed. Is your side happy with that?' 'Yes.' And then, the event. So, that was something that we did regularly. And all the events went without a hitch. And we had positive feedback from the protesters and the Government departments, saying, 'Do you know what, we didn't have anything to worry about there. And in fact, it was really good that we met people, and actually had a really good conversation over our differing views.' So, that was a real positive.”
(Commander H)

Another Commander provided examples of how the approach allowed the police to challenge and change inappropriate behaviour. The Commander described how police officers had identified cull contractors who had been concealing their vehicle registration marks and their own face. Through dialogue, it was ascertained that the cull contractors were doing so because they feared being identified and targeted by those opposed to the cull. The Commander described how explaining how the wearing of face coverings was perceived by the Protectors as intimidation and this resulted in the contractors changing their approach. This approach was applied to both sides equally, and the Commander further described where those opposed to the cull where challenged;

"In one of the areas the anti-cull groups besieged a farmhouse and they also surrounded the car and intimidated a farmer's daughter. We were able to go back to them and say, 'This is completely unacceptable. Is this the kind of fear that you want to be known for in terms of how you carry out your tactics?' And as a consequence of that feedback, that open dialogue, they modified the proceedings, and we didn't see any besieging of farms, and we didn't see any face coverings being used to intimidate people on that side of the fence. So, the open dialogue, the understanding of the impact of behaviour and the wider picture has really influenced two groupings about the same issue in different places."

(Commander B)

Another Commander detailed where dialogue had resolved potential conflict and facilitated a proportionate response;

"On one particular night, it seemed to be a concerted protection effort night involving those that we had initially sought to engage with as the Protectors, as opposed to those who might employ different tactics. They were in radio comms with a group where there was some culling going on in a field. And basically, the ability of the PLTs there to defuse the situation... They actually got the protesters who were in the field with cull operatives to come out of the field. They were hiding in trees, flashing torches, you know, the normal tactics. But, through the personal relationship that they had with the Protectors, the PLT were able to ... It was almost a negotiation process to get them to get the others who they were in contact with to come out of the trees and onto the road, the far side. Because there was a real risk of them in the field with firearms. Now, I took the opinion at the time, that because we had that good engagement with them, that actually a Section 35 I didn't think was proportionate at the time, because we had such a good interaction with the protectors, and they'd, you know, reciprocity. They'd done something for us, so we'll do something for them. We'll look after them and the other Protectors on the other side."

(Commander F)

This thesis has explored a range of approaches to the policing of protests; escalated force; negotiated management; strategic incapacitation; and strategic facilitation. This research argues that the different approaches identified are not sequenced historical developments but provide a tool kit of strategic options for the police commander to utilise. Both case studies have provided evidence of where different approaches have been utilised often simultaneously. Both case studies have consistently demonstrated that a predominant approach of strategic facilitation through the use of PLT was implemented, however, conscious decisions were made by Commanders to employ other approaches with different groups. For example, a negotiated

management approach was evidenced with certain anti-cull groups during the badger cull and strategic incapacitation with those opposing the EDL march pre event. Furthermore, the police commander chose to remove PLT from engaging with EDL leaders when tensions were high and missiles were being thrown which, it is argued, can be described as a choice by the police commander to move from an approach of strategic facilitation to one of escalated force. However, throughout, a dialogical approach was consistently aspired to by Commanders, to ensure that the voice of those engaging was heard and a fair process was promoted. Therefore, this research argues that police commanders have a range of approaches to utilise in protest events, however the decision to use one approach over another should be informed by implementing a dialogical approach throughout.

Both case studies in this research therefore provide supporting evidence of the benefits to both police and those wishing to march and protest in engaging in dialogue pre, during and post-events (College of Policing, 2016b). Further, this research extends the engagement to all interested parties, and evidences self-regulation in all parties due to a dialogical approach. Furthermore, both case studies provide evidence that a dialogical approach assists the police as arbiter in providing a procedurally fair process to the balance the competing qualified rights, by providing a voice, through liaison officers, for all interested parties with the decision-making police Commander.

Conclusion

This thesis argues that both case studies extend research extolling the value of dialogue between police and protesters pre, during and post events. This research argues that the contribution of a dialogical approach can be analysed through the application of both ESIM (for example, Reicher, 1996; Drury and Reicher, 2000) and the Flashpoints Model (for example, King and Waddington, 2005) and that both models can be blended to provide a solid theoretical framework for understanding a dialogical approach to policing protest events. Both case studies identified at an interactional level that because the police dissolved those opposing or protesting into smaller identifiable groups, rather than considering them a homogenous group, the police were able to engage with each one in turn and identify their aims and objectives. The research further observed the presence of self-policing as identified in both ESIM and Flashpoints Models and argues that this was a by-product of police dialogue and empowerment.

This research extends exiting literature by arguing that dialogue was not limited to police-protester liaison but included dialogue between the police and interested parties with a diverse involvement in the protest event. This research argues that analysis of such engagement can be conducted through the application of both ESIM and Flashpoints Model. Further, this research argues that the value of a dialogical approach can be identified through the implementation of a procedurally fair approach and that procedural justice theory is compatible with and complementary to both ESIM and the Flashpoints Model. Implementing a dialogical approach provided a voice with the police decision-making commander to all interested parties and, by using designated officers as liaison, relationships were encouraged, developing trust. This allowed not only fair decisions to be made but ensured that the rationale was communicated to engaging parties, encouraging legitimacy.

This research argues that a dialogical approach provided benefit to those wishing to march or protest and allowed them to achieve their aims through negotiation with the police, even at times when these aims pushed boundaries of legality. This research argues that the approach benefited police commanders as they tried to undertake the "unenviable task" (Gravelle and Rogers, 2011) of balancing the competing human rights of so many different interest parties and allowed the commander to remain, as far as possible, the *"piggy in the middle."*

8. Conclusion

This thesis has examined a dialogical approach to the policing of protest events and has considered the contribution that the approach has made to the balancing of competing human rights. Through 48 semi-structured interviews, the voice of those engaged in or affected by protest events has been heard; protesters and counterdemonstrators; business representatives the subject of protest; police commanders as decision makers; police liaison officers; local authority members; and members of businesses and organisations who are in some way affected by the event. Two diverse and contrasting case studies provided empirical data by which to examine the policing of protest events; the badger cull in South West England and an EDL march in Liverpool. The events contrasted rural and inner-city settings; south and north of England locations; environmental and political protests; and an extended protest and a one-day event.

This research argues that there was value for both the police and protesters in engaging in dialogue together pre, during and post events, to build relationships and engender trust. This thesis provided the first empirical research into the use of PLT since the tactic became a national option and further evidenced the contribution that the use of such officers had made to the dialogical process. This research further argues that engaging in a dialogical process with the police was of benefit to all interested parties involved in the protest event. Furthermore, this research argues that by engaging in dialogue, the police encouraged an approach consistent with procedural justice theory which build trust and confidence, provided a voice for interested groups and better equipped police commanders to proportionately balance the competing human rights of all parties.

The research has sought to address the identified lacuna in the literature by examining the role and identity of a range of groups and interested parties affect by a protest event and considering their interaction with the police and the balancing of their human rights. This research has considered the research questions identified at the end of the **Literature review** chapter; the value of a dialogical approach to the policing of protest events; the extension of a dialogical approach to include all interested parties; and the contribution made by the approach to the balancing of competing human rights. This final chapter will address the research questions, provide recommendations for the development of a dialogical approach to the policing of protest and detail further research opportunities that this empirical research has identified.

Addressing the research questions

This thesis firstly provided further evidence of **the value of implementing a dialogical approach to the policing of protest events in the UK**. This research has augmented research into the use of PLT (for example, Waddington, 2012; 2017; Stott, Scothern and Gorringe, 2013) and provided primary data since the inclusion of PLT as a national tactic in Authorised Professional Practice (College of Policing, 2013). This thesis argues that both ESIM (Gorringe, Stott, and Rosie, 2012; Stott, Scothern and Gorringe, 2013) and the Flashpoints Model (Waddington, 2012; 2016) provided a strong theoretical framework for examining a dialogical approach and argues that both models can be blended. For example, analysing at a structural level of the divergence in ideologies between the numerous groups opposing the EDL march (Flashpoints Model) allowed identification of groups within groups so they might be policed individually rather than as a homogenous unit (ESIM). Further, this research purports that procedural justice theory (Tyler, 2006; Bradford, 2012; Bottoms and Tankebe, 2012) provided an academic basis for examining the interaction. For example, trust and legitimacy, key components of a procedural justice approach, were identified as significant impact factors in the police response to the EDL march. Furthermore, this research argues that ESIM, the Flashpoints Model and procedural justice theory were mutually compatible and may be blended to provide a sound theoretical framework for examining a dialogical approach to the policing of protest. This was evidenced for example by analysing at an interactional level the intergroup encounters between the police and protest groups and examining the relationships and social interaction.

This research argues that using a dialogical approach assisted both members of protest groups and the police in building relationships and that PLT provided a key link between the police decision-making commander and representatives of diverse protesting groups. This research evidenced numerous advantages for the police in engaging in dialogue with protest groups; promoting self-policing within protest groups; reducing conflict and disorder; enhancing public confidence in the police; and reducing police resources. This research also evidenced advantages for protesters in engaging in dialogue; mediation; representation; and a voice with the police decision-makers. Even those that had not engaged pre-event, who some police officers described as *“hard to reach,”* advocated a dialogical approach and saw advantages in building relationships with the police. Contrary to P.A.J. Waddington’s (1994) observations that police negotiation involved officers who were spuriously friendly in their engagement, this research evidenced the development of two-way relationships with give and take on both sides that was not limited to organisers (Joyce and Wain, 2014) but accessible to all involved in the protest

across a wide continuum of protest intentions and responses. Instead, this research supports D. Waddington's observations (2016; 2017) that the police demonstrated a commitment to facilitating the rights and goals of peaceful protesters using PLT and that describing the liaison as a "sham" (Baker, 2014), implying that the police intended to coerce compliance, was a cynical misrepresentation of the police strategy and implementation of a dialogical approach. Examples were provided by police commanders and PLT of their desire for impartiality in policing protest events. Police commanders described how they sought to hear the voice of all those engaged in protest and even at times within both case studies, accepted protest actions that bordered on criminality. The research identified the importance of pre-event engagement between PLT and protesters, which provided points of contact and allowed relationships to be built on mutual trust. The engagement proved beneficial to both sides during the event and post-event and encouraged self-policing within protest groups, where protest groups changed their plans to accommodate out-groups.

Peterson (2006) argued that the police needed good knowledge of protest cultures and networks to be effective in policing protesters and that this knowledge was most effectively gathered over a period through direct contact with those organising protests. This research provided supporting evidence for Peterson's argument and identified that PLT were most effective when best placed to build knowledge of group cultures through relationship building. The research identified barriers and negative connotations perceived when the police utilised the collective noun of "protester" and identified numerous other terms that were favoured by participants, for example, protector, activist and demonstrator. Further, this thesis provided considerations for the police commanders in selecting the most appropriate officers to perform the role of PLT. This research argues that police commanders should align PLT to specific groups and organisations and cautions against using PLT haphazardly or with opposing groups. In conclusion, the research argues that the officer conducting dialogue should be specifically selected as the most appropriate to build open lines of communication between group members and police commanders. Further, by allowing the dialogue to be a continuing process, the building of relationships is encouraged, promoting trust between the police and the groups and assisting in ensuring a fair process is encouraged.

Secondly, this research argues that **a dialogical approach should be extended to include all interested parties affected by a protest event**. An examination of human rights legislation and case law within the literature review established competing qualified rights that are engaged during protest events. Empirical research from both case studies identified numerous interested

parties that were affected by the protest events whose human rights were engaged during the event. This research identified such interested groups; businesses the subject of protest; landowners; business members; local authorities; emergency services; travel companies and organisations; the local community; politicians and councillors; and other interested parties. This research argues that there are clear advantages for all interested parties in engaging in dialogue with the police. A dialogical approach allowed the police to inform other parties of police decisions and rationale. It also afforded interested parties a voice with the police and provided an opportunity for them to inform police decisions.

This research argues that the role of the police officer acting as a liaison between police commanders and interested parties was significant in maintain dialogue and encouraging relationship building and trust. Akin to the role of PLT with protest groups, the liaison officer engaged pre, during and post-events and maintained a two-way dialogical link. The research identified several different officers performing the role of liaison between the police commander and the parties; PLT; operational planners; public order tactical advisors; cull liaison officers; chief officers; community officers; and public order commanders. This thesis argues that comparable to PLT, selecting the most appropriate liaison officer to perform the role of dialogical conduit was of primary importance. Many liaison officers were selected due to their existing relationships with interested groups rather than whether they were trained as PLT and where appropriate the selected officers received training to further equip them in the role. Utilising diverse liaison officers also entailed diversity in dress codes, from the recognisable PLT light blue bib to regular police uniform through to attire more suitable for liaison with the farming community to protect the anonymity of individuals. Despite the diversity, a clear command structure was described in both case studies and this research argues that by having such clarity, the integrity of the liaison role was maintained irrespective of the rank of the officer performing the role.

Finally, this research argues that **applying a dialogical approach assisted police commanders to proportionally balance the competing human rights of all those engaged in the event.** Further, the thesis argues that a dialogical approach encouraged an approach based on procedural justice which promoted transparency, fairness, impartiality and a voice for all parties (Blader and Tyler, 2003). The thesis argues that dialogue allowed police commanders to understand and consider the views, opinions, aims and objectives of each group, which better equipped commanders to balance competing rights. Where police commanders sought to restrict or prevent groups from certain actions, such as a desired march route, the research evidenced occasions where the

police decisions were communicated to groups through liaison officers and where subsequently the groups modified their behaviours and accepted the rights of others. Where the outcomes were not favourable for groups, the research provided evidence of acceptance of the decisions by the groups because individuals felt that their voice had been heard and considered by the police in the decision-making process and that they had a right to reply. Furthermore, this research argues that the dialogue also impacted on police decisions and examples were provided where the police, rather than maintain control, on occasions facilitated actions that were not always lawful.

This research argues that the role of the police commander was not one of balancing peaceful protest with maintaining order (for example, Peterson, 2006; Mansley, 2014; Werren, 2014) rather was more nuanced with the commander located as *“piggy in the middle”* of numerous interested groups and individuals needing to balance competing qualified rights in their decision-making. The thesis identified numerous parties who had a vested interest in protests events and described how the police sought to engage all groups in dialogue pre, during and post-event. This research argues that the police were independent and unbiased in their decision-making, even where political pressure was exerted. Contrary to Mansley (2014) who proposed that the police were the embodiment of the state at political demonstrations, this thesis provided examples where the police negotiated with politicians and councillors and balanced their wishes with those of protest groups and marchers. Rather than supporting the “state” in seeking to “stamp down on any action outside of the usual channels” (Mobbs, 2009 p.19) this research evidenced how the police made decisions independent to and at times contrary to the perceived “state” (for example, DEFRA; local politicians; and the Mayor of Liverpool). The research argues that by engaging all parties in dialogue, including political groups and individuals, police commanders were better placed to balance competing rights and, through dialogue via liaison officers, keep all parties abreast of decisions made and supporting rational. Furthermore, this research argues that the approaches to policing protest, namely escalated force, negotiated management, strategic incapacitation and strategic facilitation, traditionally viewed as a sequenced historical development, are rather strategic options available in the tool kit of the police commander. This research argues that by applying a dialogical approach the police commander is best placed to select the most appropriate policing response to the individuals and groups engaged in the protest event.

Gilmore, Jackson and Monk (2016) suggested that effective dialogue was repressed by a lack of trust between protesters and police. However, this research evidenced a clear trust reciprocated

between police and protesters which became the foundation for relationship building. Moreover, this research evidenced trust-based relationships between the police and all interested parties engaged in the protest events. Some relationships were long-standing, for example, between the police and partner agencies such as other emergency services and the local authority. Others were formed due to the uniqueness of the events, for example with cull operators and businesses subject to or affected by the protests. However, this research argues that at the heart was open dialogue which encouraged the building of relationships and provided a voice to those engaging with the police decision makers, allowing an open, transparent and fair process (Tyler and Lind, 1992) to be observed by all interested parties. This in turn propagated trust, which further deepened the professional relationships and the research evidenced in-group (Drury and Reicher, 2000) acceptance of the police liaison officers within the communities with which they engage

Recommendations

This research has engendered three key recommendations which are offered to aid police commanders, liaison officers, members of protest groups and all those affected by protest events in the UK. The below provides practical recommendations which might be considered in planning the policing of events. This research advocates that all affected by protest events should engage in dialogue with the police and that the police should seek to build and maintain relationships with each group based on trust. Further, the recommendations made should be considered when preparing national policy on the policing of protests and the use of PLT as a tactical option.

1. The police should identify all interested parties and map the dialogue between them and the police.

This research recommends that when planning a dialogical approach to the policing of protest events, police commanders should identify all interested parties that are involved in or affected by the protest, including groups within groups, and seek to establish lines of dialogue between the police commanders and representatives from all interested parties. The badger cull was perceived as entailing protests by those anti-cull against the farmers carrying out the cull (for example, Morris, 2016). However, this research identified numerous interested parties affected by the cull who might not be considered, including schools, feed merchants and hunt saboteurs, with whom the police engaged.

In identifying groups within groups, it is recommended that the police avoid contentious nomenclature, such as the term “protester,” and through liaison officers determine preferred collective nouns for each group, utilising terminology that will assist in providing identity to each key group and promoting relationship-building. It is recommended that the dialogue is mapped to detail all interested parties, establish existing lines of dialogue and identify gaps so that the commander may seek to foster new relationships and ensure that all parties maintain dialogue and have a voice with the police decision makers. A Dialogical Wheel template is provided to assist in mapping the dialogue (see Figure 5). The wheel is constructed with the police commander at the centre to represent the role of the commander as arbiter (HMIC, 2009a) in

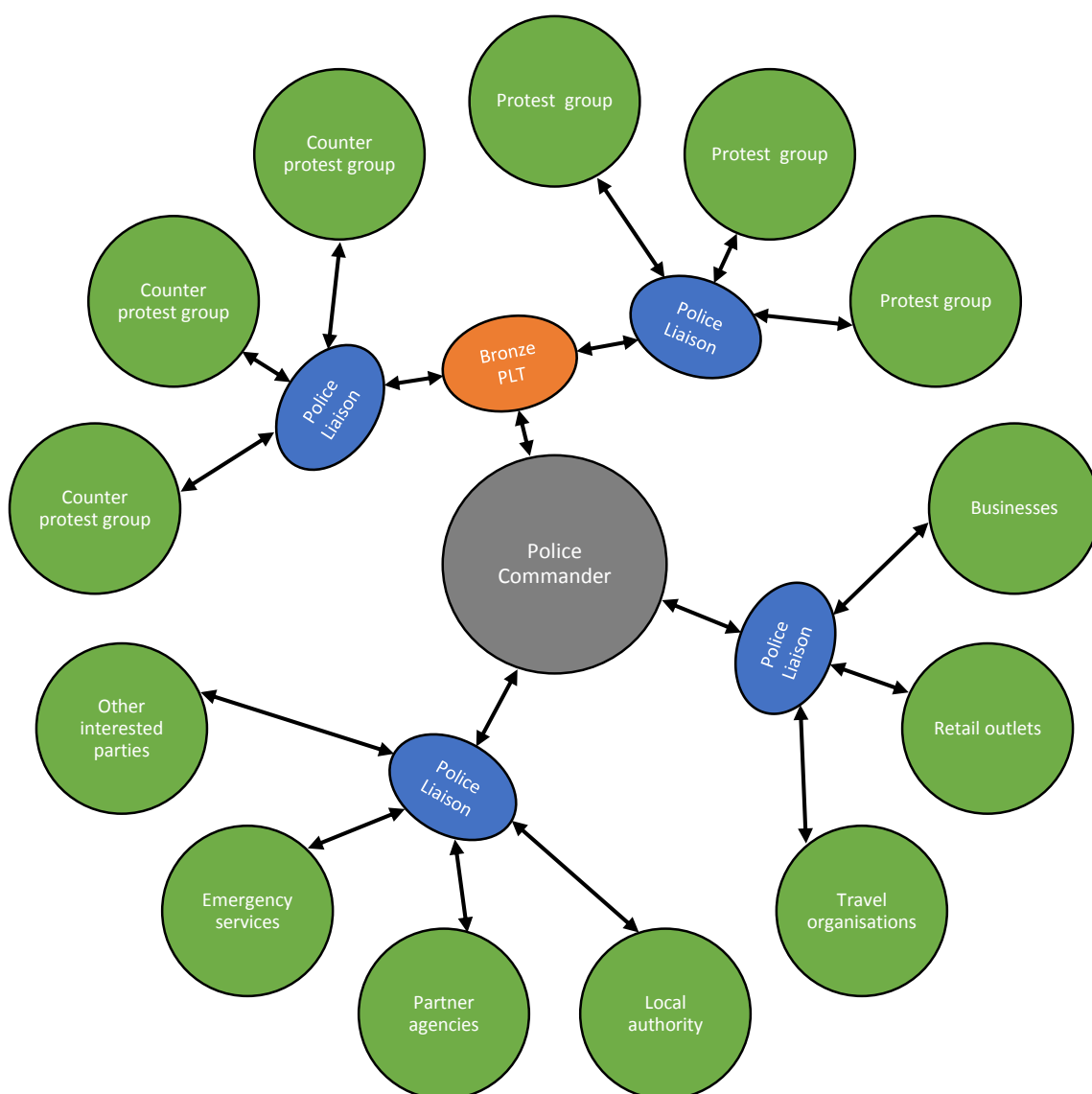


Figure 5: The Dialogical Wheel template

balancing competing right, not being drawn onto one side or another. Each interested party is positioned on an outer circle all equidistant from the police commander to represent the impartial and fair approach required of the police commander in their decision-making. The police liaison officers are located as conduits providing a dialogical link between the police commander and the interested parties, whilst the spokes denote the two-way flow of dialogue.

In identifying liaison officers, it is recommended that police commanders select the most appropriate officers and, if necessary, provide them with suitable training, rather than utilising trained PLT on a random basis. Police commanders should determine which officers are best placed to undertake the role of liaison officer to foster new and build on existing relationships. Although PLT ordinarily fulfil the liaison role, commanders may consider other options where existing relationships may be utilised in the dialogical process, for example where senior officers, community officers or operational planners have established relationships and lines of communication. It is also recommended that where there are opposing parties engaged in protest, police commanders appoint a Bronze PLT, to assist in guarding against potential Stockholm syndrome, to ensure that PLT maintain their impartiality as police officers and to mediate between opposing PLT and liaison officers and ensure that commanders “reset the compass to true north.”

2. Everyone affected by the protest event should consider the values of engaging in dialogue with the police.

UK legislation places an onus on march organisers to provide the police with written notification (Section 11, Public Order Act 1986) and therefore there exists an open channel for potential dialogue, although some (for example, McCarthy and McPhail, 1998; Waddington, 1994b) have suggested that on occasions “negotiated management” has witness organisers being coerced by the police into negotiating. In contrast to marches or processions, static protests, demonstrations and counter demonstrations require no prior notification to the police under UK law and therefore protests may appear spontaneously without any prior engagement with the police. This research argues that there is benefit both to the police and those intending to protest to engage in dialogue prior to events irrespective of legal requirements.

It is therefore recommended that those intent on peacefully protesting or counterdemonstrating consider seeking to engage with the police prior to events. This research has evidenced barriers to engagement; protesters expressing a lack of trust and a concern that the police are interested solely in gathering intelligence; and police officers presuming that

those not engaging are intent on criminality or disorder. For dialogue to be considered between the police and protesters, the police must accept that some individuals and groups do not wish to engage, but should still not presume, as identified by Gilmore, Jackson and Monk (2016) that groups not engaging do so because they are intent on disorder. In return, those engaging in protest must embrace the potential for open and honest engagement with the police and believe that there are advantages in them liaising with the police that outweigh non-engagement.

This research further recommends that all interested parties should consider engagement with the police prior to, during and post protest events. This research argues that there is benefit to all parties in engaging in dialogue; businesses the subject of protest; those affected by the protest such as the local authority and other agencies; and the local community. This research has similarly evidenced barriers to dialogue where businesses have not wished to engage for fear of being identified and becoming the focus of direct action. This research argues that to address barriers identified and promote engagement, trust between the police and all interested parties is key, as identified in the final recommendation.

3. A procedural justice approach should be sought with all those affected by the protest event to facilitate a dialogical approach.

It is recommended that the police advocate a procedurally just approach to encourage dialogue, the building of relationships and trust with all those affected by the protest event. This thesis argues that by encouraging lines of dialogue through police liaisons with all interested parties as identified through the mapping of a Dialogical Wheel, the police commander provided a voice for all parties, was better positioned to balance conflicting rights and was equipped to provide information and rationale to all affected by the decisions made. The research argues that doing so encouraged an approach based on procedural justice theory (for example, Lind and Tyler, 1988; Bradford, 2012) where interested parties were less concerned by the results of the decisions made but more minded that a fair process had been implemented and their voice had been heard.

It is therefore recommended that the police seek to build relationships and trust with all interested parties. Police commanders should consider how best to implement a procedurally fair approach, hear the voice all interested parties and maintain open lines of communication. This research argues that selecting the most appropriate liaison officers encouraged relationship building and that time spent in pre-event engagement was most important in fostering such

relationships. It is recommended that police commanders should invest in liaison officers and allow them time to build rapport and trust. Police commanders should consider aligning liaison officers to specific groups and not appoint PLT randomly to groups which may both compromise the officers and create suspicion with those with whom they wish to engage. Applying such an approach will assist Commanders in selecting the most appropriate police approach to employ with individuals and groups pre, during and post protest event.

Particularly for groups not engaging, or groups that the police perceive to be "*hard to reach*," for example activists counterdemonstrating against the EDL march and hunt saboteurs active during the badger cull, this thesis has evidenced a willingness on behalf of such groups to engage if approached. The thesis has identified that those that protest spontaneously may be more difficult to identify and engage with pre-event, but also identified that at times such groups are themselves event organisers and therefore more willing to engage. For example, those groups that opposed the EDL march in Liverpool (Unite Against Fascism, 2017) had a long history of previous marches within the city (for example, Houston, 2011; Bartlett, 2014; James, 2013; Unison, 2014; Public and Commercial Services Union, 2018) and had previously engaged with the police to some extent. This research argues that the police must be more proactive in approaching groups perceived as being harder to reach and invest time in the groups rather than expect the groups to suddenly engage immediately prior to or during a protest event. It is therefore recommended that the police commander should consider how to nurture relationships with such groups whether they are event organisers or counter demonstrators, to maintain relationships and build trust. The police must seek to invest in "*sustainable*" relationships rather than engage in "*tokenism*." The police must ensure that dialogue is two-way and must be prepared to foster long-term relationships on the terms of the protest groups and not the police. This research argues that by investing in a procedurally just approach and continuing to attempt to engage with all groups, self-policing will be promoted. Further, this research argues that the building of trust will lessen suspicion, in those who do not wish to engage, that the police are merely seeking to gather intelligence and will encourage groups to consider benefits to them from entering into dialogue with the police.

Reflective limitations and further research

In reflecting on this thesis, it is acknowledged that selecting two case studies on which to provide recommendations has limitations when drawing conclusions to inform national policy. Although

rich in depth, the data for the case studies provide a small snapshot of the UK policing response to deploying a dialogical approach to protest events and it is recognised that those interviewed may not represent all voices or opinions from their respective groups. This research does however provide initial analysis of the use of PLT in the UK after their inclusion as a national tactic. Further, the thesis allowed inaugural analysis of police dialogue with all interested parties and not solely with protesters.

It is recognised that this research is limited in examining those that had not engaged in dialogue and why there might have been a reluctance. Although two participating Activists who demonstrated against the EDL march had not engaged pre-event and provided some insight into their reasons, access to further participants was restricted to those that responded and were willing to be interviewed. However, the main focus of this research was to concentrate on the contribution that a dialogical approach made to policing protest events and therefore gathered data primarily from police officers, protesters and interested parties who had engaged in dialogue with each other in order to evaluate this contribution.

Whilst conducting this research, other academic fields were considered and although not fully explored, it is suggested that further investigation would provide another level of research in examining a dialogical approach to the policing of protest. It was particularly identified that a relational sociological approach (for example, Tilly 1978; 1998; White, 1992; Donati, 2007; Mische, 2011; Crossley, 2010) might provide an alternative theoretical framework in which to examine dialogical interaction.

Crossley (2015, p.66) described his approach to relational sociology as one which “affords primacy, both ontological and methodological, to interactions, social ties (‘relations’) and networks” and concluded that people’s lives, thoughts, actions and desires were always interwoven with those of other people and as such affected each other within society. Donati (2010; 2015) analysed the component social spheres that comprised society and identified the different levels at which they exist; the micro (for example, at family level); the meso (for example at a local community level); and the macro (for example at a national, international or global level) of society. Both Crossley and Donati suggested that relational sociology gave the potential to analyse interactions on both micro and macro levels (Crossley, 2010; 2015; Donati, 2015) and argued that relationships and interactions can exist between human beings, organisations, multi-national organisations and nation states. As such individuals, organisations,

governments and multinational corporations do not exist in isolation but are the consequences of interaction and various kinds of networks.

Understanding a society from a relational approach entails seeing it as reducible to the relationships within it, with the social being the patterned networks of connection between social actors (Crossley 2010). Applying such an approach to this research would entail considering the interested parties identified in the Dialogical Wheel as social actors involved in protest events at micro, meso and macro levels (Crossley 2010; Donati 2015). It is suggested that further research may be embarked upon to consider whether a relational sociological approach might be epistemologically compatible with and complementary to the theoretical framework established in this research and provide a deeper sociological analysis of a dialogical approach to the policing of protest.

Summary

This research has examined a dialogical approach to the policing of protest and the balancing of human rights. The word “dialogical” has been designated in this thesis as the collective term to describe the interaction between the police and interested parties and encompasses all the terms identified throughout this thesis, including liaison, engagement, dialogue, negotiation and communication. Significance has not been placed on the term use rather the extent to which the police and interested parties entered into dialogue throughout the policing period and the value of this dialogue pre, during and post events. Further, this thesis extends a dialogical approach and argues that this approach was not limited to police-protester interaction but encompassed a whole spectrum of engagement and dialogue, including partnership meetings, formal police-led coordination group meetings, one-to-one liaison with operational planners and continuing the established relationships with partners.

This thesis provides further research into the use of PLT and provides inaugural data since the inclusion of PLT as a national tactical option. This research reaffirms the argument (for example, Gorringer, Stott, and Rosie, 2012; Waddington, 2012) that using a liaison-based approach brought benefit to both the police and protesters. This research extends the existing literature and argues that engaging in a dialogical approach is beneficial to all those affected by a protest events and that there is value for all parties in liaison pre, during and post the event. Furthermore, this research has examined the balancing act that the police must perform in

facilitating the human rights of all parties. This research argues that the role of the police is one of *“piggy in the middle.”* This research argues that by mapping out all interested parties and seeking a point of dialogue between each identified interested group and the police commander through the conduit of an appropriate liaison officer, the police are able to employ a procedurally fair approach in attempting to balance competing qualified human right. Furthermore, this research argues that trust will develop through ongoing relationships between the liaison officers and interested parties, empowering all groups to self-police and allowing all groups to make concessions based on an understanding of decisions and rationale.

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Appendix 1



Interview Questions Community / Protest / Business

Welcome, thank you for taking part in this research

Please describe the event(s) in which you were involved:

- What was the event?
- What was your involvement in the event?
- What other groups or stakeholders were you aware of that were involved in the protest event?

How did you engage in dialogue with the groups:

- Pre event?
- During the event?
- Post event?
- With which groups or stakeholders?
- How was this received?
- How was the process managed?

What considerations were encountered with the balancing of competing human rights:

- What human rights were engaged by the group(s) with whom you were in dialogue? How did the group wish to exercise their rights?
- Did the group with whom you engaged have any consideration for the competing human rights of other groups or stakeholders involved in the event?
- What challenges were present?
- How were competing rights balanced during the event?

What contribution has a dialogical approach made to the policing of protest events:

- What were the benefits and to whom?
- What did a dialogical approach offer in the balancing of the competing human rights?
- What learning did you glean from your experiences of being engaged in a dialogical approach to the policing of the protest event(s)?

Appendix 2

Interview – Commander A

Interviewer: Please can you give me an overview of what the event was, and your role within it?

Commander: The Badger Cull 2016, Operation Cob. The south west region adopted a regional approach. Initially I was appointed the lead bronze for Devon and Cornwall, which meant I had a lot of other assets working to me. Important to note that Devon and Cornwall had as many cull zones as the rest of the country put together. There was a silver commander from a separate force, from Avon and Somerset, and it became apparent that he would need some support as silver commander covering 24 hours a day seven days a week. So, although I maintained responsibility for planning the Devon and Cornwall response, I became the daytime silver commander for the South West region.

Interviewer: Could you please give me a flavour of who the interested parties were for the cull?

Commander: Yes. Interestingly, the key personality of the cull, X, was the chair of [organisation] and had been involved in the cull previously, when it had taken place in Somerset the year before. She came and got herself made vice chair of the [organisation] for its first year, the first time the cull had taken place in Devon. Notionally, she worked to a lady called Y, who was the chair of the [organisation], but X pulled the strings with her experience of doing things before. So, that was one large group, the Devon Badger Trust, also very closely associated with the Somerset Badger Trust. We obviously had various hunt sab groups that became involved. Key leading player was a guy called Z. Although he predominately operated in the southern Devon cull zones, which weren't our busiest ones and didn't really cause any grief. We had various hunt sab groups from elsewhere in the country. We had various other interested parties, such as Brian May, Queen's guitarist, coming down from a national perspective for various protests. From the pro cull communities, very disparate and very disjointed, but there were individual cull companies set up for each zone or group of zones. So in the south west region, we had one cull company looking after South Devon, one looking after North Devon and another at looking after North Cornwall. And there were two in Dorset and one in Somerset as well, all separate companies, separate entities. They notionally worked to Natural England, who were another interested party who required liaison and dialogue with. Natural England were notionally working to DEFRA, but at times had different interests from DEFRA, so we had to keep DEFRA as another interested party. Obviously, the Home Office were a very interested party as well and significant liaison was required with them. And the political fact was that Chief Constables became involved outside of the gold, silver, bronze command structure because of political questions asked of them. The same will be true of Police and Crime Commissioners. Police and Crime Commissioners have different views on how things should be done, and keeping them at a distance was crucial to the effectiveness of the operation. And from time to time, various local interest groups popped up, such as Totnes, which is an alternative town in South Devon, very left-wing community, very small town, doesn't normally surface on the radar, but at times where this left-wing protest can turn up 2 or 3000 people at the drop of a hat from a small town with a population of only 12,000 people. So, when protests were in and around the

Totnes area, it became apparent that we need to keep in touch with local interest groups that popped up just for that particular protest.

Interviewer: Did the local authority have a particular interest?

Commander: To be fair, there are a number of local authorities. Devon is a unitary authority so is quite easy. Cornwall is still disparate with the two-tiered system. Plymouth is a unitary authority and we had protests there. And of course, in Somerset and Dorset. But it would be fair to say, after some early initial engagements with the local authorities, they didn't require or request a lot of liaison. I think they preferred to be kept in the dark rather than playing an active role.

Interviewer: Can you give me a flavour of the human rights implications that you were looking at because that's a massive amount of groups?

Commander: First of all, Article 2 was obviously paramount, human rights contribution. We had over 1100 people licensed to shoot badges which is a significant amount of people [concerns outlined, comments redacted]. Right to freedom of assembly, right to family and private life were at the very forefront. Our aim was overall to have an open and transparent operation. If there was a need for covert equipment we would obviously consider it, and consider any RIPA ramifications or requirements. But in essence we managed to do everything overtly. There was no covert use, and no need for it. There were interferences with rights of family and private life, and they were addressed as the operation went along. Quite erroneously, one of the bronze commanders on one night decided that he would try and demand names and addresses of everyone that turned up at a pop at night-time protest. There was no need for that; it was not proportion at the time. There was no need for a Section 35, the protest was entirely peaceful, and those concerns are fed back. The real difficulties around articles, other obligations came when the protest community were being unfairly harassed in one of our cull zones in North Devon by contractors, and we imposed a Section 35 order at the time. And despite feeding it back to the protest communities that the wording would be that we could remove any person that we believed was about to act in an antisocial manner, it was targeted at pro cull supporters that were not official cullers, were just local farmers that were coming out in support and harassing people. But the protest community wouldn't believe that it wasn't aimed at them. And despite us telling them, "We are actually acting on your concerns and enacting legislation that you've suggested", as soon as we've enacted it, you're saying that you not happy that we've enacted it. It became a huge issue so we ended up... I gave an initial 24-hour authorisation that was revoked within eight hours, because it was counter-productive to keep it, in order to keep people on board and keep the good working relationships we had.

Interviewer: Can you explain how you maintained dialogue with those groups, pre-event? You knew this was coming?

Commander: I'll deal with the left-wing or protest community to start with, and then move on to the right wing after. So with the protest community, we had a regional lead, who was [officer] from Avon and Somerset, that was the ultimate conduit for all information to the public order bronzes, where relevant, and silver, through necessity. Beneath that, each group of cull zones had a lead, so within Devon and Cornwall; for North Devon and North Cornwall, [officer]; for the two cull zones in South Devon [officer]. Somerset had a similar thing with [officer]. Dorset being a force who did things differently did not subscribe to the same system of protest liaison.

But each of those leads for the groups of cull zones would have PLT's working to them, that they would allocate as was relevant to protest in those areas, or for general liaison in those areas. And they maintained a PLT rota during the main eight weeks of the cull, for who was the primary and first point of call, with a dedicated phone number that was just allocated to different mobiles so there was always somebody available 24/7 to the protest community. That wasn't always the same person that did their initial lead in the work up to it for the reasons of logistics; you can't work people 24/7 for an operation that is predominantly meant to be six weeks but ended up being eight weeks. That's the main setup for the anti-cull.

For the pro cull, we had a long hard chat about whether PLTs were the right asset. And it was important we had the links with the farming communities as first point of liaison. A role was created called Cull Liaison Officer. [Officer] from Avon and Somerset was the lead last year. He had a deputy within each force, which for our force was [officer]. He had five Cull Liaison Officers working to him, one for each of the five cull zones. I don't quite know how that is going to work this year when Devon and Cornwall might have 17 cull zones potentially, but that's another issue. Those five Cull Liaison Officers gave their personal mobile details to the relevant cull company directors for their area, and the senior cull company employees, whereas [lead and deputy officers] remains accountable to DEFRA, Natural England, the Home Office, dealing with more strategic issues. So that's pretty much the set up.

Interviewer: What was the thinking around having officers to do that cull liaison role?

Commander: Last year it was very straightforward. We were guided by Avon and Somerset, who had the gold and silver for the entire operation and they said it's about appointing the right person with the right skills rather than running any sort of process, and had to be someone with those links with the rural communities in the areas it was taking place, who had the capability and capacity to absorb information, pass on whether relevant or irrelevant, but understand the channels of communication and build up a good rapport and a good working relationship within limitations. That worked really well pre-and during cull. Post cull not as well as different forces clawed those figures back to the day jobs. And what I would say is that this is a 365 day a year operation, and three of the four forces in the region have already appointed people to do the role this year. Devon and Cornwall has lagged behind and I'm fighting my own force to get people doing that role now, because I consider that a real gap in the dialogue approach at this moment in time. I have dedicated people in place on the PLT side of things because we have a PLT cadre always available. But on the pro cull side I'm the only force in the region that doesn't have someone directly dealing with that now, as my force has refused to release somebody at this moment in time. I see this as being so key because at the moment I'm the only conduit for that information. I think it's dangerous when the information doesn't come through a conduit, it comes through silver. It gives a perception of imbalance, of not being impartial. It runs the risk of overloading silver with information, or possibly making decisions, that are way too tactical. And it doesn't allow the working relationships to build up from an early stage. If you got people in place, albeit part-time alongside their day jobs, from a very early stage, they can build up that rapport which I think is key and crucial to making any operation where the trust is built up from an early stage.

Interviewer: The key to you as silver is that the liaison is coming into you through a team leader, they're not coming in directly to you?

Commander: I think it is completely key that they've got their own independent chain of command. And they're not actually coming through the geographical bronze lead for that force

either. They're coming through the bronze commander, who in his or her own right is a bronze commander for this operation. So, this year for Protest Liaison, it will be a Devon and Cornwall officer and Cull Liaison it will be [officer]. So, they've got the overview. And what we try and do, wherever possible, is to keep a sterile corridor. So, we've had our protest liaison leads and cull liaison leads working from different police stations, so that there isn't a leakage of information between the two. The conduit between the two is either the silver commander or the intelligence directorate.

Interviewer: So, how about some of those other groups that we talked about; Natural England, the Home Office, Chief Constables? How did you maintain that dialogue with them?

Commander: So, Natural England and DEFRA, mostly after the first couple of months planning got the message and went through the call liaison leads. So they mostly went through [officers]. I say mostly, because there are obviously times when political pressure, or there's an immediate imperative to get an answer for something. The Home Office weren't so forthcoming. They would go directly to Chief Constables, or the gold commander, when they wanted an answer, which resulted in a difficult phone call or conversation. And sometimes a quite honest answer, "I don't know that information, and when I do know, I'll phone you back and let you know if I'm able to tell you that information". The whole concept of the operation being that if you didn't need to know something, you didn't need to know something. And that involved a lot of managing upwards.

Interviewer: So, that whole map of dialogue was quite complex?

Commander: It was extremely complex, but at the same time extremely simple. Because in essence everyone that was pro the cull came through [officers], and everyone who's anti-the cull ultimately came through [officer], who was the PLT bronze. Now, they might have had other people below that, their initial point of call. We did have an escalation system whereby people from either side, if they didn't get the answer that they needed, not necessarily the answer they wanted, the answer they needed from the relevant lead, they could escalate to their relevant bronze. And if they didn't get satisfaction then, they could for exceptional circumstances access the silver commander or the gold commander. The protest liaison side were very good. They only pulled the card to communicate with gold once, and silver twice, which during an operation that started planning in December 2015, and didn't finish until the start of November 2016, I think was... was really good. I would say that the governmental departments were a bit more free with that card, shall we say.

Interviewer: Pre-event, obviously a lot of work to build up relationships. What was the feedback that you were getting as far as those relationships being built up? Where those groups happy to go through this process of liaising with those particular areas?

Commander: Obviously, we had a full debrief; multi-agency and with interested parties, such as protest groups. I would say that, by and large, the feedback is that the groups themselves were happy that they had the conduits; they weren't always happy with the service that was provided, and it's interesting. I know that [protector] described one incident in North Devon where she felt that the police response didn't meet her expectations. One of the things that we said to all groups, "Where something is urgent, please go outside the conduit and use 999 if something is happening now". And because there was a desire for the protest groups to get a 999 response from a named individual on the end of a mobile phone. That's not always the most

consistent way of doing it. But, by and large, the feedback was really good. It's the fourth year of the cull in the south-west region, although the first in Devon and Cornwall. Each year we've tinkered our response to meet the needs of both parties. We were accused in year one of being too pro cull. Year two, being too anti cull. Year three and four, the feedback we're getting is fairly consistent from both sides.

Interviewer: During the event and post the event then, the dialogue continued?

Commander: During the event, it was outstanding. Post event for the first 4 to 6 weeks it carried on, because it was needed. We are still investigating crimes that happened now, so we're still keeping up that dialogue now. But it varied force by force on how they maintained consistent links. And I would say, mostly my sympathies were, we didn't do enough for the protest liaison community initially, but post event our liaison with the pro cull communities in Devon and Cornwall has been poor, because we haven't maintained those identified individuals that have built that rapport.

Interviewer: Is it fair to say that it is a balancing act regarding human rights? You've talked about where the balance is going one way one year, and the other way another year?

Commander: It is, but even down to local protests, it's still a balancing act. I'll used two protest that we had last year in April and May respectively. In April, we had a protest in Totnes, which is an extremely left-wing community. There was no antipathy to the protest. The town, council, everyone was for it. They were happy to close off roads. They were happy to do their own road closure orders. We policed with two PLTs and a serial kept well away in reserve. Although it was a small scale protest, maybe 300 people in a small town centre, it went very peacefully, and the PLTs got thanked at the end of it, no issues. The following month, we had one in Kingsbridge which is a farming town where, it would be fair to say, for a protest of only 20 or 30 people, we need to deploy about 20 or 30 cops to it, because the local populace couldn't understand why we were allowing..., why we, the police were allowing these oiks to walk through a beautiful historic market town. We were trying to explain to them that it's their right to peaceful protest. The comments then came in from some of the pro community about, "Well, what they're doing is illegal. They're obstructing the highway". And, you know, we talked about, you know, the need to adapt to protest and facilitate a peaceful protest even when it's unlawful, in a liberal democracy. And that required more actual policing to protect the protesters than large-scale protests elsewhere. And the two towns are only 10 miles apart, but they are diametrically opposed politically.

Interviewer: Was this about positive and negative obligations? Can you please explain those obligations?

Commander: We have got a positive obligation to facilitate peaceful protest, even when it's unlawful. We've got people's human rights. The right to freedom of assembly etc., and the right to freedom of expression of thought and opinion. We've got to balance that against people's right to a family and private life. There was no need to change the route, because most of the groups we were organising with, we could influence subtly and say, "Look, you're about to go past the butcher shop. That butcher is about as right-wing as it comes. It will cause anti. It will ruin your kudos. The BBC are over the. Your best chance of getting your picture on the telly is to march past a beautiful place, rather than the butcher shop, and wind people up unnecessarily". And to be fair, we were able to negotiate on every march we had. We had one in Plymouth as

well, of about 1000 people, and again policed that with about four cops, because it was really easy to deal with.

Interviewer: Why was easy? Was that because of the work that was done beforehand?

Commander: Yes. So, it was all down to liaison. By the time we had protest in Plymouth, the added dynamic was Brian May and some other key national figures were coming down to speak. But X and Y were able to tell the national figures, "Look, we've got liaison links within Devon and Cornwall, within the south-west region. Our PLTs will be there to make sure that we're safe. We're not anticipating anything against us, the police are not trying to put any limitations on what we do. Asking us if we can provide marshals when we are crossing busy dual carriageways, and that for the safety of the troops, but they are not changing the route". And, to be honest it was easy. I've policed a lot of protests in my career and a lot of them have been very very difficult. But the protest round the badger, very very easy to police. That was the ones in the lead up to the cull, not necessarily the pop-up protests during the cull.

Interviewer: So, to pull all the thoughts together with this process of having dialogue pre-event, during event, post event. What are your views on the benefits? Are the benefits in that process, and if so who are those benefits to?

Commander: OK. So, I'll talk about the benefits to the taxpayer, to the police and the protesters. The benefits the taxpayer are, historically when you get the chance of protest and counter protest, it can lead to operations where PSUs are deployed. As we all know in times of austerity, with the frontline unable to bear the burden, that frequently involves rest day policing, and a large cost. Now, whether that's a cost absorbed by the local PCC, or the Home Office or DEFRA, it still a cost to the taxpayer. But, having early dialogue, and having agreed routes, a building up that trust, that you know that if [protector] or [protector] says, "This is the area where we want to march. We won't go off this route, we're not going to do X, Y, and Z", that you can trust them. And that involves far lower level of policing, it looks kinder and friendlier on the TV, so the benefits to the police force are, in terms of reputation, are good as well. And the benefits to the protest community are that they get to know those very few police officers that are police and those protests, because those same PLTs are the ones that are in the areas on with them day in, day out, and they get to build that level of trust. So, I think that that's really the three firm benefits of early dialogue.

Interviewer: In that case, why do you think some groups don't engage? Were there groups that didn't engage, and if so why, do you think?

Commander: There were groups that didn't engage. Not all of the hunt sab groups engaged initially. To be fair, you know you can go back to Clifford Stott and groups within groups. The peer pressure from within the protest community was absolutely excellent, and there was a great deal of self-policing. A, who is the leader of [organisation] hunt sabs was told on one occasion that he wasn't welcome at a protest, because it would have affected the dynamic. And to be fair, that changed A's viewpoint, and when he had a pop-up protest in a little village called [location] of about 30 or 40 people, he told us about it, and he told us about it in advance...The fact is, because pressure had been put on him by other protest communities for him not to do their legs, he felt it important enough to tell us where and when he was going to protest. His tactics were different, but by and large it was easier to deal with. Now, obviously there's criminality as well, that occurred during the cull, by some of the groups that were protesting,

but not as part of the formal protest. And I think it's important, as the police, to disassociate the need to facilitate peaceful protest while understanding that we've still got a duty under the law to prevent and detect crime. And it's one thing that we made quite clear to all the protest organisers, that when they're talking about any of their protests or any of their gatherings, or any of their assemblies, that we would do that. But we would also investigate any allegations, such as criminal damage, assault, that were made against. And we did robustly investigate those offences. And there were, you know..., several hundred offences occurred during the badger cull.

Interviewer: What learning have you gleaned from your experience of implementing this dialogical approach?

Commander: I've gleaned that it's transferable into other areas of policing. So, it's not just around the badger cull, but actually having an early and consistent dialogue with the key individuals is crucial. It reduces costs, it reduces demands. It increases the reputation of individual police officers, and the forces concerned. It helps to build and foster community relations, which we all know are key in a liberal democracy. But it's not always achievable, due to the processes that individual police forces apply. And during the cull over..., you know, the operation of the last couple of years, each of the five forces of the south-west region has at some stage gone UDI, and not agreed with a regional approach, and not agreed with the same way of doing something for purely political reasons, which has adversely impacted the ability of the operation.

Interviewer: So, would you say, just to summarise, that there is an implication for Police UK over how an approach is made to protest and having dialogue?

Commander: Yeah. Police UK is generally trying to achieve it. So, last year for the first time we were lucky enough to have an overall coordinator for the policing operations surrounding the badger cull in Police UK, who was [senior officer]. This year, it's still up in the air over who it's going to be, but there will be a figure, which meant that... I mean there were two hubs last year. The southern hub, which is Devon and Cornwall, Avon and Somerset and Dorset; and the northern hub, which is Gloucestershire, West Mercia and Warwickshire. This year there will likely be three hubs. But by and large, the operation will look the same. The problem is, 43 Chief Constables never works.

Interviewer: Thank you very much for your time.

Interview – Protector B

Interviewer: Could you start off please by telling me a little bit about your background. I'm particularly looking at the cull, the badger cull in Devon and Cornwall. But could you tell me a bit about your background, how would you describe yourself?

Protector: I've been involved in the badger cull since the late 90s, during the Krebs trial. And I've recently become involved in the badger cull again, in the last few years.

Interviewer: Would you call yourself a protester?

Protector: No, I'm not a protester, I'm a hunt saboteur.

Interviewer: What does that mean for you? How would you describe that for a layperson?

Protector: Well, I go out and stop fox hunting actively in the field. I don't go protesting, I actually go out with the hunt and stop them killing animals. Same with the badger cull, I go out and stop them killing badgers.

Interviewer: Just tell me how this affects you, as far as your life, your commitment to this, and how much of an involvement it is for you?

Protector: It's a huge involvement. It's been a massive part of my life. I've spent a considerable amount of my own money and a considerable amount of time and effort on it, you know, and having to use five weeks' holiday as block holidays from work to be able to go and do this.

Interviewer: And that's something that you feel so strongly about, that you take all your leave in one go?

Protector: Yes, I take every single bit of leave in one go, a bit more sometimes if I have to.

Interviewer: And, tell me a little bit about your experiences particularly in Devon and Cornwall, when the cull has been there this last 12 months?

Protector: Yes, I was down in Devon and Cornwall for nearly 6 weeks during the last cull. And, came across all sorts, to be honest with you, came across all different types of people, all different types of police, and came across a bit of violence, quite a bit of intimidation. We had dead animals disembowelled, nailed to the gates of where we were staying. We had thunder flashes thrown over the fence at us at night. I've got blocked in by vehicles and rammed. Basically, the full range of it.

Interviewer: Can you maybe describe these different types of groups that have been there? You were there with other hunt sabs?

Protector: Yes, yes. We were with... We were purely with hunt saboteurs, with a few various people that visited, who weren't hunt saboteurs, and we also had normal members of the public who came to camp as well, who wanted to go out patrolling. They were called the badger patrol.

Interviewer: And what was your relationship with them?

Protector: Basically, it is a good working relationship. If there was areas we wanted to visit, they acted as a good decoy to get us into areas that we found it difficult to get into. They'd maybe go and patrol an area and draw the attention to themselves, whilst we could go about our work.

Interviewer: Were your values the same as the badger patrol, or did you see things differently to them?

Protector: Not really. You know, at the end of the day, everyone was there because they disagreed completely with the cull, they disagreed with the methods and the way it's been done. You know, so, they may not be prepared to do things that other people might do, but they were still a useful group of people to have on board.

Interviewer: So, it would be a more activist way, is how you would describe it then? More proactive in what you are doing as a group, that's how your approach would be? And that would be different to those badger patrols?

Protector: Yes, they'd be liaising with police liaison and the police would know the areas that they would be going in to each particular night, whereas with us, we just did our own thing.

Interviewer: What other groups were you aware of? Who would you see as being the key stakeholders or interested parties within the badger cull? This is not just about... There are lots of different people involved here, aren't there? Who would you see as being the interested parties?

Protector: Well, you've got the farmers, you've got Natural England, you've got DEFRA and you've got the police.

Interviewer: And within the local community? How did you see that local community?

Protector: The local community, we personally didn't have problems with the local community, because a lot of them were against the cull, but we didn't have much interaction with them, because they didn't see us. The whole idea of what we do as a group is to not be seen, and not come across anyone. You know, the whole idea is to blend in and just get on with what we do, without causing any problems for anyone. But I do know in other areas of the cull, there's all different groups involved, and in some areas there has been intimidation of farmers, and vice versa, intimidation of activists. But my main aim is to not cause anyone any problems.

Interviewer: You talked about certainly witnessing violence and intimidation. That was to yourselves? From the farming community?

Protector: Yes, yes. Basically, from the farming and the hunting community, because, obviously, it's not hunting season, but a lot of the terrier boys were local lads. They live on farms, you know, so, they tend to get involved with it as well.

Interviewer: And what was their role? Were they carrying out the cull?

Protector: Not the ones that I actually came across. Well, I don't know but... Some of them were probably, obviously, involved in the shooting side of things, because Devon and Cornwall's got a massive amount of firearms. There is a lot of licensed shooters down there. In areas where they were losing, maybe, most of their cages, then they would revert to free shooting, which I came across on various occasions, including, unfortunately, we had some people in a field, and shots were fired past them, within 20m of them.

Interviewer: And this was obviously contrary to what their...

Protector: This is totally contrary to all the guidelines, you know, that are issued by Natural England and DEFRA, as in, if anyone else that's disagreeing with what's going on is in the vicinity, the shooters are normally told to move on to another area. But, on this particular occasion, a badger was shot within 30m of two females actually. And I actually recovered that sett badger from that field, and spotted the shooters as well. So, I found that quite... I found that totally out of order, to be honest, to be shooting that close to people in the pitch black.

Interviewer: Did you report that at all?

Protector: Yes, it was reported to a police liaison. In fact, he already knew about the incident.

Interviewer: Let me just understand that a bit more... You mentioned police liaison. Can you maybe talk about how you first came across police liaison? Did they approach you, did you approach them?

Protector: I was approached at the camp gates of where we were staying. Some good people down there who had a large farm, put us up in the lap of luxury, actually, compared to what we'd normally... Normally, we'd be camping in fields. I came across [PLT] at the actual camp. And we had various conversations throughout the cull with each other. And, to be honest with you, he was a pretty fair guy. Going back to the old days where, if you were caught in the cull zone, you were immediately arrested, your house was searched, your computers were taken. This cull is completely different. The police are acting completely different to what they've done in the past, which I found to be quite refreshing.

Interviewer: What do you see as being different in that approach? This liaison, is that part of that?

Protector: I was sat in a layby one night, in the car on my own, in the cull zone, and the police stopped just to ask if I was all right! Which I found... they didn't ask me my name or ask me any details, just checking up that I was okay, you know, which was quite refreshing.

Interviewer: So, you met [PLT]. He introduced you. Did he explain his role?

Protector: Yes, the liaison officer for the Devon part of the cull, the area that we were in, you know, and we had quite a few dealings with him.

Interviewer: During that period, then, did you have a one-way dialogue with [PLT], or did you get that sort of two-way... Was [PLT] accessible for you?

Protector: Yes, I had his phone number, you know, if there's any problems, he kept making a point of saying, "If you've got any problems ring me. If there's any intimidation, any violence being meted out, ring me straightaway".

Interviewer: Going back to that incident you talk about before then, with the shooters 30m away, you then spoke to [PLT]?

Protector: Yes, we had a conversation around it, because obviously, the badger that they'd shot had disappeared in the middle of the night, so, I think the shooters weren't too happy about what had happened, like, but, you know.

Interviewer: And did you feel like your voice was being heard by the police, or was it just being heard by that liaison officer?

Protector: Well, no, because I came across, obviously, I got stopped on many occasions. And to be fair, it was routine stops and searches, you know and if you didn't have anything on you that you shouldn't have, or you weren't doing anything you shouldn't, you were free to go on your way within a short space of time. I did have accusations made against me of assaulting a local UKIP councillor in the middle of the night, which, I didn't assault him. There was video footage put up on the... online, which ended up with him being taken into the police station and having his guns taken off him. And I believe, as [PLT] has not got back to me yet, I believe he's been offered a caution, or to go to court over the matter, and it still ongoing. To be honest with you, [PLT] was fair. He could have, you know, basically, the police could have just nicked me. But he did ring me up and say, "Look, we've had accusations made against you, and we really need to talk to you". To which I said, "Well, I'm really busy, as you know. What happens if I don't come in with this?" "Well, we'll have to arrest you. We'd far prefer it if you come in voluntarily", which I then did, along with another friend of mine, you know, which was a nice way of doing it, because it didn't disrupt the timetable of what we were doing.

Interviewer And that was something that was resolved. But, if you knew you hadn't done anything wrong, it could have been quite... In the past, you know, you're accused of something and hadn't done anything wrong. But, here you are still happy to go in? Why was that then?

Protector: It was because of the way the police were behaving towards us, you know, they've obviously got a job to do, but they weren't being heavy-handed, as in, they weren't following us around or actively looking for us like they were in the past. You know, they were in the area because I think basically, because there was shooting going on, and there was people out and about trying to stop it. You know, it's a recipe for disaster in the middle of the night, with firearms and groups of people covertly trying to monitor this shooting. There is a high risk of someone ending up getting shot.

Interviewer: Thanks. And that relationship kept right the way through the time you were there?

Protector: Yes, right the way through, even after the cull. I have had various phone calls off [PLT] since the cull. You know, updating me on that particular case. I wouldn't want to get them into any trouble but even, even as far as, "We'll have to go for a pint next time you're down".

Interviewer: How did that relationship build? Was there a trust there?

Protector: Well, yes, because he was true to his word. At the end of the day, there was no heavy-handed tactics. Obviously, some officers are a bit more thorough than others, you know, and some tried to overstep the mark slightly, you know, "We are going to seize your phone off you", and stuff like that, "I want you to show me all your texts now". But, once you explain to them that you know your rights, and you know the way the system works, then it soon fizzles out, and you're allowed to go on your way. But, most of the time, I came across... The biggest group of police presence was obviously when I got blocked in and rammed. And we were there for nearly 3 hours, because, the people that rammed me, they wouldn't get out of their vehicles. They just backed into me from the front, and reversed into me from behind, and just sat there until the police turned up, which was about an hour and a half later. But, then again, after a short, well after about an hour of searching our vehicles, you know, going through us like a tooth comb, there was nothing for them to find, so... We were allowed on our way. I actually had to make a deal with some of the ones that had done the blocking in. We eventually got a bit of a conversation going, made a bit of a deal with them, because they were getting a bit upset about some of the stuff that was going on. So, I made a deal with him that that stuff that they didn't like would stop. And they were quite happy to let us get on with our business.

Interviewer: So, [PLT] was true to his word. Would you say a relationship? Obviously there still a level... You as a hunt saboteur. He is a police liaison officer. How would you describe that relationship?

Protector: It's built on respect, more than anything. At the end of the day, [PLT] was making sure that their side of it knew that when they were overstepping the mark, that it had to stop as well. You know, he was being quite fair with both sides, to be honest.

Interviewer: Can you maybe explain what human rights you were trying to exercise whilst you are carrying out what you are doing?

Protector: The only sort of human right I would sort of say, it's my right to defend the voiceless. Animals are voiceless, they get persecuted by humans constantly, and it's my human right to defend the voiceless. That is the be all and end all of it. All I'm interested in is defending wildlife that are getting persecuted. I'm not bothered about anything else. My whole motivation is to defend wildlife. Full stop.

Interviewer: Can you appreciate that there are rights as far as the other groups we mentioned before, these other interested parties, those who are engaged in... the shooters as part of the cull, the farming community? Do you see them as having rights? How do you see those rights?

Protector: As far as animals go, to be honest with you, I hate them with a passion. I see the way they treat their own animals, let alone wildlife. You know, at the end of the day, the farmers will say, "Oh, we love our cattle". But they don't love them that much, when they are packing them in to a truck to send to slaughter, do they, and stuff like that. It's not just that, it's... We found snares set. I've witnessed dogs being set on wounded badgers. If they were to carry out the cull as it's properly supposed to be carried out, I might have a slight bit of respect for them. But, not when we're finding illegal snares on badger runs, and stuff like that. No, so, at the end of the day, I don't really want to have to come across them. If I have to come across shooters in the field, then I come across them, and they'll be out of the field, sharpish. Farmers, I don't really

see them, you know, because I spend the majority of my day and night avoiding them at all costs. I don't even want them to know that I've been there.

Interviewer: Do you appreciate that the farmers would have a right to their private life, to carry on their business?

Protector: Yes, I haven't got a... I'm not there to interfere with their business, I'm not there to cause criminal damage to any of their property. I'm not there to harass them. My sole purpose is to protect, well, a protected animal, by law. And, the persecution that badgers are under, it's not just during the cull, it's every weekend when the fox hunting season's on. We go out sabbing the fox hunt, and all the badger setts are filled in, by the terrier men from the local area, to stop the fox going to ground. Because a fox will bolt down a badger sett to get away from the pack. So, we come across badger setts that have been interfered with on a regular basis, all year round. And this is a protected animal, by law. So, I do what I have to do.

Interviewer: So, although you would call yourself a hunt saboteur, you'd say actually there is a wildlife protection role that you're almost taking on?

Protector: I am taking, yes... I am defending the voiceless. I am defending wildlife. It's my mission in my life, now, is to defend wildlife. And it always has been, to be honest, from the early days of hare coursing to what goes on now.

Interviewer: With the liaison with [PLT], did that give you any feeling... the voice of the other side? Did you hear the issues of the farmers?

Protector: Yes, no, no. Because the farmers, they don't want anything to do with us anyway, you know. They don't want to talk to us, they don't even want us to know they are culling. It's so secretive. In Devon and Cornwall, it was so secretive. And I go as far as to think that probably a lot of them were ashamed of what they were doing. They didn't want anyone to know about it. They didn't want anyone to know they were even in the cull. There's no signs saying, you know, we are in the cull, this, that and the other. It's done as secretive as possible.

Interviewer: I am particularly looking at this engagement piece. What benefits have you seen? Have there been benefits to engaging with [PLT] particularly, and what benefits have you seen?

Protector: Well, there have benefits, because I've found that... I have experienced the cull in the old days as well as this time so I've seen various different methods and the way the police have behaved during these culls. It's better to have a working relationship with the police than to not have any relationship with them at all, in my book. That's what I found from 20 years of experience and more so now, nowadays, it's much better to explain to the police what you're about rather than them thinking you're just a bunch of who knows what, like, you know. And one thing the police have learnt during the cull is that we're not the great unwashed! We're, a lot of us are hard-working people with good jobs; vets; solicitors. We even had a Dutch solicitor come over for three weeks at camp, to help us doing what we do. So, these are normal people. We are not there... we are all normal people. And as far as the people that I've met, I'd trust most of them with my life, one of the greatest people I've ever met in my life. And the nicest bunch of people. Not violent. You get your oddballs in all groups, you know, including the police. You know, you get your oddballs. But, the majority of people I've come across in all my years

doing badger cull, where the badger culls have been taking place, have all been really nice, honest, down-to-earth, normal people.

Interviewer: The benefits to having this working relationship you've just mentioned, who are those benefits to, do you think?

Protector: Well, to us, a lot of the time, because the police... Well, let's not beat around the bush, the police know what we do, they know what we do. But the way they came across, because they all knew us and they talk to us and that, their attitude was, "Well, if we don't catch you doing anything then, were not bothered. You know, if you not causing any damage, you're not doing this or that, then, you know, go about your business", which, I found to be quite bizarre really.

Interviewer: Different to what you've experienced in the past?

Protector: Well in the past, like, immediately I've been arrested, and locked up for more than... Well, I think the longest I've been locked up was for a day and a half. I wasn't allowed to make phone calls to anyone, wasn't even allowed to let my wife know that I was okay. My house was raided. And then all accusations were dropped. No apologies, apart from the police actually getting their knuckles rapped for the way they went about it. It was really heavy-handed in them days.

Interviewer: And have you seen a change in that approach recently, over a period of time?

Protector: Over a period of time. I think they've realised that that approach doesn't really get you anywhere, apart from wasting great resources and a lot of money.

Interviewer: There is a balance between your rights and those of the farming community. Often the police are set in the middle of this?

Protector: One of the things the police, in my mind, made a big mistake on at the beginning of the culls, and this was in the Somerset zone, was by having contractors in the police control room so, the police were basically, had their side in the police control room, listening to all our details, getting information of where we were. That stopped, that's stopped now, they've learnt from their mistakes there, you know, the police, because I think they realised well, we've made a bit of a boob there by having contractors from the culling companies in our own control room like, you know. It's a constant learning curve, they've learnt a lot from the first start of the cull in Somerset to the rollouts that are happening now, and to the rollouts that are happening next year, you know, because there's a lot more of Devon and Cornwall going to be in the cull zone next year, a hell of a lot more... As I say, I made a deal with them, I made a deal with their side because it got a bit heated during the first couple of weeks, because they lost an awful lot of cages and an awful lot of fences got cut. Mainly, they were done on cull directors' lands... Because what you've got to remember with this cull is, is that there's a lot of farmers that don't want anything to do with it. They don't want even to be involved in it. And the local community, they put huge pressure on them, you know, they are sent to Coventry if you don't sign up to the cull. The NFU go and visit them on their farms. And if they are wavering, or they don't want to be part of the cull, then get all the other farmers. And you tend to find... I know farmers personally who don't want to see the cull. And some of them have had huge pressure from their own side put on them, you know. There's farmers in Devon who run badger watches at night in

hides, where the general public going to see the badgers. And they don't want anything to do with the cull. The NFU, they're a very powerful body, and you tend to find that the biggest landowners of all are the ones that are the cull directors, and they put pressure on the farmers. Because I've had lots of farmers say, "Look, I've nothing to do with the cull". There's farmers within the cull zone that aren't culling, because the farmers have said, "What's the point? It's a waste of time, it's not going to make any difference to TB". There's lots of wildlife carry TB, but the main transmission is between cattle to cattle. And it's been proved beyond all reasonable doubt that that is the main transmission of TB... bovine, that's why it's called bovine TB. It's not badger TB, because preliminary it's a cattle disease that other animals get infected by.

Interviewer: What have you learned from being engaged in this dialogue with PLT. What have you learned from it yourself?

Protector: I've just learned to go about my business, and keep your head down, and I'm not going to get any trouble from the police if I do that, you know. And, that's the way it is, just go about your business as long as you're not causing any trouble, then just go about your business and get on with it.

Interviewer: Would you say there are some of your either fellow hunt saboteurs or others that wouldn't want to engage with the police? Have they expressed to you why they wouldn't engage with the police?

Protector: Because they don't trust them, a lot of them, to be honest. They don't trust the police from previous run-ins of previous campaigns that they've been involved in. There is a lack of trust with the police.

Interviewer: Where you in that position, do you think?

Protector: I have been in the past, yes. At the moment, you know, I don't class myself as doing anything wrong. At the end of the day, I love wildlife, I think it's got a right to live its life as any other person on this planet. The cruelty I've witness towards it throughout my life just makes me even more determined. To my dying day, I'll be out protecting them.

Interviewer: But you see there is a way of being able to do what you...

Protector: Yes, it's much better to have a bit of a working dialogue with the police, so, say if other people... Because, not everyone is the same. There are some people out there who will take more extreme actions than others. But, you know, sometimes you can get the message off across to them through having liaison with the police. Like, I was able to say to certain people, "Look, this needs to stop, otherwise they're going to come down heavy-handed". And it stopped. And no one came down on us... you know, nothing happened. But, it's the stuff going on. I don't know everything that is going on, you know, across the whole zone. You know, I'm part of one group. Okay, I do know most of the people who are protesting, as you say, against the cull, who are out there trying to actively stop it. But, yes, by having a little bit of dialogue and [PLT] saying, "I'm not happy about this", then we can level it off and stop it escalating.

Interviewer: Thank you so much for your time.