

**“That is not facilitating peaceful protest. That is dismantling the protest.”: Anti-fracking protesters’ experiences of dialogue policing and mass arrest**

Journal:	<i>Policing &amp; Society</i>
Manuscript ID	GPAS-2017-0002.R1
Manuscript Type:	Original Article
Keywords:	protest, public order policing, dialogue, fracking

SCHOLARONE™  
Manuscripts

In the wake of the death of Ian Tomlinson at the London G20 protests in 2009, Her Majesty’s Inspectorate of the Constabulary (HMIC) proposed a number of reforms aimed at making public order policing strategies more “human-rights compliant”. One of the most significant developments has been the introduction of Protest Liaison Officers (PLOs) whose role is to build links between police and protesters through the establishment of dialogue and relationships based on trust. These developments have led to a burgeoning scholarship in public order policing in recent years. Whilst some studies have documented the development of ‘dialogue policing’ strategies, none have yet captured the complex interplay between these practices and the more overt forms of coercion and control experienced by protesters. In this paper we begin to fill this lacuna. Drawing on unique data on the experiences of anti-fracking protesters - a hard to reach group whose narrative has not been presented in the academic literature to date - we contrast official accounts with the material conditions faced by protesters. Focusing on protesters’ experiences of both dialogue policing and mass arrest, we find little evidence of the progressive ‘shift’ reflected in official public order policing discourses. Rather, we argue that dialogue policing can have a legitimising function, enabling the police to define protest groups as irrational and ‘uncooperative’ and therefore ripe for violent policing.

**Keywords:** protest, public order policing, dialogue, fracking

Public order policing in the United Kingdom (UK) is undergoing a prolonged period of crisis. The death of Ian Tomlinson, a forty-seven-year-old newspaper vendor, at the London G20 protests in 2009 (IPCC 2012), forced into the public spotlight what protesters had long described as a shift towards an increasingly authoritarian style of policing in Britain (XXX 2010). The use of forceful policing tactics against student protesters during the anti-tuition fee protests of 2010 triggered widespread condemnation (Townsend 2010). Ongoing revelations that undercover police officers have been used to spy on political activists, in some cases forming sexual relationships with women who were deceived as to their true

identities, have triggered a haemorrhaging of public confidence in public order policing (Evans and Lewis 2013). The British police's handling of protest has also prompted condemnation from the United Nations Special Rapporteur on the Rights to Freedom of Assembly and Association, who has made a series of visits to the UK and some scathing criticisms of current policy (see, for example, Kiai 2013). As Deborah Glass (2010, p. 160), former Deputy Commissioner of the Independent Police Complaints Commission (IPCC) acknowledged in 2010, "The British police have taken a bit of a battering ... over their handling of public protest".

The official response to the renewed crisis of legitimacy in public order policing has been a plethora of official inquiries and reports tasked with investigating the legitimacy of existing public order policing methods and the associated mechanisms of police accountability (HMIC 2009a, 2009b, HCHAC 2009, JCHR 2009). Arguably the most significant is a two-part report by Her Majesty's Inspectorate of Constabulary (HMIC), published in the wake of the London G20 protests (HMIC 2009a, 2009b). One of the report's central recommendations is that enhanced dialogue between police and protesters is essential in order to ensure a "proportionate" policing response (HMIC 2009a, p. 10). Drawing on an earlier report by the Joint Committee on Human Rights (JCHR), which had called for a policy of 'no surprises' in the policing of protest, the Inspectorate concludes that:

Protest will be inherently more difficult to plan and facilitate where there is no constructive dialogue between the police and protesters. This may result in the use of police tactics which are more restrictive than would otherwise be the case (HMIC, 2009a: 9).

These recommendations have led to a number of policy reforms aimed at making public order policing strategies more “human-rights compliant” (HMIC 2009b, p. 121). One of the most notable developments is the introduction of Protest Liaison Officers (PLOs) whose role is to build links between police, protest organisers and protesters through the establishment of dialogue and relationships based on trust (College of Policing 2014). The emphasis on ‘dialogue’ is underpinned by an understanding, on behalf of the police, that “if protesters share their intentions with us beforehand, this enables us to put the right measures in place to facilitate a safe environment for groups and provide a proportionate policing presence” (Sussex Police 2013). The introduction of PLOs coincides with what has been identified in a number of recent academic studies as a move towards a more consensual style of protest policing which favours “cooperation and communication between police and protesters” in order to “reduce the likelihood of violence” (Gorringer and Rosie 2008, p. 189). This body of literature departs from what P.A.J. Waddington (1995, p. 1) has described as an “orthodoxy” in public order policing research, which has traditionally focused on its repressive and increasingly militaristic function (Bunyan 1977, Fine and Millar 1985, Jefferson 1990, Scruton 1985). In contrast a growing body of academic literature charts a progressive shift from an approach based on coercion to a more proactive, consent-based approach, which utilises techniques of ‘communication’, ‘dialogue’ and ‘negotiation’ (Gorringer and Rosie 2008, King and Waddington 2005, Gorringer *et al.* 2011, Reicher *et al.* 2004). These analyses suggest that protest policing is becoming increasingly open and democratic, with the police actively seeking to de-escalate potentially confrontational situations through consensually negotiated solutions. Writing in the context of the United States, McPhail *et al.* (1998) describe this shift as a move from *escalated force* to *negotiated*

1  
2  
3 *management*. They suggest that the latter is characterised by a greater respect for protesters'  
4 human rights, a more tolerant approach to community disruption, an increasingly  
5 collaborative approach to protest organisers and a reduced tendency to make arrests and  
6 resort to the use of force (see also Noakes *et al.* 2005). Researchers have charted a similar  
7 trend across Europe, with public order policing styles becoming increasingly sensitive to the  
8 'rights' of protesters (della Porta and Reiter 1998, Waddington 1994).  
9  
10  
11  
12  
13  
14  
15

16 The formalisation of negotiated management principles in the wake of the London  
17 G20 protests has been welcomed by a growing body of academic writers in the area.  
18  
19 McSeveny and Waddington (2011), for example, are positive about the use of PLOs. They  
20 argue that their deployment by South Yorkshire Police has improved the effectiveness and  
21 legitimacy of tactical operations. Gorringer *et al.* (2010, p. 17) are also optimistic about the  
22 benefits of improved dialogue between police and protesters, describing the initiatives as  
23 "some of the most progressive developments to the policing of public order in the UK since  
24 the 1980s". Protest policing is said to be entering what HMIC (2011) has described as a "new  
25 era", grounded on consent, mutual collaboration and an overarching respect for protesters'  
26 human rights. Some studies have, however, noted difficulties in implementing dialogue  
27 policing strategies in relation to certain 'types' of protesters. Various described as  
28 'transgressive' (Stott *et al.*, 2013: 7), 'anti-systemic' (Gorringer and Rosie 2008, p. 194), 'hard  
29 core' and 'radical' (Gorringer et al. 2012, p. 129), these groups are said to be characterised by  
30 an unwillingness to engage with police and involvement in 'direct action' forms of protest  
31 (Gorringer and Rosie 2013, p.7, Stott *et al.* 2013, p. 224). In such cases, this literature claims  
32 that attempts to engage in meaningful dialogue will often fail, leading the police to resort to  
33 more forceful methods, including mass arrest, 'kettling' and intrusive surveillance. These  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53

findings echo the conclusions made in the HMIC report that a failure to engage with police can result in the use of “more restrictive” policing tactics (HMIC, 2009a: 9). Nonetheless despite some initial “teething’ problems” (Stott *et al.* 2013, p. 13), dialogue policing is said have the potential to “improve mutual understanding and reduce the potential for violence between police and protesters” (Gorringer and Rosie 2013, p. 7).

Against the optimism reflected in much recent public order policing scholarship, the history of police reform in the UK should give us grounds for caution. As Loftus (2009) has observed, changes within operational policing *policy* do not necessarily lead to changes in policing *practice*. Dialogue policing draws on a longer tradition of ‘community policing’ which developed in the context of a crisis of legitimacy in policing in the aftermath of the inner-city riots and industrial disputes of the 1980s. The community policing model emphasises communication and interpersonal skills over more physically direct aspects of law enforcement (Tilley 2003). In response to calls for greater accountability in policing, community policing was presented as a key means of improving community relations and eventually became a guiding philosophy amongst senior police officers (Reiner 2010). Writing in 1984, Gordon highlighted the realities of community policing as “a reactive attempt at disguised police surveillance and control” (Gordon 1984, p. 56). He argued that rather than offering an alternative to unwelcome police practices and strategies, the development of community policing reflected a recognition that “open control” in the form of overt coercion can be counterproductive. Community policing was thus a technique used to engineer consent for an intensification of repressive state practices, rather than a progressive response to widespread demands for greater public accountability in policing (Gordon 1984, p. 141). More recently, Bullock and Johnson’s (2012) research into the impact of the Human

Rights Act 1998 (HRA 1998) on policing suggests that a growing awareness of human rights obligations among police officers does not necessarily translate into more democratic policing practices. Drawing on data gathered from interviews with policing personnel, Bullock and Johnson found that although the HRA 1998 has led to a “new framework” through which police officers carry out their work, there is little evidence to suggest it has promoted greater respect for human rights amongst officers. In the words of one of the officers interviewed: “I don’t think anything has changed. It hasn’t made us question the way we operate. I haven’t seen any impact. I can’t think of any obvious difference in what we have done” (Bullock and Johnson 2012, pp. 14-15).

These experiences suggest that recent developments in public order policing warrant careful scrutiny. As Gorringer *et al.* (2012, p. 112) have noted, there has been very little “empirical ‘testing’” of the reforms within operational policing practice. It is essential that this analysis is grounded in the experiences of protesters. As others have suggested, the real test of human rights reforms are not to be found in official declarations, but in the material conditions that people face (Ewing, 2012, Costigan and Tomas 2005). There has to date been no comprehensive study of how protesters have experienced recent developments in public order policing policy. Very little is therefore known about *why* some protesters may be reluctant to engage with police and the ways in which these relationships influence the styles of policing that protesters experience. Whilst some studies have documented the development of dialogue policing strategies (Gorringer *et al.* 2011, 2012; McSeveny and Waddington 2011), none have yet captured the complex interplay between these practices and the more overt forms of coercion and control experienced by protesters. In this paper we begin to fill this lacuna. Drawing on an empirical case study of the experiences of anti-fracking protesters,

we test the legitimacy of official claims that there has been a progressive shift in public order policing practice. Focusing on protesters’ experiences of both dialogue policing and mass arrest, we suggest the dialogue model obscures the highly discretionary nature of public order policing and the substantial power imbalance between the police and protest groups. We suggest that rather than being a way of “protecting protesters’ ... human rights” (McPhail and McCarthy 2005, p. 5), dialogue policing can have a *legitimising* function, enabling the police to define protest groups as irrational and ‘uncooperative’ and therefore ripe for coercive policing.

**Methodology**

This paper draws on data gathered from an ethnographic case-study of the policing of the Barton Moss Community Protection Camp (BMCCP) – an anti-fracking protest that took place in Salford, Greater Manchester between November 2013 and April 2014. One or more of the authors visited the camp on fifteen separate occasions to observe the protest and interact with protesters at the site. Interviews focusing on protesters’ experiences of policing were conducted with twenty-eight protesters, with each interview lasting between forty-five minutes and two hours.

Existing public order policing scholarship has tended to limit the focus of analysis to isolated protest events (e.g. McSeveny and Waddington 2011, Gorringer *et al.* 2010, 2012). Our case study in contrast adopts a more holistic and longitudinal approach, examining how the protests developed from the planning stages in 2013 through to the conclusion of the criminal proceedings arising from the protests in 2016. This included monitoring the criminal justice response to the protests, observing over twenty hours of video footage collated by



1  
2  
3 activists at the site, attending court hearings and defence campaign meetings and analysing  
4 legal case files. Additional data was gathered via requests under the Freedom of Information  
5 Act 2000 (FOIA 2000) to several public bodies including Greater Manchester Police (GMP),  
6 the IPCC and the Crown Prosecution Service (CPS). This data was triangulated with other  
7 publicly available information, including GMP press statements, to ensure a rich and detailed  
8 analysis.  
9

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60

Whilst the data is limited to a single case study, it has important implications for protest policing and directions for future research. The anti-fracking movement has been described as the UK's "fastest growing social movement" (Short *et al.* 2015, p. 721) and the Network for Police Monitoring (Netpol 2014) has suggested that protest against fracking represents "the biggest test of public order policing" over the coming years. The issue is also of global significance, with concerns over the policing of anti-fracking protest reported in Canada, the US and Australia (Short *et al.* 2015). Yet there is an absence of academic research into the policing of anti-fracking protest and the experiences of those involved. Our analysis is situated within a contextual framework that assumes that the experiences of those at the camp – those who were being policed at Barton Moss – are central to unlocking what happened during the protest. In contrast to much recent public order policing scholarship, we did not interview police officers as part of our research methodology. Our independence from police was essential in order for us to gain access to research participants and unlock experiences that have been absent from the academic literature to date. This was particularly important for those protesters who had some of the most negative experiences of policing, including women who reported the use of sexualised violence by officers at the site (XXX *et al.* 2016). Our unique access to camp residents and supporters has enabled us to move beyond

official protest policing discourses and present a *view from below* (Jefferson 1987), grounding our analysis in the experiences of the policed.

**The Barton Moss Community Protection Camp**

‘Fracking’, or hydraulic fracturing, is the process of extracting shale gas from solid rock hundreds of metres to kilometres below the surface, by pumping water, sand and chemicals at high pressure into the rock. Technological advances in the last twenty-five years, driven by the merger of hydraulic fracturing and horizontal drilling techniques, have enabled the exploitation of previously inaccessible shale gas reserves. In the UK, significant shale deposits have been identified, and exploratory drilling to explore their potential has been actively encouraged by UK governments since 2007 (Short *et al.* 2015). Whilst a number of governments across Europe, including New Labour, Coalition and current Conservative governments in the UK, have embraced fracking, the development of new techniques for drilling have been controversial from the outset. Communities and environmental groups around the world have raised concerns about the immediate impact on local environments, including land, air and water pollution as well as the broader issue of maintaining a reliance on carbon intensive fossil fuels in the face of global climate change (Gross 2013). The first major protests against fracking in the UK came in the summer of 2013 at Balcombe, Sussex, where a coalition of local and national environmental campaigners established a protest camp at the exploratory drilling site run by energy company Cuadrilla (Netpol 2014).

On the 17th June 2010, Salford Council voted to allow exploratory drilling for coal bed methane on Green Belt land at Barton Moss, Salford, despite local objections and concerns. With news that energy company IGas Energy would begin exploratory drilling at

1  
2  
3 Barton Moss in mid-November 2013, concerned residents from the local area, and some from  
4  
5 further afield, began to set up camp at the site. On Wednesday 27 November 2013, with the  
6  
7 Barton Moss camp part established, the first anti-fracking protest took place in the form of a  
8  
9 community blockade that sought to prevent lorries entering the site. Over the period of  
10  
11 protest, between November 2013 and April 2014, the camp gathered momentum and  
12  
13 established itself as a community-led protection camp, sustained by local support and  
14  
15 donations. The BMCPC was established as, and remained, a non-hierarchical unit with no  
16  
17 formal leader or centre. It was built around a group of individuals with shared concerns who  
18  
19 were free to act autonomously. Those involved adopted several protest techniques, including  
20  
21 the use of 'lock-ons' and blockades<sup>1</sup>, but relied most heavily on 'slow walking' in front of  
22  
23 IGas convoys in order to delay the drilling operation and to provide a visible and constant  
24  
25 opposition to fracking in Salford. These slow walk protests took place twice daily, as the  
26  
27 IGas lorries arrived and left the site, for four days per week, for the duration of the drilling  
28  
29 operation.  
30  
31  
32  
33

34 The policing operation at Barton Moss, conducted by GMP, was codenamed  
35  
36 Operation Geraldton. It was planned prior to the start of drilling by IGas at the end of  
37  
38 November 2013. In light of the protests at Balcombe in the summer of 2013, GMP had  
39  
40 anticipated that there would be protests at Barton Moss as this site was identified as the next  
41  
42 location in the UK for exploratory drilling. Operation Geraldton was a major policing  
43  
44  
45  
46

---

47  
48 1 'Lock-ons' and blockades are techniques used by protesters to make it difficult to remove them  
49  
50 from their place of protest. Blockades tend to involve protesters linking arms and legs in a line  
51  
52 or circle, whereas 'lock-ons' often involve the use of equipment such as bicycle locks, padlocks  
53  
54 and chains.  
55  
56  
57  
58  
59  
60

operation that lasted for more than six months, cost in excess of £1.7 million and resulted in 231 arrests (XXX *et al.* 2016).

**The velvet glove: Liaison and dialogue**

The policing response to the BMCPC provides a useful case study of the dialogue approach in practice. GMP prides itself on being a centre of excellence for the management of public disorder and has been at the forefront of the pilot training programme for PLOs (XXX *et al.* 2016). In the public statements made during Operation Geraldton, Chief Constable Peter Fahy and other GMP spokespeople sought to make clear that they understood that the right to protest is a basic human right. The policing operation was presented by GMP as a balancing act with the police finding themselves “stuck in the middle”, whereby they were required to respect the protesters’ right to protest and IGas’ right to conduct the exploratory drilling for which it had been granted a licence:

We have to be there to ensure the protest is peaceful and to balance the rights of the protesters and those wanting to carry out drilling on the site which are both lawful activities (Fahy 2014).

For the duration of the Barton Moss protest, PLOs were a regular presence at the camp and were central to the attempts to establish dialogue between police and protesters. This dialogue, however, was not effectively established. For the duration of the camp, officers and protesters were not able to establish either meaningful communication or points of agreement about the management of daily marches. For GMP, this lack of dialogue was a result of an unwillingness on the part of protesters to elect an official spokesperson and a more general unwillingness to engage with the police. In evidence to the Police and Crime

Commissioner for Greater Manchester, GMP suggested that dialogue had been attempted by officers at Barton Moss but “some protesters acted in a cynical way and had no real desire to negotiate with police” (PCC Panel 2014, p. 17).

GMP’s portrayal of the Barton Moss protesters closely resembles Stott *et al.*’s (2013, p. 7) definition of a ‘transgressive protest’: one that does not have “explicit hierarchies of leadership, formal membership, or organization” and is “naturally reticent to communicate with police about their intentions”. However, the experiences of the Barton Moss protesters suggest that this terminology is problematic and overlooks the significant power imbalance between the police and protest groups. In contrast we identify three factors underpinning the apparent breakdown in communication between police and protesters at the BMCPC. First, there was a widespread perception among protesters that GMP were not a neutral force in the ongoing conflict between the protesters and the fracking company. This perception stemmed partly from the way in which the policing operation was conducted by GMP. The planning for Operation Geraldton involved the production of a Memorandum of Understanding (MOU) signed by GMP and other related parties, in advance of IGas beginning the drilling operation (GMP 2013). Alongside GMP, the parties who were signatories to the MOU included Greater Manchester Fire and Rescue, the North West Ambulance Service, and Salford City Council. In addition, the landowners Peel Holdings/Estates and the energy company, IGas, were included in this “expression of common interest”. Formally, the purpose of the MOU was to

articulate the basis and general principles for ongoing cooperation, and coordination between the Parties in order to promote and contribute to the realisation of their mutual interests in relation to the delivery of the Gold Strategy (GMP 2013, p. 3).

The MOU demonstrates that IGas had insider access to Gold and Silver senior police command meetings, daily briefings or video conferences with GMP’s Silver Commander and shared police and local council information and intelligence. No similar invitation was extended to protesters. For many protesters, the close relationship between GMP and the fracking company brought into question the idea that the police sought to ‘balance’ the rights of protesters and IGas impartially, as the following quotation illustrates:

The police communicated effectively with the council. The police communicated effectively with the bosses in IGas. To a certain degree, they communicated with the community, but lied to them. The group that were completely shut out of communication with the local constabulary was the protectors [protesters], and they were the ones who were on the ground. So every single day, when meetings were being held – that we knew were being held – we were completely excluded.  
(Alison, protester).

As Jamie explains, this translated into a reluctance to engage with PLOs:

we don’t see any point in liaising with them because we know that they do not have our interest as a priority. Their priority is to serve IGas’ interests or whatever the Government tells them.

Second, GMP’s claims that protesters had ‘no real desire’ to negotiate with police is contestable. One of the key local campaign groups, Frack Free Greater Manchester, reportedly tried to play a liaison role at Barton Moss but GMP refused to meet with them (Gilmore *et al.* 2016). Moreover, interviewees cited several examples whereby attempts had been made to negotiate with police officers, but ‘deals’ had ultimately been broken. As Lee noted:

1  
2  
3 a Chief Inspector Del Boy came down here for a chat on a quiet Wednesday, and he  
4 basically wanted to make a deal with us. We did actually deal with him ... he came down  
5 here and we bargained and he said, "Okay, 90 minutes, no arrests, no violence," and  
6 we'll still have our protest – 90 minutes. And the following day was that day when the  
7 pregnant lady got arrested, and [Mike] was sprung into a bush ... And that was in less  
8 than 90 minutes. So they broke their deal with us; they made a verbal contract with us  
9 that a peaceful protest would be facilitated of 90 minutes, and then they go and snatch a  
10 pregnant lady and throw a disabled man in a bush.  
11  
12  
13  
14  
15

16 In this example, attempts were made to enter into negotiations but the response of police  
17 suggested to protesters that a commitment to meaningful dialogue was not reciprocated.  
18  
19 Experiences like this further exacerbated the lack of trust between protesters and police, as  
20  
21 Lee explains below:  
22  
23  
24

25  
26 They say they're going to do one thing and then they do another. They've done that  
27 throughout now, we know they can't be trusted on anything they say.  
28  
29  
30

31 In most cases, protesters' reluctance to engage with PLOs did not stem from a pre-  
32 existing distrust or blanket unwillingness to engage with police officers, but from their  
33 concrete interactions with PLOs at the site. Michael, a public sector worker, was clear that he  
34 was 'not anti police' and works closely with police officers as part of his day-to-day  
35 employment. His interactions with the PLOs ('blue bibs') at Barton Moss, however, left him  
36 feeling frustrated:  
37  
38  
39  
40  
41  
42  
43  
44

45 We didn't have a lot of engagement but when they did, you were just banging your head  
46 against a wall because if you reported anything to the blue bibs that you saw malpractice  
47 by other police officers, they either never saw it, or they didn't feel they could deal with it  
48 so you'd just think, "Well if you're there to liaise between us and the other police, then  
49 you're not really doing your job."  
50  
51  
52  
53  
54

These interactions led protesters to question the official characterisation of PLOs as a mechanism to help the police to ‘facilitate’ peaceful protest. Many protesters viewed PLOs as having a purely symbolic role, which did not influence the scale and intensity of the policing operation. Concerns ranged from a perception of PLOs as a futile tokenistic gesture, through to distrust and suspicion as to their overall function:

They [PLOs] seem to mingle amongst protesters and try and be slightly like the ‘good cop’, try and be friendly. But then when it kicks off they disappear and they’re not there. So I don’t really see the point of them, other than maybe to try and slightly change people’s perceptions of the police.  
(Sally, protester).

Third, there was a widespread perception among protesters that the function of PLOs was predominantly to gather intelligence, rather than establish meaningful dialogue and negotiation. The following quotation captures these concerns:

The only other role they are doing is information gathering. Recently, because the camp is obviously running down now, their questions are, “So what are you doing after this? Are you going to another camp or are you staying local, or are you getting a job or going home?” So, it’s just trying to find out our next steps really.  
(Sam, protester).

This perception of PLOs as intelligence gatherers is not unique to Barton Moss (see, for example, Gorringe *et al.* 2011) and the way in which PLOs have been utilised by other forces suggests these concerns may be well founded. Documents released following a FOIA 2000 request to Sussex Police suggest that during the Balcombe anti-fracking protests, PLOs played “a pivotal role in the operation” by “interacting with the protest organisers” and as a result, provided intelligence on the escalation of the protest (Netpol 2014). As the Network



for Police Monitoring (Netpol, 2014) have noted the report is critical of the way that this “was not utilised in an effective a manner as possible” and complains that it was unclear how PLOs fed back intelligence to their senior officers. Moreover, the Standard Operating Procedure for the Operational Deployment of Protester Liaison Teams (PLT’s) in the Metropolitan Police Service (MPS) explains that:

Recent experience does tell us that PLT’s do gather accurate intelligence in the normal course of their duties. This is mainly because, pre and post event they are engaging with protest groups and do elicit information in the course of these duties which could be regarded as intelligence ... Similarly, on the day of the event, the PLT’s are likely to be working inside or around the group in question and, as a result, are likely to generate high-quality intelligence from the discussions they are having with group members (MPS 2013, p. 5).

The ‘cynicism’ towards PLOs described by GMP should thus be understood in the context of the seemingly close relationship between the police and the fracking company, a failure to consult with protest groups in the planning stages, protesters’ experiences of failed attempts to negotiate with officers and a perception of PLOs as intelligence gatherers. Our analysis draws into question the observation by Stott *et al.* (2013, p. 225) that “in the UK, the police invariably start their planning from a position of negotiated management”. Whilst there was a rhetorical recognition of rights to free speech and peaceful assembly by GMP, this was not reflected in the experiences of those attempting to assert these rights. It is also questionable how voluntary these apparently consensual encounters really were in practice, given the imbalance of power between PLOs and protesters. Indeed, for many interviewees, the regular presence of PLOs at the camp was an unsettling and at times violating experience:

The protest liaison will pretend to be your friend, they use first-name terms, they pretend to be familiar with you. And they're getting paid to do all of this, all the while they just want to exploit vulnerable people that maybe it's their first time of protest, and they don't know how to protect their own privacy, their own security. And they just completely exploit that. Some would say they're worse than the Level One Public Order officers because, with a Level One Public Order officer, you know where you stand, and you simply don't give a lot.

(Jack, protester).

**The iron fist: Mass arrest**

Despite GMP's commitment to 'dialogue' and 'facilitation', Operation Geraldton consisted of two distinct and apparently irreconcilable styles of policing. On the one hand, the deployment of PLOs portrayed the more consensual style of public order policing located in official public order policing discourses. At the same time, protesters experienced the more familiar coercive styles of public order policing which damaged police legitimacy in the aftermath of the G20 protests. The strategy cited most frequently by protesters as undermining GMP's commitment to human rights compliant policing was the mass arrest of protesters at the site. If PLOs were the 'velvet glove', mass arrest was the 'iron fist' of Operation Geraldton. In the second part of this paper we consider how the strategy of mass arrest was experienced by protesters, and the relationship between mass arrest and the more 'consensual' styles of policing adopted by GMP.

***Police violence***

The strategy of mass arrest was a core component of Operation Geraldton. By the conclusion of the protest in April 2014, GMP had made 231 arrests for one or more of nineteen different offences (GMP 2015). The majority of arrests occurred during the policing of the daily 'slow

walks' - the principle disruptive activity taken by protesters to delay the convoy of trucks arriving at the site of the exploratory drilling. A frequent complaint from protesters was that the scale of arrest and the level of force used to make arrests was disproportionate to the peaceful nature of the action taken. Several interviewees cited the policing at Barton Moss as the most brutal that they had witnessed. Tom, who was arrested three times during the Barton Moss protests, described what happened during one of his arrests for wilful obstruction of the public highway – a non-imprisonable, summary offence for which he was later acquitted. His experiences were typical of many of those arrested at the site:

He jumps on me from behind, immediately followed by, I guess, two or three other officers ... one officer had each of my arms, and I was quite forcibly thrown into the fence face-first. And just quickly as I hit the fence, I had to turn my head to avoid injury. It was a real force; it was just totally over the top. As if I was a rioting individual. You know, it was completely out of the context of the situation.

The focal point for many of the complaints was the force's specialist public order unit, the Tactical Aid Unit (TAU), which was used with increased frequency as the protest developed. From the perspective of many protesters, the regular use of heavily equipped TAU officers undermined claims by GMP that the policing operation was concerned with dialogue and facilitation. Several interviewees described the stark contrast between the jovial approach of the PLOs and the aggressive treatment that protesters received from their colleagues in the TAU:

But the TAU, the worst they do ... they'll pin you to the ground, they'll punch you in the stomach, they'll punch you in the head ... there's a massive, massive difference between the two styles of policing.

(Jamie, protester)

In response to concerns about the intensity of the policing operation, GMP described the policing response as “proportionate” to the “emerging threat” posed by the camp (GMP 2014). In doing so there was an attempt to impose meaning on the motivations of those protesting at the site. According to a GMP press release:

[t]he majority of people who are arriving at the site are not there to protest against fracking but are there to disrupt and intimidate the local community and to antagonise police. We have seen offences of assaults, damage, harassment of residents and workers, a flare fired at the police helicopter and threats to kill.  
(GMP 2014).

This portrayal of the protest as violent, and thus the policing response as proportionate, is contestable. Figures obtained under the FOIA 2000 indicate that 98 per cent of the 231 arrests under Operation Geraldton were for non-violent offences (GMP 2015).<sup>2</sup> As indicated on *Figure 1*, the largest category of arrests was for Obstruction of a Public Highway (77 arrests, 33 per cent of total arrests). This was followed by Aggravated Trespass (68 arrests, 30 per cent of total arrests) and Breach of Conditions of Bail<sup>3</sup> (31 arrests, 13 per cent of overall arrests). The stark contrast between the ‘peacefulness’ of the protest and the aggressive response from GMP had an increasingly destructive impact on the relationship between the police and protesters, as the following quotation illustrates:

2 The offences in this category are: common assault (1 arrest), assaulting a police officer (2 arrests) and threats to kill (2 arrests).

3 Breach of Conditions of Bail is not a criminal offence, but Section 7(3) of the Bail Act 1973 confers power upon a police officer to arrest a person if he has reasonable grounds for believing that that person is likely to break any of the conditions of his bail or has reasonable grounds for suspecting that that person has broken any of those conditions.

1  
2  
3 why do you have to bring in the special other force to deal with what is essentially  
4 peaceful people – a lot of them elderly and children, people various ages and  
5 backgrounds, none of us violent, you know. There's not been a single act of violence to  
6 another person committed on this camp so it's a completely unjustifiable.  
7  
8 (Maria, protester)  
9

10  
11  
12 [Figure 1 near here]  
13

### 14 *Pre-emptive arrest*

15  
16  
17 A second complaint from protesters was that decisions about who to arrest appeared to be  
18 pre-planned and pre-emptive, rather than a genuine response to law breaking at the site. In  
19 keeping with this objective, targeted arrests were initially focussed on those members of the  
20 camp who were perceived by police not to be 'local'. This action was considered by several  
21 protesters to be part of a narrative GMP wished to construct about the lack of local  
22 involvement in the camp, as the following quotation illustrates:  
23  
24  
25  
26  
27  
28  
29  
30  
31

32 what they wanted to try and portray in the media was that we travelled here because we  
33 are what they consider to be professional activists. So we were targeted, not from round  
34 here, we were targeted virtually straightaway ... which is funny really, because I've met  
35 people who have been against the system for 40 years but I wouldn't consider them to be  
36 professional activists.  
37  
38 (Jack, protester).  
39  
40  
41

42  
43 The perception of arrest as pre-emptive rather than reactive was reinforced by the apparently  
44 inconsistent ways in which powers of arrest were exercised at the site. During the first two  
45 months of the protests, most arrests in connection with stopping or slowing the trucks through  
46 the daily slow walks were for wilful obstruction of the public highway (Highways Act 1980,  
47 s. 137). GMP issued protesters with flyers informing them that Barton Moss Road was a  
48  
49  
50  
51  
52  
53

‘highway’ as it was ‘a public right of way’. Following a ruling by Manchester and Salford Magistrates’ Court that the land in question was a public footpath, rather than a highway, officers began to make arrests for the alternative offence of Aggravated Trespass (Criminal Justice and Public Order Act 1994, s. 68). This shift from one arrest power to another in the absence of a significant change in protesters’ behaviour fuelled speculation that arrest under Operation Geraldton was part of a broader mission to gather intelligence and disrupt and undermine the campaign:

They’re arresting lots of people for aggravated trespass, but at the same time if they’re arresting one they should arrest everyone ... they specifically target people, so they actually do have a list of people they specifically want.  
(Lee, protester).

Experiences elsewhere would suggest that these concerns may be well founded. Following the controversial arrest of 138 ‘UK Uncut’ anti-austerity protesters outside the Fortnum and Mason luxury goods store in March 2011, Lynn Owers, Assistant Commissioner to the Metropolitan Police, told the House of Commons Home Affairs Committee:

the fact that we arrested as many people as we did is so important to us because that obviously gives us some really important intelligence opportunities ... We do need to improve the intelligence picture, but our ability to arrest over 200 people at the weekend gives us a very good starting point in terms of building that picture (HCHAC 2011, Q12).

The use of mass arrest in this context has corresponded with a significant expansion of intelligence gathering at protest sites, including the creation of a highly secretive national police database which holds information on individuals associated with ‘domestic

1  
2  
3 extremism'.<sup>4</sup> Although it is not possible to assess the extent to which arrest decisions at under  
4  
5 Operation Geraldton were influenced by data included on the database, several of those  
6  
7 arrested at Barton Moss recalled that police officers identified them by name prior to arrest:  
8  
9

10 the last week they keep on calling me by my name ... a lot of the officers will, when  
11 you're walking in front, directly in front of them, they'll start saying that you're pushing  
12 back on them and you're a couple of inches away or something like that ... some days,  
13 you feel like they want to arrest you so they're making out reasons to.  
14  
15 (Vicky, protester).  
16  
17

18  
19 For many interviewees, officers with apparently different roles at the BMCPC worked to the  
20 same ends and were essentially indistinguishable in terms of their overall function. Several  
21 protesters described how PLOs and TAU officers appeared to work together to arrest those  
22 involved in the daily marches, as illustrated by Remy's experience described below:  
23  
24  
25  
26  
27

28  
29 I was marked for it [arrest] this morning. It was very, very obvious that there was a  
30 collusion between the police on the line, the TAU and the liaison officers that I was  
31 going to be snatched ... suddenly from nowhere, walking at a steady pace, not doing any  
32 obstruction, suddenly it became 'don't push back on me' ... at the exact same time a  
33 liaison officer, who wasn't close enough to be hearing that, came through the crowd with  
34 his earpiece and went 'we are gonna have to tell you now that if you push back again  
35 you're going to be arrested'. And it was very, very obvious that I had been marked for it.  
36  
37 (Remy, protester).  
38  
39  
40  
41  
42  
43  
44

45 Remy's experiences mirror many of those arrested at the BMCPC. From Remy's perspective,  
46 there was nothing that he could have done in this situation to avoid arrest; he had been  
47  
48  
49

50  
51  
52 

---

4 The formal title is the National Special Branch Intelligence System (see *Catt v Commissioner of*  
53 *Police for the Metropolis* [2015] UKSC 9, para 20, per Lord Sumption).  
54

‘marked for it’ despite causing no obstruction to the officer in question. Like the majority of those arrested under Operation Geraldton, the charges against Remy were eventually dismissed. The pivotal role played by PLOs in what were eventually found to have been unlawful arrests raises important questions about their overall function. This point is explored further below.

*Summary punishment*

Despite a rhetorical commitment to ‘dialogue’ and ‘facilitation’ from GMP, from the perspective of many of our interviewees the central aim of the policing operation was to disrupt protesters’ attempts to protest peacefully against the activities of the energy company. Our analysis of the criminal justice response to the protest reinforces some of these concerns. The majority of arrestees were presented with a uniform list of pre-charge bail conditions<sup>5</sup> which prohibited their return to the protest site. Anyone returning to the camp following release from custody would risk further arrest. When challenged in the Magistrates’ Court, bail conditions were repeatedly found to be disproportionate and protesters were granted unconditional bail. Despite obvious concerns about their legality, restrictive bail conditions continued to be imposed by GMP. In some cases, attempts to challenge the legality of bail conditions were met with resistance by the police, as Vicky describes below:

---

5 Amendments to the Police and Criminal Evidence Act 1984 (PACE 1984) under the Criminal Justice Act 2003 extended police bail powers to allow officers to attach conditions of bail prior to any decision to prosecute. These highly discretionary powers require that the officer regards the conditions as being ‘necessary’ to ensure, for example, that the person in question does not commit an offence while on bail (PACE 1984, s.47).



1 when they give you your bail conditions you're supposed to be able to say, "No,"  
2 and then stay in overnight and go to court, but they were refusing people to do that ...  
3 First arrest I kept saying, "Can I talk to the solicitors?" and they kept saying, "Yes, we'll  
4 ring later," and they tried to bail me out the station before I talked to them and I refused.  
5 I said, "No, I want to talk a solicitor before I leave," and they were just, like, "Oh, well,  
6 if they don't answer now then you'll have to go."

7  
8  
9  
10  
11  
12  
13 Whilst bail conditions were removed within a matter of weeks, the criminal cases took much  
14 longer to conclude. Of the 231 arrests, 226 led to charges relating to 115 individuals (GMP  
15 2015). *Figure 2* illustrates the 'conviction rate' – the number of people convicted relative to  
16 the number charged with offences – within the criminal justice system as a whole and under  
17 Operation Geraldton. The conviction rate within the criminal justice system as a whole is  
18 eighty-three per cent. For public order offences this rises to ninety-six per cent (Ministry of  
19 Justice 2015). According to the data available to us<sup>6</sup>, the Barton Moss cases had a conviction  
20 rate of just thirty per cent. That is, of the 115 prosecuted protesters, only thirty-five were  
21 convicted of offences.

22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36 Given the low conviction rates, arrest under Operation Geraldton did not appear to have been  
37 carried out with a view to securing convictions. Rather, mass arrest and blanket bail in effect  
38 served to create a *protest exclusion zone* around the fracking site – an action that would  
39 otherwise have no basis in law and would be a clear violation of the protesters' rights to  
40 freedom of assembly. Anna's experiences illustrate how these exclusionary processes  
41 operated in practice. Anna was arrested for wilful obstruction of the highway and obstructing  
42  
43  
44  
45  
46  
47  
48  
49

50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60  

---

6 These figures were collated from media reports, court observations and liaison with defence solicitors.

a police officer. She described her arrest as ‘quite standard’. During a slow walk, she was pulled from the line by a police officer, fell to the ground and hit her head on the floor. Anna recalled that at the time of her arrest she was ‘doing nothing wrong ... just walking slowly’. She was taken into custody at the police station where she was detained for around seven hours. On her release, Anna was handed a letter instructing her to attend at the Magistrates’ Court in two weeks’ time and a ‘standard’ list of bail conditions that prohibited her from returning to the protest site. The conditions were removed by the Magistrates’ Court at the subsequent hearing. Five months after Anna’s initial arrest, the day before she was due to stand trial, the charges against her were dismissed. For Anna, her experience of arrest reinforced her suspicions as to the ‘real reasons’ behind the mass arrest strategy:

for us, we truly believed that the reason people were being arrested was simply to give them bail conditions excluding them from that area.  
(Anna, protester)

[Figure 2 near here]

The experiences of the Barton Moss protesters are a stark illustration of Choongh’s (1998) distinction between “criminal cases”, where arrest and detention are used to invoke criminal justice sanctions, and “police cases”, where they are used to maintain police authority and reproduce social control (see also Hillyard and Gordon 1999). Our analysis suggests that mass arrest at the BMPC operated as a form of ‘summary punishment’ (Young 2008), used to clear protesters from the site, gather intelligence on those taking part and legitimise the intensity of the policing operation. Following an often violent arrest, those pursued under Operation Geraldton were photographed, had their fingerprints and DNA

1  
2  
3 taken, were held in police cells for long periods of time and were subject to bail conditions  
4  
5 which severely restricted their freedom of assembly. The time taken for cases to conclude, in  
6  
7 some cases over two years after the initial arrest, has had a damaging impact on those  
8  
9 affected. Several protesters reported problems with physical and mental health, financial  
10  
11 instability and strained relationships with friends and family as a result of the criminal  
12  
13 proceedings. The harmful experience of arrest went beyond those arrested. Protesters  
14  
15 described the mass arrest strategy as having a brutalising and destabilising effect on the camp  
16  
17 as a whole. Maria, who took part in the protests but was not herself arrested, made the  
18  
19 following observations:  
20  
21

22  
23  
24 Emotionally it is damaging over a long time. I have been here for four months. It is very  
25  
26 hard, and the stress levels and anxiety levels in general I've noticed in myself are higher  
27  
28 than normal, just being here, because of constant, constant violence, intimidation. You  
29  
30 never know what's going to be tomorrow, you never know how the police are going to  
31  
32 be, which of your friends are going to get arrested, who's going to get beaten up or hurt  
33  
34 next; will it be you, will it be someone you care about?

35  
36 Stephanie, another camp resident, suggested that the strategy of mass arrest had an impact  
37  
38 beyond those at the camp:

39  
40 They try to instil fear into people. Because another of what that causes, if anybody wants  
41  
42 to come down, they'll be like, "Oh, better not, I might get arrested, I might get  
43  
44 assaulted". And that's another way that they can stop people coming and actually using  
45  
46 the right to protest peacefully. And it's basically, they're just riding roughshod all over  
47  
48 that.  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60

Conclusion

The dialogue model assumes that protest policing is becoming increasingly open and democratic, with the police actively seeking to de-escalate potentially confrontational situations through consensually negotiated solutions. In the context of a crisis of legitimacy in public order policing, dialogue policing has emerged as a progressive alternative to the coercive and undemocratic policing practices of the past. In this paper we have suggested that this characterisation obscures the highly discretionary nature of public order policing and the substantial power imbalance between the police and protest groups. The Barton Moss protesters experienced both the ‘velvet glove’ and ‘iron fist’ of public order policing. Consensual (dialogue) and coercive (mass arrest) policing were mutually reinforcing strategies which, from the perspective of many of our interviewees, were essentially indistinguishable in their overall function. Michael, who was arrested and later acquitted of aggravated trespass at Barton Moss, cogently illustrates the ‘paradox’ between official claims of human rights compliant policing with the material conditions that protesters face:

They look down at you, they didn’t treat you as an equal, and you can see an example of that on the [footage] where the sergeant is seen leaning over me pointing at me and shouting in quite an intimidating manner I’m liable to be arrested for aggravating peaceful protesting, when, just prior to that the inspector has said, “We recognise your right to protest and we will facilitate that”. It was kind of like, this was the paradox. You were allowed to protest, they would facilitate it, but if you do they would arrest you.

Our analysis draws into question the assumption reflected in official public order policing discourses that dialogue policing is an inherently progressive development. Under

the dialogue model, protesters are expected to go much further than their legal requirements<sup>7</sup> by appointing official spokespeople and entering into ‘negotiations’ with police officers. In situations where protest groups refuse to communicate with police, according to Sir Hughe Orde, former President of ACPO, the policing response “will have to be different ... slightly more extreme” (Hill 2011). Thus, under a dialogue model, the resort to violent policing is not necessarily repressive; rather it is a rational response to non-rational forms of protest. Yet the police maintain the monopoly to decide which groups fall outside of the parameters of the dialogue model. Crude characterisations of protest groups, who often encompass a range of political perspectives and experiences, as radical, militant and ‘anti-police’, delegitimise their activities and exclude them from the possibilities of a more consensual policing response. In the case of the Barton Moss protesters, this framing enabled GMP to claim to ‘work hard to build relationships at the camp’ whilst at the same time deploying a heavily equipped, militarised policing unit to police an overwhelmingly peaceful protest. In a similar process to that described by Gordon in his critique of community policing, our analysis suggests that dialogue policing can have a *legitimising* function, enabling the police to define protest groups as irrational and ‘uncooperative’ and therefore ripe for violent policing.

Moreover, the assumed linear relationship between dialogue and coercion inherently excludes consideration of the *political* function of protest policing (Reiner 2010). Under the dialogue model it is not the aim or target of a protest which dictates the policing response, but the organisational structure of the protest group and their willingness to speak to police.

---

<sup>7</sup> The ‘organisers’ of a planned march must give six days written notice to the police which specifies the date, time and proposed route, and the name and address of the organiser (Public Order Act 1986, s.11).

Applying this de-politicised framework to the highly politicised sphere of anti-fracking protest would preclude consideration of, for example, the close relationship between government and the fracking industry (Short *et al.* 2015) and the political, social and economic context in which the anti-fracking movement has emerged (XXX *et al.* 2017). These are issues that policing researchers must engage with in order to develop a comprehensive understanding of protest policing in the current era.

Finally, our analysis highlights the need to move beyond official public order policing discourses and consider the concrete experiences of the policed. In some cases, this will require researchers to maintain a critical distance from police forces in order to gain access to those groups who, due to their negative experiences of policing, may otherwise be reluctant to engage. In the context of a proliferation of police-academic partnerships in the UK (Goode and Lumsden 2016), it is vital that a space is maintained outside of these collaborations to enable researchers to engage with those groups most likely to bear the brunt of harmful and undemocratic policing practices.

References

Bullock, K. and Johnson, P. 2012. The impact of the Human Rights Act 1998 on policing in England and Wales. *British Journal of Criminology*, 52(3), 630-650.

Bunyan, T. 1977. *The history and practice of the political police in Britain*. London: Quartet Books.

Choongh, S. 1998. Policing the dross: a social disciplinary model of policing. *British Journal of Criminology*, 38(4), 623-634.

College of Policing, 2014. *Authorised professional practice - public order: tactical options: police liaison teams* [online]. College of Policing. Available from: <https://www.app.college.police.uk/app-content/public-order/planning-and-deployment/tactical-options/#police-liaison-team> [Accessed 1 November 2016].

- Costigan, R. and Thomas, P. 2005. The Human Rights Act: a view from below. *Journal of Law and Society*, 32(1), 51-67.
- della Porta, D. and Reiter, H., 1998. *The control of mass demonstrations in Western democracies*. Minneapolis: University of Minnesota Press.
- Evans, R. and Lewis, P. 2013. *Undercover: the true story of Britain's secret police*. London: Faber and Faber.
- Ewing, K., 2012. What is the point of human rights law? In: R. Dickinson *et al.*, eds. *Examining critical perspectives on human rights*. Cambridge: Cambridge University Press, 37-60.
- Fahy, P. 2014. *Chief Constable statement on Barton Moss protest* [online]. Greater Manchester Police. Available from: <http://www.gmp.police.uk/content/WebsitePages/6662DEE03DF784C680257C78003CF8A6?OpenDocument> [Accessed 1 November 2016].
- Fine, B. and Millar, R. 1985. *Policing the miners' strike*. London: Lawrence & Wishart.
- Glass, D. 2010. The London G20 protests: a bruising experience? *Policing*, 4(2), 160-162.
- Goode, J. and Lumsden, K. 2016. The McDonaldisation of police-academic partnerships: organisational and cultural barriers encountered in moving from research on police to research with police. *Policing and Society*, DOI: 10.1080/10439463.2016.1147039.
- Gordon, P. 1984. Community policing: towards the local police state? *Critical Social Policy*, 4(10), 39-58.
- Gorringer, H. and Rosie, M. 2008 *It's a long way to Auchterarder!* 'Negotiated management' and mismanagement in the policing of G8 protests. *British Journal of Sociology*, 59(2), 187-205.
- Gorringer, H. and Rosie, M. 2013. 'We will facilitate your protest': experiments with Liaison Policing. *Policing*, 7 (2), 204-211.
- Gorringer, H. Rosie, M. and Stott, C. 2010. HMIC goes to Millbank. *Police Professional*, 232 (November), 14-17..
- Gorringer, H. *et al.* 2011. Facilitating ineffective protest? The policing of the 2009 Edinburgh NATO protests. *Policing and Society*, 21(4), 115-132.

Gorringer, H. Stott, C. and Rosie, M. 2012. Dialogue police, decision making, and the management of public order during protest crowd events. *Journal of Investigative Psychology and Offender Profiling*, 9 (2), 111–125.

Greater Manchester Police, 2013. *Memorandum of understanding (MOU): exploratory drilling and potential oil recovery, Barton Moss, Salford, Greater Manchester*, Manchester: GMP.

Greater Manchester Police, 2014. *More than 80 protesters arrested so far over course of anti-fracking protest* [online]. Greater Manchester Police. Available from <http://www.gmp.police.uk/content/WebsitePagesMobile/3C645B64D74E21C280257C6900258299?OpenDocument> [Accessed 1 November 2016].

Greater Manchester Police, 2015. *Freedom of Information Request Reference No: 1261/15*, 1 June 2015.

Gross, M. 2013. Dash for gas leaves earth to fry. *Current Biology*, 23, R901–R904.

Hillyard, P. and Gordon, D. 1999. Arresting statistics: the drift to informal justice in England and Wales. *Journal of Law and Society*, 26(4), pp. 502-522.

HMIC, 2009a. *Adapting to protest*. London: HMIC.

HMIC, 2009b. *Adapting to protest – nurturing the British model of policing*. London: HMIC.

HMIC, 2011. *Policing public order* [online]. Available from: <https://www.justiceinspectorates.gov.uk/hmic/news/news-feed/policing-public-order/> [Accessed 1 November 2016].

Hill, A., 2011. Police could use more extreme tactics on protesters, Sir Hughe Orde warns [online]. The Guardian, 27 January. Available from: <https://www.theguardian.com/uk/2011/jan/27/hugh-orde-police-protest-tactics> [Accessed 1 November 2016].

House of Commons Home Affairs Committee, 2009. *Policing of the G20 protests, Eighth Report of the Session 2008-09*. London: The Stationary Office.

House of Commons Home Affairs Committee, 2011. *Policing of TUC march on 26 March 2011*, Oral Evidence, 29 March 2011, HC 917-I, Q12.

IPCC, 2012. *Independent investigation into the death of Ian Tomlinson on 1 April 2009*. London: IPCC.

Jefferson, T. 1987. Beyond paramilitarism. *British Journal of Criminology*, 27(1), 47-53.



- Jefferson, T. 1990. *The Case against paramilitary policing*, Milton Keynes: Open University Press
- Joint Committee on Human Rights, 2009. *Demonstrating respect for rights? A human rights approach to policing protest, Seventh Report of the Session 2008-09*, London: The Stationary Office.
- Kiai, M. 2013. *Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association*, Geneva: United Nations.
- King, M. and Waddington, D. 2005. Flashpoints revisited: a critical application to the policing of anti-globalization protest. *Policing and Society*, 15 (3), 255-82.
- Loftus, B. 2009. *Police culture in a changing world*. Oxford: Oxford University Press.
- McPhail, C. and McCarthy, J. 2005. Protest mobilization, protest repression, and their interaction. In: C. Davenport, H. Johnson and C. Mueller, eds. *Repression and mobilization*. Minneapolis: University of Minnesota Press, 3-32.
- McPhail, C. Schweingruber, D. and McCarthy, J. 1998. Policing Protest in the United States: 1960-1995. In: D. della Porta, and H. Reiter, eds. *Policing protest: the control of mass demonstrations in Western democracies*. Minneapolis: University of Minnesota Press, 49-69.
- McSeveny, K. and Waddington, D. 2011. Up close and personal: the interplay between information technology and human agency in the policing of the 2011 Sheffield Anti-Lib Dem protest. In: B. Akhgar and S. Yates, eds. *Intelligence management: knowledge driven frameworks for combating terrorism and organized crime*. London: Springer, 199-212.
- Metropolitan Police Service, 2013. Standard operating procedure for the operational deployment of protester liaison teams in the MPS, 19 January. London: Metropolitan Police. Available from: [http://www.met.police.uk/foi/pdfs/disclosure\\_2015/february\\_2015/2013070002664.pdf](http://www.met.police.uk/foi/pdfs/disclosure_2015/february_2015/2013070002664.pdf) [Accessed 1 December 2016].
- Ministry of Justice, 2015. *Criminal justice system statistics quarterly: December 2014* [online]. Available from: <https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2014> [Accessed 1 November 2016].

Netpol, 2014. *Review reveals Police Liaison Officers played 'pivotal role' in Balcombe protest intelligence gathering* [online]. Available from:  
<https://netpol.org/2014/06/17/police-liaison-intelligence-balcombe/> [Accessed 1 November 2016].

Netpol, 2014. *Monitoring the policing of anti-fracking protests* [online]. Available from:  
<https://netpol.org/campaigns/anti-fracking/> [Accessed 2 November 2016].

Noakes, J., Klocke, B. and Gillham, P. (2005) 'Whose Streets? Police and Protester Struggles over space in Washington, DC, 29-30, 2001' *Policing and Society* 15(3): 235-254.

Police and Crime Commissioner's Independent Panel on the Policing of Protests and Demonstrations, 2014. *The Barton Moss Environmental Protest*. Manchester: Tony Lloyd, Greater Manchester Police and Crime Commissioner.

Reicher, S. *et al.* 2004. An integrated approach to crowd psychology and public order policing. *Policing: An International Journal of Police Strategies and Management*, 27 (4), 558-572.

Reiner, R. 2010. *The politics of the police*. Oxford: Oxford University Press.

Scruton, P. 1985. *The state of the police*. London: Pluto Press.

Short, D. 2015 *et al.* Extreme energy, 'fracking' and human rights: a new field for human rights impact assessments? *The International Journal Of Human Rights*, 19 (6), 697-736.

Stott, C. Scothern, M. & Gorringer, H. 2013. Advances in Liaison Based Public order policing: negotiating the management of protest. *Policing: A Journal of Police Policy and Practice*, 7 (2), 212-226.

Sussex Police, 2013. *Protest liaison officers* [online]. Available from:  
<http://www.sussex.police.uk/policing-in-sussex/your-community/protest-liaison-officers> [Accessed 1 November 2016].

Tilley, N., 2003. Community policing, problem-oriented policing and intelligence led policing. In: T. Newburn, ed. *Handbook of Policing*. Cullompton, Devon: Willan.

Townsend, M. 2010. *Metropolitan Police face legal action for kettling children during tuition fees protest* [online]. The Guardian, 26 December. Available from:  
<https://www.theguardian.com/uk/2010/dec/26/metropolitan-police-lawsuit-student-protest> [Accessed 1 November 2016].

- 1  
2  
3 Waddington, P. A. J. 1994. *Liberty and order: public order policing in a capital city*.  
4 London: UCL Press.  
5  
6 Waddington, P. A. J. 1995. Both arms of the law: institutionalised protest and the policing of  
7 public order. *The British Criminology Conference: Selected Proceedings*. Available  
8 from: <http://www.britisoccrim.org/volume1/008.pdf> [Accessed 1 December 2016].  
9  
10  
11 Young, R. 2008. Street policing after pace: the drift to summary justice. In: E. Cape and R.  
12 Young, eds. *Regulating policing*. Oxford: Hart.  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60

**“That is not facilitating peaceful protest. That is dismantling the protest.”:  
Anti-fracking protesters’ experiences of dialogue policing and mass arrest**

Joanna Gilmore<sup>a</sup>, William Jackson<sup>b</sup> and Helen Monk<sup>c</sup>

<sup>a</sup>York Law School, The University of York, Law and Management Building, Freboys Lane,  
YO10 5GD. Email: [Joanna.Gilmore@york.ac.uk](mailto:Joanna.Gilmore@york.ac.uk). Tel: (01904) 325828

<sup>b</sup>School of Humanities and Social Science, Liverpool John Moores University. Address: John  
Foster Building, 80-98 Mount Pleasant, Liverpool, L3 5UZ. Email:  
[W.H.Jackson@ljmu.ac.uk](mailto:W.H.Jackson@ljmu.ac.uk). Tel: (0151) 231 5175.

<sup>c</sup> School of Humanities and Social Science, Liverpool John Moores University. Address: John  
Foster Building, 80-98 Mount Pleasant, Liverpool, L3 5UZ. Email: [H.L.Monk@ljmu.ac.uk](mailto:H.L.Monk@ljmu.ac.uk).  
Tel: (0151) 231 5175.

Corresponding author: Joanna Gilmore, University of York

Word Count: 9955 words

In the wake of the death of Ian Tomlinson at the London G20 protests in 2009, Her Majesty's Inspectorate of the Constabulary (HMIC) proposed a number of reforms aimed at making public order policing strategies more "human-rights compliant". One of the most significant developments has been the introduction of Protest Liaison Officers (PLOs) whose role is to build links between police and protesters through the establishment of dialogue and relationships based on trust. These developments have led to a burgeoning scholarship in public order policing in recent years. Whilst some studies have documented the development of 'dialogue policing' strategies, none have yet captured the complex interplay between these practices and the more overt forms of coercion and control experienced by protesters. In this paper we begin to fill this lacuna. Drawing on unique data on the experiences of anti-fracking protesters - a hard to reach group whose narrative has not been presented in the academic literature to date - we contrast official accounts with the material conditions faced by protesters. Focusing on protesters' experiences of both dialogue policing and mass arrest, we find little evidence of the progressive 'shift' reflected in official public order policing discourses. Rather, we argue that dialogue policing can have a legitimising function, enabling the police to define protest groups as irrational and 'uncooperative' and therefore ripe for violent policing.

**Keywords:** protest, public order policing, dialogue, fracking

Public order policing in the United Kingdom (UK) is undergoing a prolonged period of crisis. The death of Ian Tomlinson, a forty-seven-year-old newspaper vendor, at the London G20 protests in 2009 (IPCC 2012), forced into the public spotlight what protesters had long described as a shift towards an increasingly authoritarian style of policing in Britain (Gilmore 2010). The use of forceful policing tactics against student protesters during the anti-tuition fee protests of 2010 triggered widespread condemnation (Townsend 2010). Ongoing revelations that undercover police officers have been used to spy on political activists, in some cases forming sexual relationships with women who were deceived as to their true identities, have triggered a haemorrhaging of public confidence in public order policing

(Evans and Lewis 2013). The British police’s handling of protest has also prompted condemnation from the United Nations Special Rapporteur on the Rights to Freedom of Assembly and Association, who has made a series of visits to the UK and some scathing criticisms of current policy (see, for example, Kiai 2013). As Deborah Glass (2010, p. 160), former Deputy Commissioner of the Independent Police Complaints Commission (IPCC) acknowledged in 2010, “The British police have taken a bit of a battering ... over their handling of public protest”.

The official response to the renewed crisis of legitimacy in public order policing has been a plethora of official inquiries and reports tasked with investigating the legitimacy of existing public order policing methods and the associated mechanisms of police accountability (HMIC 2009a, 2009b, HCHAC 2009, JCHR 2009). Arguably the most significant is a two-part report by Her Majesty’s Inspectorate of Constabulary (HMIC), published in the wake of the London G20 protests (HMIC 2009a, 2009b). One of the report’s central recommendations is that enhanced dialogue between police and protesters is essential in order to ensure a “proportionate” policing response (HMIC 2009a, p. 10). Drawing on an earlier report by the Joint Committee on Human Rights (JCHR), which had called for a policy of ‘no surprises’ in the policing of protest, the Inspectorate concludes that:

Protest will be inherently more difficult to plan and facilitate where there is no constructive dialogue between the police and protesters. This may result in the use of police tactics which are more restrictive than would otherwise be the case (HMIC, 2009a: 9).

These recommendations have led to a number of policy reforms aimed at making public order policing strategies more “human-rights compliant” (HMIC 2009b, p. 121). One

of the most notable developments is the introduction of Protest Liaison Officers (PLOs) whose role is to build links between police, protest organisers and protesters through the establishment of dialogue and relationships based on trust (College of Policing 2014). The emphasis on ‘dialogue’ is underpinned by an understanding, on behalf of the police, that “if protesters share their intentions with us beforehand, this enables us to put the right measures in place to facilitate a safe environment for groups and provide a proportionate policing presence” (Sussex Police 2013). The introduction of PLOs coincides with what has been identified in a number of recent academic studies as a move towards a more consensual style of protest policing which favours “cooperation and communication between police and protesters” in order to “reduce the likelihood of violence” (Gorringer and Rosie 2008, p. 189). This body of literature departs from what P.A.J. Waddington (1995, p. 1) has described as an “orthodoxy” in public order policing research, which has traditionally focused on its repressive and increasingly militaristic function (Bunyan 1977, Fine and Millar 1985, Jefferson 1990, Scruton 1985). In contrast a growing body of academic literature charts a progressive shift from an approach based on coercion to a more proactive, consent-based approach, which utilises techniques of ‘communication’, ‘dialogue’ and ‘negotiation’ (Gorringer and Rosie 2008, King and Waddington 2005, Gorringer *et al.* 2011, Reicher *et al.* 2004). These analyses suggest that protest policing is becoming increasingly open and democratic, with the police actively seeking to de-escalate potentially confrontational situations through consensually negotiated solutions. Writing in the context of the United States, McPhail *et al.* (1998) describe this shift as a move from *escalated force* to *negotiated management*. They suggest that the latter is characterised by a greater respect for protesters’ human rights, a more tolerant approach to community disruption, an increasingly

collaborative approach to protest organisers and a reduced tendency to make arrests and resort to the use of force (see also Noakes *et al.* 2005). Researchers have charted a similar trend across Europe, with public order policing styles becoming increasingly sensitive to the ‘rights’ of protesters (della Porta and Reiter 1998, Waddington 1994).

The formalisation of negotiated management principles in the wake of the London G20 protests has been welcomed by a growing body of academic writers in the area. McSeveny and Waddington (2011), for example, are positive about the use of PLOs. They argue that their deployment by South Yorkshire Police has improved the effectiveness and legitimacy of tactical operations. Gorringer *et al.* (2010, p. 17) are also optimistic about the benefits of improved dialogue between police and protesters, describing the initiatives as “some of the most progressive developments to the policing of public order in the UK since the 1980s”. Protest policing is said to be entering what HMIC (2011) has described as a “new era”, grounded on consent, mutual collaboration and an overarching respect for protesters’ human rights. Some studies have, however, noted difficulties in implementing dialogue policing strategies in relation to certain ‘types’ of protesters. Various described as ‘transgressive’ (Stott *et al.*, 2013: 7), ‘anti-systemic’ (Gorringer and Rosie 2008, p. 194), ‘hard core’ and ‘radical’ (Gorringer et al. 2012, p. 129), these groups are said to be characterised by an unwillingness to engage with police and involvement in ‘direct action’ forms of protest (Gorringer and Rosie 2013, p.7, Stott *et al.* 2013, p. 224). In such cases, this literature claims that attempts to engage in meaningful dialogue will often fail, leading the police to resort to more forceful methods, including mass arrest, ‘kettling’ and intrusive surveillance. These findings echo the conclusions made in the HMIC report that a failure to engage with police can result in the use of “more restrictive” policing tactics (HMIC, 2009a: 9). Nonetheless



despite some initial “teething problems” (Stott *et al.* 2013, p. 13), dialogue policing is said have the potential to “improve mutual understanding and reduce the potential for violence between police and protesters” (Gorringe and Rosie 2013, p. 7).

Against the optimism reflected in much recent public order policing scholarship, the history of police reform in the UK should give us grounds for caution. As Loftus (2009) has observed, changes within operational policing *policy* do not necessarily lead to changes in policing *practice*. Dialogue policing draws on a longer tradition of ‘community policing’ which developed in the context of a crisis of legitimacy in policing in the aftermath of the inner-city riots and industrial disputes of the 1980s. The community policing model emphasises communication and interpersonal skills over more physically direct aspects of law enforcement (Tilley 2003). In response to calls for greater accountability in policing, community policing was presented as a key means of improving community relations and eventually became a guiding philosophy amongst senior police officers (Reiner 2010). Writing in 1984, Gordon highlighted the realities of community policing as “a reactive attempt at disguised police surveillance and control” (Gordon 1984, p. 56). He argued that rather than offering an alternative to unwelcome police practices and strategies, the development of community policing reflected a recognition that “open control” in the form of overt coercion can be counterproductive. Community policing was thus a technique used to engineer consent for an intensification of repressive state practices, rather than a progressive response to widespread demands for greater public accountability in policing (Gordon 1984, p. 141). More recently, Bullock and Johnson’s (2012) research into the impact of the Human Rights Act 1998 (HRA 1998) on policing suggests that a growing awareness of human rights obligations among police officers does not necessarily translate into more democratic

policing practices. Drawing on data gathered from interviews with policing personnel, Bullock and Johnson found that although the HRA 1998 has led to a “new framework” through which police officers carry out their work, there is little evidence to suggest it has promoted greater respect for human rights amongst officers. In the words of one of the officers interviewed: “I don’t think anything has changed. It hasn’t made us question the way we operate. I haven’t seen any impact. I can’t think of any obvious difference in what we have done” (Bullock and Johnson 2012, pp. 14-15).

These experiences suggest that recent developments in public order policing warrant careful scrutiny. As Gorringer *et al.* (2012, p. 112) have noted, there has been very little “empirical ‘testing’” of the reforms within operational policing practice. It is essential that this analysis is grounded in the experiences of protesters. As others have suggested, the real test of human rights reforms are not to be found in official declarations, but in the material conditions that people face (Ewing, 2012, Costigan and Tomas 2005). There has to date been no comprehensive study of how protesters have experienced recent developments in public order policing policy. Very little is therefore known about *why* some protesters may be reluctant to engage with police and the ways in which these relationships influence the styles of policing that protesters experience. Whilst some studies have documented the development of dialogue policing strategies (Gorringer *et al.* 2011, 2012; McSeveny and Waddington 2011), none have yet captured the complex interplay between these practices and the more overt forms of coercion and control experienced by protesters. In this paper we begin to fill this lacuna. Drawing on an empirical case study of the experiences of anti-fracking protesters, we test the legitimacy of official claims that there has been a progressive shift in public order policing practice. Focusing on protesters’ experiences of both dialogue policing and mass

1  
2  
3 arrest, we suggest the dialogue model obscures the highly discretionary nature of public order  
4  
5 policing and the substantial power imbalance between the police and protest groups. We  
6  
7 suggest that rather than being a way of “protecting protesters’ ... human rights” (McPhail and  
8  
9 McCarthy 2005, p. 5), dialogue policing can have a *legitimising* function, enabling the police  
10  
11 to define protest groups as irrational and ‘uncooperative’ and therefore ripe for coercive  
12  
13 policing.  
14  
15  
16  
17

## 18 **Methodology**

19  
20 This paper draws on data gathered from an ethnographic case-study of the policing of the  
21  
22 Barton Moss Community Protection Camp (BMCP) – an anti-fracking protest that took  
23  
24 place in Salford, Greater Manchester between November 2013 and April 2014. One or more  
25  
26 of the authors visited the camp on fifteen separate occasions to observe the protest and  
27  
28 interact with protesters at the site. Interviews focusing on protesters’ experiences of policing  
29  
30 were conducted with twenty-eight protesters, with each interview lasting between forty-five  
31  
32 minutes and two hours.  
33  
34  
35

36 Existing public order policing scholarship has tended to limit the focus of analysis to  
37  
38 isolated protest events (e.g. McSeveny and Waddington 2011, Gorringer *et al.* 2010, 2012).  
39  
40 Our case study in contrast adopts a more holistic and longitudinal approach, examining how  
41  
42 the protests developed from the planning stages in 2013 through to the conclusion of the  
43  
44 criminal proceedings arising from the protests in 2016. This included monitoring the criminal  
45  
46 justice response to the protests, observing over twenty hours of video footage collated by  
47  
48 activists at the site, attending court hearings and defence campaign meetings and analysing  
49  
50 legal case files. Additional data was gathered via requests under the Freedom of Information  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60

Act 2000 (FOIA 2000) to several public bodies including Greater Manchester Police (GMP), the IPCC and the Crown Prosecution Service (CPS). This data was triangulated with other publicly available information, including GMP press statements, to ensure a rich and detailed analysis.

Whilst the data is limited to a single case study, it has important implications for protest policing and directions for future research. The anti-fracking movement has been described as the UK’s “fastest growing social movement” (Short *et al.* 2015, p. 721) and the Network for Police Monitoring (Netpol 2014) has suggested that protest against fracking represents “the biggest test of public order policing” over the coming years. The issue is also of global significance, with concerns over the policing of anti-fracking protest reported in Canada, the US and Australia (Short *et al.* 2015). Yet there is an absence of academic research into the policing of anti-fracking protest and the experiences of those involved. Our analysis is situated within a contextual framework that assumes that the experiences of those at the camp – those who were being policed at Barton Moss – are central to unlocking what happened during the protest. In contrast to much recent public order policing scholarship, we did not interview police officers as part of our research methodology. Our independence from police was essential in order for us to gain access to research participants and unlock experiences that have been absent from the academic literature to date. This was particularly important for those protesters who had some of the most negative experiences of policing, including women who reported the use of sexualised violence by officers at the site (Gilmore *et al.* 2016). Our unique access to camp residents and supporters has enabled us to move beyond official protest policing discourses and present a *view from below* (Jefferson 1987), grounding our analysis in the experiences of the policed.

### The Barton Moss Community Protection Camp

‘Fracking’, or hydraulic fracturing, is the process of extracting shale gas from solid rock hundreds of metres to kilometres below the surface, by pumping water, sand and chemicals at high pressure into the rock. Technological advances in the last twenty-five years, driven by the merger of hydraulic fracturing and horizontal drilling techniques, have enabled the exploitation of previously inaccessible shale gas reserves. In the UK, significant shale deposits have been identified, and exploratory drilling to explore their potential has been actively encouraged by UK governments since 2007 (Short *et al.* 2015). Whilst a number of governments across Europe, including New Labour, Coalition and current Conservative governments in the UK, have embraced fracking, the development of new techniques for drilling have been controversial from the outset. Communities and environmental groups around the world have raised concerns about the immediate impact on local environments, including land, air and water pollution as well as the broader issue of maintaining a reliance on carbon intensive fossil fuels in the face of global climate change (Gross 2013). The first major protests against fracking in the UK came in the summer of 2013 at Balcombe, Sussex, where a coalition of local and national environmental campaigners established a protest camp at the exploratory drilling site run by energy company Cuadrilla (Netpol 2014).

On the 17th June 2010, Salford Council voted to allow exploratory drilling for coal bed methane on Green Belt land at Barton Moss, Salford, despite local objections and concerns. With news that energy company IGas Energy would begin exploratory drilling at Barton Moss in mid-November 2013, concerned residents from the local area, and some from further afield, began to set up camp at the site. On Wednesday 27 November 2013, with the Barton Moss camp part established, the first anti-fracking protest took place in the form of a

community blockade that sought to prevent lorries entering the site. Over the period of protest, between November 2013 and April 2014, the camp gathered momentum and established itself as a community-led protection camp, sustained by local support and donations. The BMCPC was established as, and remained, a non-hierarchical unit with no formal leader or centre. It was built around a group of individuals with shared concerns who were free to act autonomously. Those involved adopted several protest techniques, including the use of ‘lock-ons’ and blockades<sup>1</sup>, but relied most heavily on ‘slow walking’ in front of IGas convoys in order to delay the drilling operation and to provide a visible and constant opposition to fracking in Salford. These slow walk protests took place twice daily, as the IGas lorries arrived and left the site, for four days per week, for the duration of the drilling operation.

The policing operation at Barton Moss, conducted by GMP, was codenamed Operation Geraldton. It was planned prior to the start of drilling by IGas at the end of November 2013. In light of the protests at Balcombe in the summer of 2013, GMP had anticipated that there would be protests at Barton Moss as this site was identified as the next location in the UK for exploratory drilling. Operation Geraldton was a major policing operation that lasted for more than six months, cost in excess of £1.7 million and resulted in 231 arrests (Gilmore *et al.* 2016).

---

<sup>1</sup> ‘Lock-ons’ and blockades are techniques used by protesters to make it difficult to remove them from their place of protest. Blockades tend to involve protesters linking arms and legs in a line or circle, whereas ‘lock-ons’ often involve the use of equipment such as bicycle locks, padlocks and chains.

### The velvet glove: Liaison and dialogue

The policing response to the BMCPC provides a useful case study of the dialogue approach in practice. GMP prides itself on being a centre of excellence for the management of public disorder and has been at the forefront of the pilot training programme for PLOs (Gilmore *et al.* 2016). In the public statements made during Operation Geraldton, Chief Constable Peter Fahy and other GMP spokespeople sought to make clear that they understood that the right to protest is a basic human right. The policing operation was presented by GMP as a balancing act with the police finding themselves “stuck in the middle”, whereby they were required to respect the protesters’ right to protest and IGas’ right to conduct the exploratory drilling for which it had been granted a licence:

We have to be there to ensure the protest is peaceful and to balance the rights of the protesters and those wanting to carry out drilling on the site which are both lawful activities (Fahy 2014).

For the duration of the Barton Moss protest, PLOs were a regular presence at the camp and were central to the attempts to establish dialogue between police and protesters. This dialogue, however, was not effectively established. For the duration of the camp, officers and protesters were not able to establish either meaningful communication or points of agreement about the management of daily marches. For GMP, this lack of dialogue was a result of an unwillingness on the part of protesters to elect an official spokesperson and a more general unwillingness to engage with the police. In evidence to the Police and Crime Commissioner for Greater Manchester, GMP suggested that dialogue had been attempted by

officers at Barton Moss but “some protesters acted in a cynical way and had no real desire to negotiate with police” (PCC Panel 2014, p. 17).

GMP’s portrayal of the Barton Moss protesters closely resembles Stott *et al.*’s (2013, p. 7) definition of a ‘transgressive protest’: one that does not have “explicit hierarchies of leadership, formal membership, or organization” and is “naturally reticent to communicate with police about their intentions”. However, the experiences of the Barton Moss protesters suggest that this terminology is problematic and overlooks the significant power imbalance between the police and protest groups. In contrast we identify three factors underpinning the apparent breakdown in communication between police and protesters at the BMCP. First, there was a widespread perception among protesters that GMP were not a neutral force in the ongoing conflict between the protesters and the fracking company. This perception stemmed partly from the way in which the policing operation was conducted by GMP. The planning for Operation Geraldton involved the production of a Memorandum of Understanding (MOU) signed by GMP and other related parties, in advance of IGas beginning the drilling operation (GMP 2013). Alongside GMP, the parties who were signatories to the MOU included Greater Manchester Fire and Rescue, the North West Ambulance Service, and Salford City Council. In addition, the landowners Peel Holdings/Estates and the energy company, IGas, were included in this “expression of common interest”. Formally, the purpose of the MOU was to

articulate the basis and general principles for ongoing cooperation, and coordination between the Parties in order to promote and contribute to the realisation of their mutual interests in relation to the delivery of the Gold Strategy (GMP 2013, p. 3).



The MOU demonstrates that IGas had insider access to Gold and Silver senior police command meetings, daily briefings or video conferences with GMP's Silver Commander and shared police and local council information and intelligence. No similar invitation was extended to protesters. For many protesters, the close relationship between GMP and the fracking company brought into question the idea that the police sought to 'balance' the rights of protesters and IGas impartially, as the following quotation illustrates:

The police communicated effectively with the council. The police communicated effectively with the bosses in IGas. To a certain degree, they communicated with the community, but lied to them. The group that were completely shut out of communication with the local constabulary was the protectors [protesters], and they were the ones who were on the ground. So every single day, when meetings were being held – that we knew were being held – we were completely excluded.  
(Alison, protester).

As Jamie explains, this translated into a reluctance to engage with PLOs:

we don't see any point in liaising with them because we know that they do not have our interest as a priority. Their priority is to serve IGas' interests or whatever the Government tells them.

Second, GMP's claims that protesters had 'no real desire' to negotiate with police is contestable. One of the key local campaign groups, Frack Free Greater Manchester, reportedly tried to play a liaison role at Barton Moss but GMP refused to meet with them (Gilmore *et al.* 2016). Moreover, interviewees cited several examples whereby attempts had been made to negotiate with police officers, but 'deals' had ultimately been broken. As Lee noted:

a Chief Inspector Del Boy came down here for a chat on a quiet Wednesday, and he basically wanted to make a deal with us. We did actually deal with him ... he came down here and we bargained and he said, "Okay, 90 minutes, no arrests, no violence," and we'll still have our protest – 90 minutes. And the following day was that day when the pregnant lady got arrested, and [Mike] was sprung into a bush ... And that was in less than 90 minutes. So they broke their deal with us; they made a verbal contract with us that a peaceful protest would be facilitated of 90 minutes, and then they go and snatch a pregnant lady and throw a disabled man in a bush.

In this example, attempts were made to enter into negotiations but the response of police suggested to protesters that a commitment to meaningful dialogue was not reciprocated. Experiences like this further exacerbated the lack of trust between protesters and police, as Lee explains below:

They say they're going to do one thing and then they do another. They've done that throughout now, we know they can't be trusted on anything they say.

In most cases, protesters' reluctance to engage with PLOs did not stem from a pre-existing distrust or blanket unwillingness to engage with police officers, but from their concrete interactions with PLOs at the site. Michael, a public sector worker, was clear that he was 'not anti police' and works closely with police officers as part of his day-to-day employment. His interactions with the PLOs ('blue bibs') at Barton Moss, however, left him feeling frustrated:

We didn't have a lot of engagement but when they did, you were just banging your head against a wall because if you reported anything to the blue bibs that you saw malpractice by other police officers, they either never saw it, or they didn't feel they could deal with it so you'd just think, "Well if you're there to liaise between us and the other police, then you're not really doing your job."

These interactions led protesters to question the official characterisation of PLOs as a mechanism to help the police to ‘facilitate’ peaceful protest. Many protesters viewed PLOs as having a purely symbolic role, which did not influence the scale and intensity of the policing operation. Concerns ranged from a perception of PLOs as a futile tokenistic gesture, through to distrust and suspicion as to their overall function:

They [PLOs] seem to mingle amongst protesters and try and be slightly like the ‘good cop’, try and be friendly. But then when it kicks off they disappear and they’re not there. So I don’t really see the point of them, other than maybe to try and slightly change people’s perceptions of the police.  
(Sally, protester).

Third, there was a widespread perception among protesters that the function of PLOs was predominantly to gather intelligence, rather than establish meaningful dialogue and negotiation. The following quotation captures these concerns:

The only other role they are doing is information gathering. Recently, because the camp is obviously running down now, their questions are, “So what are you doing after this? Are you going to another camp or are you staying local, or are you getting a job or going home?” So, it’s just trying to find out our next steps really.  
(Sam, protester).

This perception of PLOs as intelligence gatherers is not unique to Barton Moss (see, for example, Gorringer *et al.* 2011) and the way in which PLOs have been utilised by other forces suggests these concerns may be well founded. Documents released following a FOIA 2000 request to Sussex Police suggest that during the Balcombe anti-fracking protests, PLOs played “a pivotal role in the operation” by “interacting with the protest organisers” and as a result, provided intelligence on the escalation of the protest (Netpol 2014). As the Network

for Police Monitoring (Netpol, 2014) have noted, the report is critical of the way that this “was not utilised in an effective a manner as possible” and complains that it was unclear how PLOs fed back intelligence to their senior officers. Moreover, the Standard Operating Procedure for the Operational Deployment of Protester Liaison Teams (PLT’s) in the Metropolitan Police Service (MPS) explains that:

Recent experience does tell us that PLT’s do gather accurate intelligence in the normal course of their duties. This is mainly because, pre and post event they are engaging with protest groups and do elicit information in the course of these duties which could be regarded as intelligence ... Similarly, on the day of the event, the PLT's are likely to be working inside or around the group in question and, as a result, are likely to generate high-quality intelligence from the discussions they are having with group members (MPS 2013, p. 5).

The ‘cynicism’ towards PLOs described by GMP should thus be understood in the context of the seemingly close relationship between the police and the fracking company, a failure to consult with protest groups in the planning stages, protesters’ experiences of failed attempts to negotiate with officers and a perception of PLOs as intelligence gatherers. Our analysis draws into question the observation by Stott *et al.* (2013, p. 225) that “in the UK, the police invariably start their planning from a position of negotiated management”. Whilst there was a rhetorical recognition of rights to free speech and peaceful assembly by GMP, this was not reflected in the experiences of those attempting to assert these rights. It is also questionable how voluntary these apparently consensual encounters really were in practice, given the imbalance of power between PLOs and protesters. Indeed, for many interviewees, the regular presence of PLOs at the camp was an unsettling and at times violating experience:

The protest liaison will pretend to be your friend, they use first-name terms, they pretend to be familiar with you. And they're getting paid to do all of this, all the while they just want to exploit vulnerable people that maybe it's their first time of protest, and they don't know how to protect their own privacy, their own security. And they just completely exploit that. Some would say they're worse than the Level One Public Order officers because, with a Level One Public Order officer, you know where you stand, and you simply don't give a lot.

(Jack, protester).

### **The iron fist: Mass arrest**

Despite GMP's commitment to 'dialogue' and 'facilitation', Operation Geraldton consisted of two distinct and apparently irreconcilable styles of policing. On the one hand, the deployment of PLOs portrayed the more consensual style of public order policing located in official public order policing discourses. At the same time, protesters experienced the more familiar coercive styles of public order policing which damaged police legitimacy in the aftermath of the G20 protests. The strategy cited most frequently by protesters as undermining GMP's commitment to human rights compliant policing was the mass arrest of protesters at the site. If PLOs were the 'velvet glove', mass arrest was the 'iron fist' of Operation Geraldton. In the second part of this paper we consider how the strategy of mass arrest was experienced by protesters, and the relationship between mass arrest and the more 'consensual' styles of policing adopted by GMP.

### ***Police violence***

The strategy of mass arrest was a core component of Operation Geraldton. By the conclusion of the protest in April 2014, GMP had made 231 arrests for one or more of nineteen different offences (GMP 2015). The majority of arrests occurred during the policing of the daily 'slow

walks’ - the principle disruptive activity taken by protesters to delay the convoy of trucks arriving at the site of the exploratory drilling. A frequent complaint from protesters was that the scale of arrest and the level of force used to make arrests was disproportionate to the peaceful nature of the action taken. Several interviewees cited the policing at Barton Moss as the most brutal that they had witnessed. Tom, who was arrested three times during the Barton Moss protests, described what happened during one of his arrests for wilful obstruction of the public highway – a non-imprisonable, summary offence for which he was later acquitted. His experiences were typical of many of those arrested at the site:

He jumps on me from behind, immediately followed by, I guess, two or three other officers ... one officer had each of my arms, and I was quite forcibly thrown into the fence face-first. And just quickly as I hit the fence, I had to turn my head to avoid injury. It was a real force; it was just totally over the top. As if I was a rioting individual. You know, it was completely out of the context of the situation.

The focal point for many of the complaints was the force’s specialist public order unit, the Tactical Aid Unit (TAU), which was used with increased frequency as the protest developed. From the perspective of many protesters, the regular use of heavily equipped TAU officers undermined claims by GMP that the policing operation was concerned with dialogue and facilitation. Several interviewees described the stark contrast between the jovial approach of the PLOs and the aggressive treatment that protesters received from their colleagues in the TAU:

But the TAU, the worst they do ... they’ll pin you to the ground, they’ll punch you in the stomach, they’ll punch you in the head ... there’s a massive, massive difference between the two styles of policing.  
(Jamie, protester)

In response to concerns about the intensity of the policing operation, GMP described the policing response as “proportionate” to the “emerging threat” posed by the camp (GMP 2014). In doing so there was an attempt to impose meaning on the motivations of those protesting at the site. According to a GMP press release:

[t]he majority of people who are arriving at the site are not there to protest against fracking but are there to disrupt and intimidate the local community and to antagonise police. We have seen offences of assaults, damage, harassment of residents and workers, a flare fired at the police helicopter and threats to kill.  
(GMP 2014).

This portrayal of the protest as violent, and thus the policing response as proportionate, is contestable. Figures obtained under the FOIA 2000 indicate that 98 per cent of the 231 arrests under Operation Geraldton were for non-violent offences (GMP 2015).<sup>2</sup> As indicated on *Figure 1*, the largest category of arrests was for Obstruction of a Public Highway (77 arrests, 33 per cent of total arrests). This was followed by Aggravated Trespass (68 arrests, 30 per cent of total arrests) and Breach of Conditions of Bail<sup>3</sup> (31 arrests, 13 per cent of overall arrests). The stark contrast between the ‘peacefulness’ of the protest and the aggressive response from GMP had an increasingly destructive impact on the relationship between the police and protesters, as the following quotation illustrates:

---

2 The offences in this category are: common assault (1 arrest), assaulting a police officer (2 arrests) and threats to kill (2 arrests).

3 Breach of Conditions of Bail is not a criminal offence, but Section 7(3) of the Bail Act 1973 confers power upon a police officer to arrest a person if he has reasonable grounds for believing that that person is likely to break any of the conditions of his bail or has reasonable grounds for suspecting that that person has broken any of those conditions.

why do you have to bring in the special other force to deal with what is essentially peaceful people – a lot of them elderly and children, people various ages and backgrounds, none of us violent, you know. There’s not been a single act of violence to another person committed on this camp so it’s a completely unjustifiable.  
(Maria, protester)

[Figure 1 near here]

*Pre-emptive arrest*

A second complaint from protesters was that decisions about who to arrest appeared to be pre-planned and pre-emptive, rather than a genuine response to law breaking at the site. In keeping with this objective, targeted arrests were initially focussed on those members of the camp who were perceived by police not to be ‘local’. This action was considered by several protesters to be part of a narrative GMP wished to construct about the lack of local involvement in the camp, as the following quotation illustrates:

what they wanted to try and portray in the media was that we travelled here because we are what they consider to be professional activists. So we were targeted, not from round here, we were targeted virtually straightaway ... which is funny really, because I’ve met people who have been against the system for 40 years but I wouldn’t consider them to be professional activists.  
(Jack, protester).

The perception of arrest as pre-emptive rather than reactive was reinforced by the apparently inconsistent ways in which powers of arrest were exercised at the site. During the first two months of the protests, most arrests in connection with stopping or slowing the trucks through the daily slow walks were for wilful obstruction of the public highway (Highways Act 1980, s. 137). GMP issued protesters with flyers informing them that Barton Moss Road was a



1  
2  
3 'highway' as it was 'a public right of way'. Following a ruling by Manchester and Salford  
4 Magistrates' Court that the land in question was a public footpath, rather than a highway,  
5 officers began to make arrests for the alternative offence of Aggravated Trespass (Criminal  
6 Justice and Public Order Act 1994, s. 68). This shift from one arrest power to another in the  
7 absence of a significant change in protesters' behaviour fuelled speculation that arrest under  
8 Operation Geraldton was part of a broader mission to gather intelligence and disrupt and  
9 undermine the campaign:  
10  
11  
12  
13  
14  
15  
16  
17

18  
19 They're arresting lots of people for aggravated trespass, but at the same time if they're  
20 arresting one they should arrest everyone ... they specifically target people, so they  
21 actually do have a list of people they specifically want.  
22  
23 (Lee, protester).  
24  
25  
26

27 Experiences elsewhere would suggest that these concerns may be well founded. Following  
28 the controversial arrest of 138 'UK Uncut' anti-austerity protesters outside the Fortnum and  
29 Mason luxury goods store in March 2011, Lynn Owers, Assistant Commissioner to the  
30 Metropolitan Police, told the House of Commons Home Affairs Committee:  
31  
32  
33  
34  
35  
36

37 the fact that we arrested as many people as we did is so important to us because that  
38 obviously gives us some really important intelligence opportunities ... We do need to  
39 improve the intelligence picture, but our ability to arrest over 200 people at the weekend  
40 gives us a very good starting point in terms of building that picture (HCHAC 2011, Q12).  
41  
42  
43

44 The use of mass arrest in this context has corresponded with a significant expansion  
45 of intelligence gathering at protest sites, including the creation of a highly secretive national  
46 police database which holds information on individuals associated with 'domestic  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60

1  
2  
3 extremism'.<sup>4</sup> Although it is not possible to assess the extent to which arrest decisions at under  
4  
5 Operation Geraldton were influenced by data included on the database, several of those  
6  
7 arrested at Barton Moss recalled that police officers identified them by name prior to arrest:  
8  
9

10 the last week they keep on calling me by my name ... a lot of the officers will, when  
11 you're walking in front, directly in front of them, they'll start saying that you're pushing  
12 back on them and you're a couple of inches away or something like that ... some days,  
13 you feel like they want to arrest you so they're making out reasons to.  
14  
15 (Vicky, protester).  
16  
17  
18

19 For many interviewees, officers with apparently different roles at the BMCPC worked to the  
20 same ends and were essentially indistinguishable in terms of their overall function. Several  
21 protesters described how PLOs and TAU officers appeared to work together to arrest those  
22 involved in the daily marches, as illustrated by Remy's experience described below:  
23  
24  
25  
26  
27  
28

29 I was marked for it [arrest] this morning. It was very, very obvious that there was a  
30 collusion between the police on the line, the TAU and the liaison officers that I was  
31 going to be snatched ... suddenly from nowhere, walking at a steady pace, not doing any  
32 obstruction, suddenly it became 'don't push back on me' ... at the exact same time a  
33 liaison officer, who wasn't close enough to be hearing that, came through the crowd with  
34 his earpiece and went 'we are gonna have to tell you now that if you push back again  
35 you're going to be arrested'. And it was very, very obvious that I had been marked for it.  
36  
37 (Remy, protester).  
38  
39  
40  
41  
42  
43  
44

45 Remy's experiences mirror many of those arrested at the BMCPC. From Remy's perspective,  
46 there was nothing that he could have done in this situation to avoid arrest; he had been  
47  
48  
49

50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60

---

4 The formal title is the National Special Branch Intelligence System (see *Catt v Commissioner of Police for the Metropolis* [2015] UKSC 9, para 20, per Lord Sumption).

‘marked for it’ despite causing no obstruction to the officer in question. Like the majority of those arrested under Operation Geraldton, the charges against Remy were eventually dismissed. The pivotal role played by PLOs in what were eventually found to have been unlawful arrests raises important questions about their overall function. This point is explored further below.

### *Summary punishment*

Despite a rhetorical commitment to ‘dialogue’ and ‘facilitation’ from GMP, from the perspective of many of our interviewees the central aim of the policing operation was to disrupt protesters’ attempts to protest peacefully against the activities of the energy company. Our analysis of the criminal justice response to the protest reinforces some of these concerns. The majority of arrestees were presented with a uniform list of pre-charge bail conditions<sup>5</sup> which prohibited their return to the protest site. Anyone returning to the camp following release from custody would risk further arrest. When challenged in the Magistrates’ Court, bail conditions were repeatedly found to be disproportionate and protesters were granted unconditional bail. Despite obvious concerns about their legality, restrictive bail conditions continued to be imposed by GMP. In some cases, attempts to challenge the legality of bail conditions were met with resistance by the police, as Vicky describes below:

---

5 Amendments to the Police and Criminal Evidence Act 1984 (PACE 1984) under the Criminal

Justice Act 2003 extended police bail powers to allow officers to attach conditions of bail prior to any decision to prosecute. These highly discretionary powers require that the officer regards the conditions as being ‘necessary’ to ensure, for example, that the person in question does not commit an offence while on bail (PACE 1984, s.47).

when they give you your bail conditions you're supposed to be able to say, "No," and then stay in overnight and go to court, but they were refusing people to do that ... First arrest I kept saying, "Can I talk to the solicitors?" and they kept saying, "Yes, we'll ring later," and they tried to bail me out the station before I talked to them and I refused. I said, "No, I want to talk a solicitor before I leave," and they were just, like, "Oh, well, if they don't answer now then you'll have to go."

Whilst bail conditions were removed within a matter of weeks, the criminal cases took much longer to conclude. Of the 231 arrests, 226 led to charges relating to 115 individuals (GMP 2015). *Figure 2* illustrates the 'conviction rate' – the number of people convicted relative to the number charged with offences – within the criminal justice system as a whole and under Operation Geraldton. The conviction rate within the criminal justice system as a whole is eighty-three per cent. For public order offences this rises to ninety-six per cent (Ministry of Justice 2015). According to the data available to us<sup>6</sup>, the Barton Moss cases had a conviction rate of just thirty per cent. That is, of the 115 prosecuted protesters, only thirty-five were convicted of offences.

Given the low conviction rates, arrest under Operation Geraldton did not appear to have been carried out with a view to securing convictions. Rather, mass arrest and blanket bail in effect served to create a *protest exclusion zone* around the fracking site – an action that would otherwise have no basis in law and would be a clear violation of the protesters' rights to freedom of assembly. Anna's experiences illustrate how these exclusionary processes operated in practice. Anna was arrested for wilful obstruction of the highway and obstructing

<sup>6</sup> These figures were collated from media reports, court observations and liaison with defence solicitors.

1  
2  
3 a police officer. She described her arrest as ‘quite standard’. During a slow walk, she was  
4  
5 pulled from the line by a police officer, fell to the ground and hit her head on the floor. Anna  
6  
7 recalled that at the time of her arrest she was ‘doing nothing wrong ... just walking slowly’.  
8  
9 She was taken into custody at the police station where she was detained for around seven  
10  
11 hours. On her release, Anna was handed a letter instructing her to attend at the Magistrates’  
12  
13 Court in two weeks’ time and a ‘standard’ list of bail conditions that prohibited her from  
14  
15 returning to the protest site. The conditions were removed by the Magistrates’ Court at the  
16  
17 subsequent hearing. Five months after Anna’s initial arrest, the day before she was due to  
18  
19 stand trial, the charges against her were dismissed. For Anna, her experience of arrest  
20  
21 reinforced her suspicions as to the ‘real reasons’ behind the mass arrest strategy:  
22  
23

24  
25  
26 for us, we truly believed that the reason people were being arrested was simply to give  
27  
28 them bail conditions excluding them from that area.

29 (Anna, protester)  
30  
31

32 [Figure 2 near here]  
33  
34  
35

36 The experiences of the Barton Moss protesters are a stark illustration of Choongh’s  
37  
38 (1998) distinction between “criminal cases”, where arrest and detention are used to invoke  
39  
40 criminal justice sanctions, and “police cases”, where they are used to maintain police  
41  
42 authority and reproduce social control (see also Hillyard and Gordon 1999). Our analysis  
43  
44 suggests that mass arrest at the BMPC operated as a form of ‘summary punishment’ (Young  
45  
46 2008), used to clear protesters from the site, gather intelligence on those taking part and  
47  
48 legitimise the intensity of the policing operation. Following an often violent arrest, those  
49  
50 pursued under Operation Geraldton were photographed, had their fingerprints and DNA  
51  
52  
53  
54

taken, were held in police cells for long periods of time and were subject to bail conditions which severely restricted their freedom of assembly. The time taken for cases to conclude, in some cases over two years after the initial arrest, has had a damaging impact on those affected. Several protesters reported problems with physical and mental health, financial instability and strained relationships with friends and family as a result of the criminal proceedings. The harmful experience of arrest went beyond those arrested. Protesters described the mass arrest strategy as having a brutalising and destabilising effect on the camp as a whole. Maria, who took part in the protests but was not herself arrested, made the following observations:

Emotionally it is damaging over a long time. I have been here for four months. It is very hard, and the stress levels and anxiety levels in general I've noticed in myself are higher than normal, just being here, because of constant, constant violence, intimidation. You never know what's going to be tomorrow, you never know how the police are going to be, which of your friends are going to get arrested, who's going to get beaten up or hurt next; will it be you, will it be someone you care about?

Stephanie, another camp resident, suggested that the strategy of mass arrest had an impact beyond those at the camp:

They try to instil fear into people. Because another of what that causes, if anybody wants to come down, they'll be like, "Oh, better not, I might get arrested, I might get assaulted". And that's another way that they can stop people coming and actually using the right to protest peacefully. And it's basically, they're just riding roughshod all over that.

## Conclusion

The dialogue model assumes that protest policing is becoming increasingly open and democratic, with the police actively seeking to de-escalate potentially confrontational situations through consensually negotiated solutions. In the context of a crisis of legitimacy in public order policing, dialogue policing has emerged as a progressive alternative to the coercive and undemocratic policing practices of the past. In this paper we have suggested that this characterisation obscures the highly discretionary nature of public order policing and the substantial power imbalance between the police and protest groups. The Barton Moss protesters experienced both the 'velvet glove' and 'iron fist' of public order policing. Consensual (dialogue) and coercive (mass arrest) policing were mutually reinforcing strategies which, from the perspective of many of our interviewees, were essentially indistinguishable in their overall function. Michael, who was arrested and later acquitted of aggravated trespass at Barton Moss, cogently illustrates the 'paradox' between official claims of human rights compliant policing with the material conditions that protesters face:

They look down at you, they didn't treat you as an equal, and you can see an example of that on the [footage] where the sergeant is seen leaning over me pointing at me and shouting in quite an intimidating manner I'm liable to be arrested for aggravating peaceful protesting, when, just prior to that the inspector has said, "We recognise your right to protest and we will facilitate that". It was kind of like, this was the paradox. You were allowed to protest, they would facilitate it, but if you do they would arrest you.

Our analysis draws into question the assumption reflected in official public order policing discourses that dialogue policing is an inherently progressive development. Under

the dialogue model, protesters are expected to go much further than their legal requirements<sup>7</sup> by appointing official spokespeople and entering into ‘negotiations’ with police officers. In situations where protest groups refuse to communicate with police, according to Sir Hughe Orde, former President of ACPO, the policing response “will have to be different ... slightly more extreme” (Hill 2011). Thus, under a dialogue model, the resort to violent policing is not necessarily repressive; rather it is a rational response to non-rational forms of protest. Yet the police maintain the monopoly to decide which groups fall outside of the parameters of the dialogue model. Crude characterisations of protest groups, who often encompass a range of political perspectives and experiences, as radical, militant and ‘anti-police’, delegitimise their activities and exclude them from the possibilities of a more consensual policing response. In the case of the Barton Moss protesters, this framing enabled GMP to claim to ‘work hard to build relationships at the camp’ whilst at the same time deploying a heavily equipped, militarised policing unit to police an overwhelmingly peaceful protest. In a similar process to that described by Gordon in his critique of community policing, our analysis suggests that dialogue policing can have a *legitimising* function, enabling the police to define protest groups as irrational and ‘uncooperative’ and therefore ripe for violent policing.

Moreover, the assumed linear relationship between dialogue and coercion inherently excludes consideration of the *political* function of protest policing (Reiner 2010). Under the dialogue model it is not the aim or target of a protest which dictates the policing response, but the organisational structure of the protest group and their willingness to speak to police.

---

<sup>7</sup> The ‘organisers’ of a planned march must give six days written notice to the police which specifies the date, time and proposed route, and the name and address of the organiser (Public Order Act 1986, s.11).



Applying this de-politicised framework to the highly politicised sphere of anti-fracking protest would preclude consideration of, for example, the close relationship between government and the fracking industry (Short *et al.* 2015) and the political, social and economic context in which the anti-fracking movement has emerged (Jackson *et al.* 2017). These are issues that policing researchers must engage with in order to develop a comprehensive understanding of protest policing in the current era.

Finally, our analysis highlights the need to move beyond official public order policing discourses and consider the concrete experiences of the policed. In some cases, this will require researchers to maintain a critical distance from police forces in order to gain access to those groups who, due to their negative experiences of policing, may otherwise be reluctant to engage. In the context of a proliferation of police-academic partnerships in the UK (Goode and Lumsden 2016), it is vital that a space is maintained outside of these collaborations to enable researchers to engage with those groups most likely to bear the brunt of harmful and undemocratic policing practices.

## References

- Bullock, K. and Johnson, P. 2012. The impact of the Human Rights Act 1998 on policing in England and Wales. *British Journal of Criminology*, 52(3), 630-650.
- Bunyan, T. 1977. *The history and practice of the political police in Britain*. London: Quartet Books.
- Choongh, S. 1998. Policing the dross: a social disciplinary model of policing. *British Journal of Criminology*, 38(4), 623-634.
- College of Policing, 2014. *Authorised professional practice - public order: tactical options: police liaison teams* [online]. College of Policing. Available from: <https://www.app.college.police.uk/app-content/public-order/planning-and-deployment/tactical-options/#police-liaison-team> [Accessed 1 November 2016].

Costigan, R. and Thomas, P. 2005. The Human Rights Act: a view from below. *Journal of Law and Society*, 32(1), 51-67.

della Porta, D. and Reiter, H., 1998. *The control of mass demonstrations in Western democracies*. Minneapolis: University of Minnesota Press.

Evans, R. and Lewis, P. 2013. *Undercover: the true story of Britain's secret police*. London: Faber and Faber.

Ewing, K., 2012. What is the point of human rights law? In: R. Dickinson *et al.*, eds. *Examining critical perspectives on human rights*. Cambridge: Cambridge University Press, 37-60.

Fahy, P. 2014. *Chief Constable statement on Barton Moss protest* [online]. Greater Manchester Police. Available from: <http://www.gmp.police.uk/content/WebsitePages/6662DEE03DF784C680257C78003CF8A6?OpenDocument> [Accessed 1 November 2016].

Fine, B. and Millar, R. 1985. *Policing the miners' strike*. London: Lawrence & Wishart.

Gilmore, J. 2010. Policing protest: an authoritarian consensus. *Criminal Justice Matters*, 82(1), 21-23.

Gilmore, J. Jackson, W. and Monk, H. 2016. *'Keep moving!': report on the policing of the Barton Moss Community Protection Camp*. Liverpool: CCSE and York: CURB.

Glass, D. 2010. The London G20 protests: a bruising experience? *Policing*, 4(2), 160-162.

Goode, J. and Lumsden, K. 2016. The McDonaldisation of police-academic partnerships: organisational and cultural barriers encountered in moving from research on police to research with police. *Policing and Society*, DOI: 10.1080/10439463.2016.1147039.

Gordon, P. 1984. Community policing: towards the local police state? *Critical Social Policy*, 4(10), 39-58.

Gorringer, H. and Rosie, M. 2008 *It's a long way to Auchterarder!* 'Negotiated management' and mismanagement in the policing of G8 protests. *British Journal of Sociology*, 59(2), 187-205.

Gorringer, H. and Rosie, M. 2013. 'We will facilitate your protest': experiments with Liaison Policing. *Policing*, 7 (2), 204-211.

Gorringer, H. Rosie, M. and Stott, C. 2010. HMIC goes to Millbank. *Police Professional*, 232 (November), 14-17..

- Gorringer, H. *et al.* 2011. Facilitating ineffective protest? The policing of the 2009 Edinburgh NATO protests. *Policing and Society*, 21(4), 115-132.
- Gorringer, H. Stott, C. and Rosie, M. 2012. Dialogue police, decision making, and the management of public order during protest crowd events. *Journal of Investigative Psychology and Offender Profiling*, 9 (2), 111–125.
- Greater Manchester Police, 2013. *Memorandum of understanding (MOU): exploratory drilling and potential oil recovery, Barton Moss, Salford, Greater Manchester*, Manchester: GMP.
- Greater Manchester Police, 2014. *More than 80 protesters arrested so far over course of anti-fracking protest* [online]. Greater Manchester Police. Available from <http://www.gmp.police.uk/content/WebsitePagesMobile/3C645B64D74E21C280257C6900258299?OpenDocument> [Accessed 1 November 2016].
- Greater Manchester Police, 2015. *Freedom of Information Request Reference No: 1261/15*, 1 June 2015.
- Gross, M. 2013. Dash for gas leaves earth to fry. *Current Biology*, 23, R901–R904.
- Hillyard, P. and Gordon, D. 1999. Arresting statistics: the drift to informal justice in England and Wales. *Journal of Law and Society*, 26(4), pp. 502-522.
- HMIC, 2009a. *Adapting to protest*. London: HMIC.
- HMIC, 2009b. *Adapting to protest – nurturing the British model of policing*. London: HMIC.
- HMIC, 2011. *Policing public order* [online]. Available from: <https://www.justiceinspectorates.gov.uk/hmic/news/news-feed/policing-public-order/> [Accessed 1 November 2016].
- Hill, A., 2011. Police could use more extreme tactics on protesters, Sir Hughe Orde warns [online]. The Guardian, 27 January. Available from: <https://www.theguardian.com/uk/2011/jan/27/hugh-orde-police-protest-tactics> [Accessed 1 November 2016].
- House of Commons Home Affairs Committee, 2009. *Policing of the G20 protests, Eighth Report of the Session 2008-09*. London: The Stationary Office.
- House of Commons Home Affairs Committee, 2011. *Policing of TUC march on 26 March 2011*, Oral Evidence, 29 March 2011, HC 917-I, Q12.

IPCC, 2012. *Independent investigation into the death of Ian Tomlinson on 1 April 2009*. London: IPCC.

Jackson, W., Monk, H. and Gilmore, J. 2017. Fracking and state violence. In V. Cooper and D. Whyte, eds. *The violence of austerity*. London: Pluto Press.

Jefferson, T. 1987. Beyond paramilitarism. *British Journal of Criminology*, 27(1), 47-53.

Jefferson, T. 1990. *The Case against paramilitary policing*, Milton Keynes: Open University Press

Joint Committee on Human Rights, 2009. *Demonstrating respect for rights? A human rights approach to policing protest, Seventh Report of the Session 2008-09*, London: The Stationary Office.

Kiai, M. 2013. *Report of the Special Rapporteur on the rights to freedom of peaceful assembly and of association*, Geneva: United Nations.

King, M. and Waddington, D. 2005. Flashpoints revisited: a critical application to the policing of anti-globalization protest. *Policing and Society*, 15 (3), 255-82.

Loftus, B. 2009. *Police culture in a changing world*. Oxford: Oxford University Press.

McPhail, C. and McCarthy, J. 2005. Protest mobilization, protest repression, and their interaction. In: C. Davenport, H. Johnson and C. Mueller, eds. *Repression and mobilization*. Minneapolis: University of Minnesota Press, 3-32.

McPhail, C. Schweingruber, D. and McCarthy, J. 1998. Policing Protest in the United States: 1960-1995. In: D. della Porta and H. Reiter, eds. *Policing protest: the control of mass demonstrations in Western democracies*. Minneapolis: University of Minnesota Press, 49-69.

McSeveny, K. and Waddington, D. 2011. Up close and personal: the interplay between information technology and human agency in the policing of the 2011 Sheffield Anti-Lib Dem protest. In: B. Akhgar and S. Yates, eds. *Intelligence management: knowledge driven frameworks for combating terrorism and organized crime*. London: Springer, 199-212.

Metropolitan Police Service, 2013. Standard operating procedure for the operational deployment of protester liaison teams in the MPS, 19 January. London: Metropolitan Police. Available from:

- [http://www.met.police.uk/foi/pdfs/disclosure\\_2015/february\\_2015/2013070002664.pdf](http://www.met.police.uk/foi/pdfs/disclosure_2015/february_2015/2013070002664.pdf) [Accessed 1 December 2016].
- Ministry of Justice, 2015. *Criminal justice system statistics quarterly: December 2014* [online]. Available from: <https://www.gov.uk/government/statistics/criminal-justice-system-statistics-quarterly-december-2014> [Accessed 1 November 2016].
- Netpol, 2014. *Review reveals Police Liaison Officers played 'pivotal role' in Balcombe protest intelligence gathering* [online]. Available from: <https://netpol.org/2014/06/17/police-liaison-intelligence-balcombe/> [Accessed 1 November 2016].
- Netpol, 2014. *Monitoring the policing of anti-fracking protests* [online]. Available from: <https://netpol.org/campaigns/anti-fracking/> [Accessed 2 November 2016].
- Noakes, J., Klocke, B. and Gillham, P. (2005) 'Whose Streets? Police and Protester Struggles over space in Washington, DC, 29-30, 2001' *Policing and Society* 15(3): 235-254.
- Police and Crime Commissioner's Independent Panel on the Policing of Protests and Demonstrations, 2014. *The Barton Moss Environmental Protest*. Manchester: Tony Lloyd, Greater Manchester Police and Crime Commissioner.
- Reicher, S. *et al.* 2004. An integrated approach to crowd psychology and public order policing. *Policing: An International Journal of Police Strategies and Management*, 27 (4), 558-572.
- Reiner, R. 2010. *The politics of the police*. Oxford: Oxford University Press.
- Scruton, P. 1985. *The state of the police*. London: Pluto Press.
- Short, D. 2015 *et al.* Extreme energy, 'fracking' and human rights: a new field for human rights impact assessments? *The International Journal Of Human Rights*, 19 (6), 697-736.
- Stott, C. Scothern, M. & Gorringer, H. 2013. Advances in Liaison Based Public order policing: negotiating the management of protest. *Policing: A Journal of Police Policy and Practice*, 7 (2), 212-226.
- Sussex Police, 2013. *Protest liaison officers* [online]. Available from: <http://www.sussex.police.uk/policing-in-sussex/your-community/protest-liaison-officers> [Accessed 1 November 2016].

Tilley, N., 2003. Community policing, problem-oriented policing and intelligence led policing. In: T. Newburn, ed. *Handbook of Policing*. Cullompton, Devon: Willan.

Townsend, M. 2010. *Metropolitan Police face legal action for kettling children during tuition fees protest* [online]. The Guardian, 26 December. Available from: <https://www.theguardian.com/uk/2010/dec/26/metropolitan-police-lawsuit-student-protest> [Accessed 1 November 2016].

Waddington, P. A. J. 1994. *Liberty and order: public order policing in a capital city*. London: UCL Press.

Waddington, P. A. J. 1995. Both arms of the law: institutionalised protest and the policing of public order. *The British Criminology Conference: Selected Proceedings*. Available from: <http://www.britisoccrim.org/volume1/008.pdf> [Accessed 1 December 2016].

Young, R. 2008. Street policing after pace: the drift to summary justice. In: E. Cape and R. Young, eds. *Regulating policing*. Oxford: Hart.

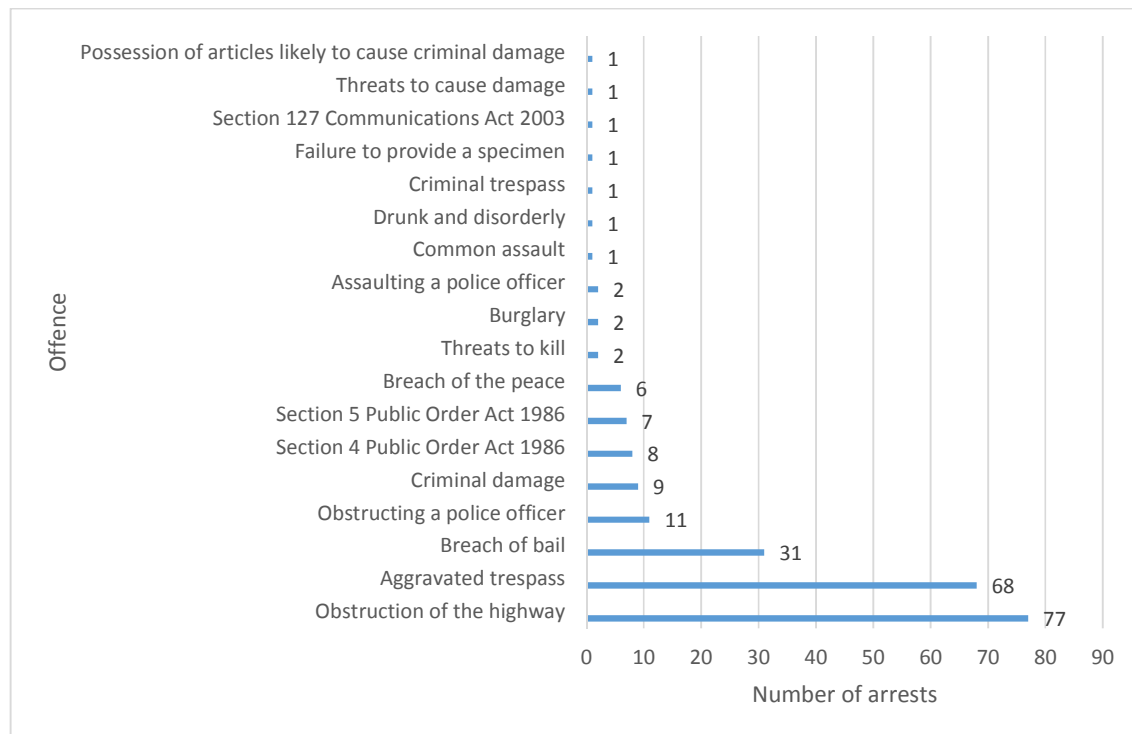


Figure 1: Number of arrests by offence type. Source: GMP (2015).

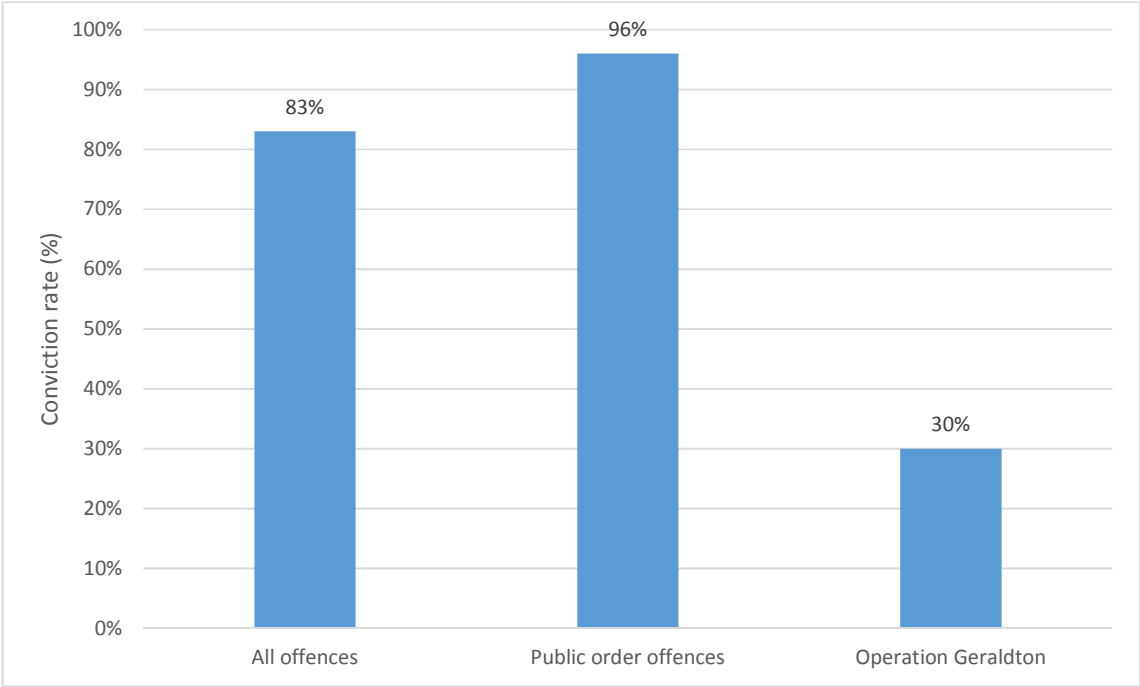


Figure 2: Comparison of conviction rates: all offences, public order offences and Operation Geraldton. Source: Ministry of Justice (2015).