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# CONTEXTUALISING AND COMPARING THE POLICING OF PUBLIC ORDER IN FRANCE AND BRITAIN

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This thesis is being submitted in partial fulfillment of the requirements for the degree of PhD

Mark Jordan

30<sup>th</sup> July 2012

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<b>STUDENT ID NUMBER:</b>	<b>0428091</b>
<p style="text-align: center;"><b>SUMMARY OF THESIS:</b></p> <p>France and Britain are European neighbours and have distinct policing styles and traditions which are evident in their approaches to public order policing.</p> <p>Using an adapted version of David Waddington’s ‘Flashpoints’ model this thesis examines and compares the policing of public order in these two countries. It focuses on the institutional and operational dimensions within their historical, social and political contexts indicating the main areas of convergence and divergence.</p> <p>This research argues that a further review and adaptation of the ‘flashpoints’ model could effectively operationalise it as a tool for police community threat assessment. It also identifies a number of policy implications for both countries that should be accepted as further good practice guidance.</p> <p>There is a strong case for a modification and convergence of approach on both sides of the channel. Neither country has achieved the necessary balance between state responsibility and civic rights required by the social contract.</p> <p>Police community relations in France need to be addressed at a fundamental level and public order policing in Britain requires additional research and review of its operational capability, for it is on the ground that disorder situations are dealt with and it is here that public confidence is won and lost.</p>	

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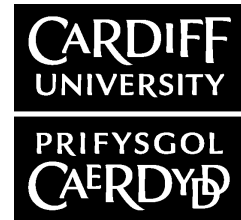
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# Abstract

Contentious and politically fraught, the policing of disorder is directly linked to national culture and identity. France and Britain are European neighbours with distinct policing styles and traditions reflected in their differing approaches to public order policing.

This thesis examines and compares this policing discipline in these countries. Focusing on the institutional and operational dimensions within their historical, social and political contexts, it identifies convergence and divergence of approaches.

Using an enhanced version of David Waddington's 'Flashpoints' model as an analytic framework, the thesis adopts a mainly qualitative approach, drawing data from a review of relevant literature, semi-structured 'elite' interviews, participant observations and case studies. A number of key findings are produced, based on the assumption that a state must possess an effective policing function for it to honour its sovereign and civic responsibilities.

Both countries recognise that use of force upon citizens is legitimate only when necessary, proportionate and delivered by a civil institution. To achieve this both states maintain a public order policing capability. In France this is provided by full time specialist national forces; in Britain by an ad hoc part time response from as many as sixty geographical or functional forces.

The main conclusions drawn from this research lie in the differences of histories, structures and traditions manifest in the central national institutions of France, and the devolved community based approach of the British. The tensions apparent in both states lie between the relevance of Republican Ideals or Peelian Principles respectively and their social realities. The prospects for safety and order in marginal communities are enhanced when the police and those policed

have a respectful relationship which improves communication, understanding and trust.

The thesis argues that further review and adaptation of the 'flashpoints' model could operationalise it as good practice for police community threat assessment. It identifies some policy implications for both countries that should be accepted as good practice guidance. There is a strong case for modification of approach and sharing of identified good practice in both countries. Neither has achieved the necessary balance between state responsibilities and civic rights. Police-community relations in France should be addressed at a fundamental level and public order policing in Britain requires a review of its operational capability. It is on the ground that disorder situations are prevented and it is here that public confidence is won and lost.

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# Glossary

ACPO - Association of Chief Police Officers

ANL - Anti Nazi League

ARG - Area Response Group

ARV - Armed Response Vehicle

BPDJ - La Brigade de prévention de la délinquance juvénile (Juvenile Delinquency Prevention Team)

BST - Brigades Spéciales de Terrain

CBRN - Chemical, Biological, Radiological, Nuclear

CMM - Conflict Management Model

CoLP - City of London Police

CPGN - Centre de Prospective de la Gendarmerie Nationale (GN Strategic information centre)

CRR - Community Race Relations

DCRI - Direction Centrale du Renseignement Intérieur

DGPN - Direction Générale de la Police Nationale

EGM - Escadron de Gendarmerie Mobile (Mobile Gendarmerie Squadron)

EGT - Evidence Gathering Teams

ELSA - Engin Léger de Surveillance Aérienne (Drone surveillance aircraft)

**EPIGN** - Escadron parachutiste d'intervention de la Gendarmerie nationale

(Gendarmerie Airborne Intervention Squadron)

**ESIM** - Elaborated Social Identity Model

**FGMI** - La Force de Gendarmerie Mobile et d'Intervention (Mobile Gendarmerie Intervention

Force)

**GIGN** - Groupe d'Intervention de la Gendarmerie Nationale (Gendarmerie Intervention

Group)

**GIPN** - Groupes d'Intervention de la Police Nationale (Police Intervention Groups)

**GN** - Gendarmerie Nationale

**GSPR** - Groupe de sécurité de la Présidence de la République (Republican Presidential

Security Group)

**HLM** - Habitations à Loyer Modéré (cheap rent council accommodation)

**IPCC** - Independent Police Complaints Commission

**NABIS** - National Ballistics Intelligence Service

**NCTT** - National Community Tension Team

**NCIS** - National Crime Intelligence Service

**NCS** - National Crime Squad

**NPOIU** - National Public Order Intelligence Unit

**NRC** - National Reporting Centre

**PI2G** - Peloton d'intervention de deuxième génération (Second Generation Intervention

Team)

**PN** - Police Nationale

PNC - Police National Computer

PND - Police National Database

PNICC - Police National Incident Control Centre

PNLD - Police National Legal Database

PNMP - Police National Mobilisation Plan

PSU - Police Support Unit

RAID - Recherche Assistance Intervention Dissuasion (Research, Assistance, Intervention, Deterrence)

SICOP - service d'information et de communication de la police nationale

SPG - Special Patrol Group

SPHP - service de protection des hautes personnalités (VIP protection)

SWP - South Wales Police

UTeQ - Unité Territoriale de Quartier

VBRG - Véhicule Blindé de Reconnaissance de la Gendarmerie (Armoured car)

ZAC - Zone d'Aménagement Concerté (concerted development zone)

ZUP - Zone Urbaine Prioritaire (urban priority zone)

ZUS - Zone Urbaine Sensible (sensitive urban zone)

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# Chapter One

## Introduction, Overview and Methodology

### Introduction and Overview

During the summer of 2011 a man was shot dead in the street in Tottenham, London. As a consequence serious public disorder broke out. Riots, looting and violence shocked the British public, as lurid headlines and pictures of burning buildings flashed around the globe. Not for the first time it was perceived that Britain had wobbled on the brink of anarchy (Guardian 2011; HoCHAC 2011; JRF 2011; Ministry of Justice 2011). Once again parts of Britain were seen to be enduring scenes of extreme lawlessness.

At approximately 6.15pm on Thursday 4<sup>th</sup> August 2011 Mark Duggan was shot dead in Tottenham, London during an armed police operation (HoCHAC 2011). During the evening of Saturday the 6<sup>th</sup> August, following a protest about Duggan's death, disturbances began in Tottenham and 'a five day period saw riots and looting in cities across England. Images of people smashing shop windows, stealing, and setting fire to buildings were broadcast across the world' (JRF 2011 p1).

Significant outbreaks of disorder occurred in diverse areas of London, spreading to a number of other British cities (JRF 2011; HoCHAC 2011; Ministry of Justice 2011; Singh et al 2011). Rightly or wrongly the police were criticised because of their perceived weakness of response to the disorder and were burdened with much of the blame. The spontaneity and rapidity of the spread of criminality and disorder to other areas shared many similarities with the events

that shook France in 2005 after two boys died trying to escape from the police at Clichy sous Bois (Lagrange 2009; Roché 2007; Waddington D 2007).

Indifferent elites, police brutality, poverty and social exclusion have been cited<sup>1</sup> as contributing to the explosions of violence in both countries. Neither the fact that the August disturbances of 2011 in Britain occurred, nor the possible causes of them, are the focus of this thesis but their resemblance to the French experiences of 2005 (and 2007) is significant. The presence of these similarities is important as it underscores the coherence of the comparative case study approach to the policing of public order in France and Britain that is adopted herein. The specific case studies selected for this research are justified later in this chapter, but it is clear that the disorders of August 2011, once ongoing inquiries have been completed, will provide another opportunity to assess the British style of public order policing. It is also hoped that the conclusions of this thesis may be useful to such future research.

Public order policing is both gritty and newsworthy (Greer & McLaughlin 2010). It has been subject to a great deal of academic scrutiny and comment, reflecting its status as an important and controversial area of policing (Waddington PAJ 2001). This study compares the policing of public order in France and Britain, and in order to do so, it considers the societal role of the police and aspects of police culture peculiar to the French and British traditions. It is helpful to accept that policing modern liberal democracies means facing 'similar basic pressures that shape a distinctive and characteristic culture' (Reiner 2000 p86) and it is timely to lay the foundation that this thesis works from an acceptance that 'a state is a human community that (successfully) claims the monopoly of the legitimate use of physical force within a given territory' (Weber 1918).

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<sup>1</sup> See Jobard 2009; Jobard et al 2009; Mouhanna 2009; Roché 2005/7; Davies 2011; JRF 2011; Lewis et al 2011; Ministry of Justice 2011; Singh et al 2011; Younge 2011

The institution with 'the power to use coercion in order to ensure social order with a minimum of violence' is the police (Sheptycki 2000 p8). Skolnick (1975 p3) clarifies that a police force that is nationally structured does not necessarily deserve the title 'State Police' and the proper criterion is more to do with whether or not the police are 'answerable to a democratically elected Parliament'. It can be claimed that the civil police of any modern democratic society is the only body that uses force legitimately on behalf of the state upon its citizens, as 'the authority that police officers exercise is granted by the state; they are the custodians of the state's monopoly of legitimate force' (Waddington PAJ 1999 p20). Egon Bittner puts it another way: 'the policeman alone [sic], is equipped, entitled, and required to deal with every exigency in which force may have to be used' (1980 p137).

The body of knowledge relating to the policing of public disorder is considerable. However, whilst research has been conducted into disorder and rioting in both France and Britain, little comparison has been made of how these incidents were policed. The intention in this thesis is to broaden and deepen this area of research by taking a comparative view of public order policing in these two European member states. The remainder of this chapter will describe the background and origins of this research project and will contextualise and outline the thesis aims, structure and methodology.

## **Background**

British policing has always had a clear identity, separate from the rest of the world, no more so than its approach to public order. That approach, of putting the police amongst the people to maintain security and facilitate protest, is quite distinct from other countries in Western Europe where police often use equipment including water cannon, CS gas and other physical measures to control crowds and separate the police from the protest crowd (HMIC 2009a p15)

This quotation from the report 'Adapting to Protest' by Her Majesty's Inspectorate of Constabulary (HMIC) sums up the view of many British police officers that their brand of policing, including the policing of public order, is distinct, different and generally better than that of their European counterparts. This is a natural and understandable self-belief and probably one common to most nations. The possibility that the British public order policing practice may not be so different from, nor yet as good as, another nation's approach became a focus for this research during observation of a multi-national public order policing exercise hosted by the French Gendarmerie Mobile at their national public order training centre at Saint Astier in the Dordogne in June 2004. This exercise (one of a series) was funded by the European Union and could be emblematic of a wider Europeanisation of policing. Here it was possible to see for the first time how different European police and gendarmerie units could operate together, side by side, dealing with the same public disorder situations without resort to a truly common doctrine. The results were interesting; policing operations of various types and intensity were successfully executed and seemingly appropriate solutions to diverse and sensitive problems were implemented. If such good practice could be found in these circumstances then it must surely be possible to posit a combined European policing concept, or at least to accept that European police forces can learn much from one another that could be applied 'at home'.

In order to assess the potential for any such sharing of good practice it was decided that a comparison of the French and British approaches to policing public order problems would highlight the similarities and differences in two major European neighbours who start from different ontological positions. This comparative approach allowed identification of good practice, affording an understanding of where there was convergence or divergence of ideas and consideration of how relevant knowledge might be shared. In turn, the insights

gained from this comparative approach served to frame a better understanding of the wider remit of public order policing.

France and Britain are countries that, on the face of it, police their citizens differently. In France, police officers are explicitly servants of government. They embody, symbolise and stand for the power and authority of the French state in a way wholly unfamiliar to the British citizen (Gregory 1985; Stead 1983). This begs the question as to how the police interact with the general public in nations where the police are considered to be an institution of the nation-state (Hartung 2008).

Contrastingly British police constables are individually responsible as crown officers and servants of the law (Gregory 1985) where 'police power has not been regarded as lying at the heart of state authority' (Alderson 1985 p16). Knowing the social, economic, and political conditions, as well as any specific forms of protest pertaining to any locality is vital in understanding what is required to successfully police public disorder. Both countries have distinct but similar colonial and social histories, which frame their contemporary political and social characteristics. Consequently, some discussion of their socio-political landscapes and postcolonial characters is necessary.

### **France: policing in the One and Indivisible Republic**

France shall be an indivisible, secular, democratic and social Republic. It shall ensure the equality of all citizens before the law, without distinction of origin, race or religion. It shall respect all beliefs. It shall be organised on a decentralised basis (French Constitution 2008).

This extract from the French Constitution explicitly states that all citizens of France are equal. A foundation of the republican ideal it has also become a cornerstone of contemporary social and political dissatisfaction. 'Postcolonial difference' is the racial and ethnic difference of descendants of immigrants whose presence is a consequence of a colonial history (Michel and Honegger 2007). It is a

useful term that encapsulates a meaning that is present in both France and Britain. If one accepts that protest is usually a result of inequality and a lack of political voice, then it can be reasoned that minority groups, notably those with a North or 'Black' African heritage, who have been housed in the banlieues of Paris, and other conurbations (in both countries), may have a reason to protest (Jobard 2009; Lagrange 2009; Roché 2007).

Inclusion, or rather exclusion, is seen by Michel and Honegger as an important factor in the attitudes of minority group members when they assess whether or not they have any stake in society. These researchers use the example of the French government's adoption in 2005 of an article of law intended to better integrate the Harki minority (Algerians who fought with France in Algeria), and their families. Michel and Honegger's argument identifies two key groups: the first are the 'postcolonial conscious' who are aware of ethnic and racial differences that need recognition in order to be heard. The second group are the 'postcolonial unconscious' or those that proffer the republican ideal of the French state that sees no differences in the public sphere. For this second group, there is no recognition of race or ethnicity - there is simply one nationality - the French. In their view, France manages diversity by denying it. Michel and Honegger go further in asserting that there is an implicit articulation by the Ministry of Integration that postcolonial difference is a danger to the state. Consequently the conscious group feels that negative interpretations of minorities are drawn because race and ethnicity are devoid of meaning and that the rejection of the past denies its impact on the present (Michel and Honegger 2007).

Violence is a continuing theme in colonial history and is, according to Aldrich (2007), linked to the use of violence in metropolitan France today through legacy. Violence is used by colonial descendants as a way of gaining self respect at an individual level. The violence of the coloniser is balanced by the violence of



the colonised and this is replicated today in the relationship between the marginalized inhabitants of the banlieues and the police. According to this analysis, all countries involved in colonialism used violence and are subject to violence in return (Aldrich 2007). This idea is useful in the comparison of the British and French policing strategies employed to deal with urban unrest in the late 20<sup>th</sup> and early 21<sup>st</sup> centuries.

However, in spite of its secular philosophy, France *has* recognised minority groups in specific circumstances. This is evidenced by the recent trend towards building memorials, such as the ‘Mur des Disparus’ unveiled in 2007 to commemorate the ‘Pieds Noirs’ (French Algerians) who disappeared during the war of independence, or the Monument to Slaves (Aldrich 2007). Whilst the ‘Pieds Noirs’ are celebrated as being French and ethnicity is almost never explicitly used as a criterion to guide public policy, this is suggestive of some relaxation of the rigid republican view, or perhaps a sense of confusion in French state control. Aldrich states that the ‘culture and ideology of violence that continues to echo from distant outposts of the empire to the *banlieues* of the post-colonial Hexagon’ (Aldrich 2007p24) links colonial violence to modern issues. Such violence may indicate more than a limited crisis, indeed a decline or even a collapse of the French model of integration (Wieviorka 2005).

According to Zauberman & Levy (2003), both the visible appearance of the police and the legitimacy of their actions have a significant effect upon the perceptions of minority groups. The prospect of an ethnically representative police force (as recommended in Britain by Scarman 1981) is a strange one in France for two reasons: the conception that the police are accountable to the government and not to the people it polices; and, as also suggested by Aldrich (2007), that the republican ideal, an ‘abstract conception of citizenship’ gives no significance to the ethnic or cultural identities of its citizens (Zauberman & Levy

2003 p1065). As a result of the 2005 riots the French republican model has suffered further loss of public confidence and its abstract republican principles need to be brought in line with modern reality (Suleiman 2005). The public debate on crime and safety in France concentrates on the readily distinguished minority groups of Maghrebian and Black African youths, who are seen as violent delinquents. Little or no positive perceptions of these groups are articulated and statistical information regarding race and ethnicity drawn from police stop checks (procedural in Britain) would be inconceivable in France because of the idealised inclusive conception of being French (Zauberman & Levy 2003). Recognising diversity could be the first step in changing these entrenched perceptions. The republican ideal stands in the way of measuring this: it is simply not acceptable to that ideal for the state to record ethnicity, even if it is for the greater good. Some fear that such a database could fall into the wrong hands and the 'Fichier des Juifs' of wartime Vichy France, used to identify 76000 Jews who were sent to Nazi extermination camps, is held as an example of how terrible such a thing can be. (Zauberman & Levy 2003).

However, that the Police and Gendarmerie forces should visibly represent the public they serve is a reasonable argument. It serves no good purpose for the police to view more recent immigrants as nothing more than criminals, or for the police to be viewed by them as their enemies. Whilst visible minority group representation in the police does not guarantee better community relations, it might serve to show that assimilation into society is possible for such groups, in the same way it was for central and eastern Europeans earlier in France's development.

Ethnicity, culture, police attitudes, tactics and behaviour were significant factors (Roché 2007) and prior to the disturbances of 2005 that originated in Clichy sous Bois, there was a lack of police engagement with the populations of the

banlieues. Police attended incidents much as firemen [sic] go to fires, very quickly but too late (Roché 2007), and this is what allegedly occurred on a fateful evening in 2005. The police were tasked to answer a call and arrived to find themselves 'nose to nose' with a group of adolescents and a conflict situation arose. The youths that ran away from the police that evening did so, in all probability, to avoid contact with them, rather than because they themselves had done anything wrong. This sort of incident is nothing new to police officers who patrol the 'difficult' areas of any large town or city. Individuals do not make decisions without due regard for their surroundings, nor are they at the mercy of global forces beyond their control. The effect of 'place' or the situational, neighbourhood effect is significant in these choices and cannot be ignored (Sampson 2010). For Roché though, the police were poorly prepared for the escalation of the conflict that ensued and badly informed at the start of the riots that then followed. In France the police lack a truly community orientated policing ethos (Roché 2007) and consequently, one can surmise, they have no relationship with local youths other than that of enemies. As discussed in due course, this was confirmed by Police National (PN) and Compagnies Républicaines de Sécurité (CRS) sources during the empirical research.

The disturbances that spread rapidly across France in 2005 will be the subject of a detailed case study later in this thesis, but for the purposes of the current discussion there were, according to Roché, six key moments in their escalation:

1. The deaths of the two youths.
2. The inability of the authorities (and the community) to calm the situation as the incidents increased.

3. Poor communication by the authorities, indeed dishonesty in their public statements. There was no openness or sympathy expressed for the families of the deceased, or the communities affected.
4. A lack of appropriate police resources deployed to deal with the disorder.
5. A poorly aimed smoke grenade fired into a Mosque that increased community tensions.
6. The failure to anticipate that the riots would spread from their origin (Roché 2007 p14-25).

The policing system was not effective (Roché 2007). The police were overly centralised and thereby incapable of attending to local needs. A large body with a small head is the metaphor used to describe the police organisation and a number of other national administrations (Roché 2007), reinforcing what was said by Zauberman and Levy (2003) regarding the French republican ideal and its centralist reality.

Minister of the Interior Sarkozy's description of minority youths as 'racailles' (rabble/scum) or 'savages' was another indication of the government's lack of sympathy towards the minorities involved, which points again to an official indifference '... politics has forgotten the banlieues' (Zauberman & Levy p212). The predominantly reactive policy of the police and insensitive use of stop and search evidences a 'myopic' vision and shows that the rectors at Place Beauvau (home of the French Ministry of the Interior) have for years been 'feeling their way' in terms of strategic view and public relations (Roché 2007). This is very reminiscent of Scarman's findings after the Brixton riots in Britain, over twenty-five years ago, when he stated that the disorders of 1981 showed us how fragile public order is in a plural society (Scarman 1985).

However, Sarkozy's inflammatory threat to use a pressure washer to cleanse the housing estates of 'racailles' was less of an issue than the structural conditions caused by cuts to public funding in those areas and the 'war on terror' that focused on the racially different, marginalised populations (Silverstein & Tetreault 2006) who are routinely policed (Jefferson 1990).

Police resources in France are fully detailed in Chapter Three, but for now it is sufficient to accept that they are national forces that are assigned territorially using a numbers of officers per head of population formula that takes little or no account of crime rates in a locality (Roché 2005). There is an 'effective' civil force of 146,000 police under the direction of the Ministry of the Interior and a gendarmerie force of 105,389 under the joint direction of the Ministry of the Interior and the Ministry of Defence to ensure internal security (US BDHR+L 2008). However according to Roché (2005 p35) the 17000 Gendarmes of the Gendarmerie Mobile (GM) and the 15000 agents of the CRS, which are the French public order policing specialists, are 'organised in an obsolete territorial basis' and little or nothing to do with the policing of daily delinquency. The police are criticised for not being directed by demand (Roché 2005), but this fails to give credit for their preparedness for dealing with disorder effectively and professionally when it occurs (Roach 1985; Stead 1983). Other arms of the judiciary are also nationally organised. Magistrates are structured in a similar manner and are consequently distant from the communities they serve, which has led to an incremental loss of public confidence in the penal system (Roché 2005).

That said the concept of community policing is not unknown in France and a number of initiatives have been attempted. However its slow development has been a victim of electoral deadlines; as such reform requires time, political will and resources (Mouhanna 2008; Ober 2002). 'Ilotage' or the placing of 'islands' of local police officers in communities was one such initiative and one that could

have been successful but for the lack of political will both within policing and without. During the 1980s and 1990s the French police formally converted to *ilotage* but in practice very few officers gave the concept any credence, preferring the status quo of 'tough' policing (Mouhanna 2008).

The Jospin government's later attempt at police reform - 'Police de Proximité' (initiated, rolled out and disestablished between May 1997 and June 2005) was another failed experiment in community policing. This style of policing was different to *ilotage*, with experienced 'ilotiers' being excluded from it. Jean-Pierre Chevènement, then Minister of the Interior, claimed that the Police de Proximité project had been subject to more preparation than any other previous reform and the pilot in Paris was supposed to have been a model for further reform of the state. The reality fell short of this aim due to the hierarchical, complex and inflexible nature of the Ministry of the Interior and the layers of authority that managed the police (Roché 2007).

Most recruits to this new form of policing were young in service and their purpose was to 'build proximity from a central point of view... with no discretion and no latitude allowed to the local police officers' (Mouhanna 2008 p85). The reform emphasised the judicial relationship between state and citizens and resulted in less problem solving and more process (Mouhanna 2008), leading to a lack of confidence all round and the ultimate failure of this socialist policy.

According to Roché (2007), that failure was in part responsible for the 2005 disturbances. Delinquency in France had risen since 1950 and the rate of detection of offences had fallen over the same period (up to 2002); indeed, offenders are half as likely to be identified today as they were half a century ago (Roché 2005). Manifestly this reform was destined to fail, in part due to those crime rates and the fact that it was both under resourced at an operational level and looked upon by police officers as a low prestige role. 'At the moment of its

application [the reform]... the necessary changes and means of its application had been rejected or diminished' (Roché 2005 p58; 83).

In the build up to the elections of 2001 and 2002 Nicolas Sarkozy had ridden the political momentum of French preoccupation with security and the political right used the fear of crime to its benefit (Roché 2005; Mouhanna 2008). These perceptions could be responsible in part for Sarkozys' later success in being elected President of France. The Raffarin government that followed Jospin's and installed Sarkozy as Minister of the Interior came with a strong results culture. They fixed such objectives as a 20% reduction in crime by 2006 and Sarkozy grew in popularity with his well-publicised determination to reduce delinquency (Roché 2005 p259). This included the continuing use of the Brigades Anti-Crimes or BACs whose activities have been seen as abrasive by those targeted in the banlieues (Roché 2005; Mouhanna 2010b).

Monsieur Sarkozy, whilst officially maintaining support for Police de Proximité, gradually withdrew resources allocated to it and ultimately disbanded them (Mouhanna 2008), which may have had unfortunate consequences. Jean-Piere Chevènement stated in a recent interview (Le Post 2008) that the events of Seine Saint-Denis 2005 were a result of abandoning the Police de Proximité, since when the only contact between the youths on the estates and the police had been with units such as the BAC D. Whilst such interventions are often necessary, they are sometimes brutal.

In this regard, these developments in France have followed a similar trajectory to the British government's use of 'results' or 'performance led' policies that are imposed upon the public sector, which notably for this study includes the police (Savage 2007). Detection rates or 'sanctioned detections' in Britain are real drivers of police agency and have been the main performance indicator used to 'measure' operational commanders (Munro 2010; Neyroud 2008).

Roché suggests that the structure of geographical deployment of police and gendarmerie resources should be reorganised, a very sensitive issue that does seem to have merit, certainly at the more local level. He also suggests that the CRS and the GM are a wasted resource (2007 p281) being too costly, due to their regional structure and being too many in number. He recommends that the Police and Gendarmerie should be amalgamated, which really does amount to a culture shock for both agencies as it means the joining of a civil power with an historically military force and would require significant administrative and operational changes in order to achieve it. This amalgamation is already under way, as since 2007 GN and PN agency within the French mainland has been managed by the Ministry of the Interior. The development of policing in France is more fully described in a later chapter, but until 2007 the Defence and Interior Ministries had effectively been in competition, as were (and still are) the different corps of police and gendarmes. This was/is more a professional rivalry than the territorial or geographical one apparent in Britain.

Amalgamation of the French police and gendarmerie still seems a long way off but the streamlining of ministry control is aimed at achieving savings and efficiencies. It is also worth noting that similar amalgamations have already been successfully managed in Belgium and Austria. The activities of the police are not an end in themselves but rather a means of service to the public (Roché 2007 p284) and policing is a necessary function in order to guarantee human and citizen's rights. This can be claimed to be so of any liberal democracy. The results culture is in reality a handicap by virtue of its centralised character and as such is counterproductive; in effect police efforts being hampered by central government policy (Roché 2007).

Roché asserts that the idea of the Police de Proximité 'constitutes a unique model that will evolve (develop) policing in France and it was highly likely



that ex-president Sarkozy would relaunch it under a new name (Roché 2007). Although not directly attributable to Sarkozy himself, a new initiative was launched in 2008 by the then Minister of the Interior, Michelle Alliot-Marie, who launched UTeQ - Unités Territoriales de Quartiers (NouvelObs 2008). These units were an experimental initiative with the stated intention of being 'police who are close to the people' (NouvelObs 2008). Alliot-Marie also said that it was not a case of reproducing the Police de Proximité. It was intended that there would be three teams of ten police officers, each with at least two years police experience. She also insisted that 'what counts is not the name [title] but the content' (Le Figaro 2008) and that this initiative was part of a security plan to be piloted in Seine Saint-Denis (Paris) before being deployed across all of France. The inference here was that there was some official acceptance that the police needed to be closer to the people and acceptable to them if any trust was to be built. 'A police close to the people...To protect the citizens against delinquents, fight against trafficking... Assuring a permanent and active presence, visible and preventative' (Le Post 2008). The teams patrolled in the areas of Saint-Denis, La Corneuve and Clichy-Montfermeil all of which were and remain 'sensitive areas'. On the face of it this did seem to be a genuine attempt to re-introduce a locally based policing system, whilst avoiding the perception that the police de proximité amounted to police who only play football with the local kids as stated by Sarkozy in 2003 (Le Post 2008). This point was not missed by Alliot-Marie when she said that her new units would be on the ground to generate respect for the authority of the state and the law (NouvelObs 2008). UteQ though proved to be a relatively short lived initiative and was changed again in 2011 by the latest Minister of the Interior Claude Guéant who replaced UteQ with 'special territorial brigades' (BST) intended to establish community links through presence and example, whilst

ultimately cracking down on crime in line with presidential policy (Mouhanna 2010).

The activity of police officers alone though cannot assure improved community relations. Other agencies also need to be 'signed up' to the strategy. The courts and their sentencing must also reflect the strategy. Fundamentally, whilst police efforts can contribute to a reduction in criminality, a lasting success will depend upon the efforts of other agencies linked to the judiciary dealing with such aspects as prevention and education (Roché 2005 p293). This partnership ethos has long been recognised in British policing as being vital to success in this regard (interview sources). Local policing strategies of the forty-three forces of England and Wales reflect the acceptance that the police cannot achieve success alone and the police role is often one of co-ordination rather than control (Home Office 2008; interview respondents). Stakeholders, which the residents of any area undoubtedly constitute, should be part of a consultation process and in order to do this the police need to be receptive to discussion. That does not signify any loss of statutory police powers but may necessitate a more negotiated approach.

So it can be seen that France supports a centrally structured state 'machinery', ideologically underpinned by strong republican ideals. Again, for now, it is sufficient to describe it as nationally structured and administered. It is state controlled and does not have close links with the population it serves (Roché 2005; Roach & Thomanek 1985; Stead 1983). This contrasts with the British approach which we will consider next.

### **Britain: Peelian principles and empirical realities**

British society amounts to a form of 'sociological federalism' where the state not only recognises the legal existence of a social group, but also decentralises policy decision-making or implementation to those groups rather than to a geographical

territory (Lijphart 1980 in Wisler & Onwudiwe 2009 p8). Nevertheless, traditional attitudes to the role of policing in Britain had begun to change by the 1980s. By then, there were already concerns that the traditional view of the police as civilians in uniform was out of date (Brewer et al 1988), with 'winning by appearing to lose' (Reiner 2002 p67) no longer viewed as acceptable. Policing is a learning discipline and, as a result of such incidents as the Brixton riots of 1981 and the Miners Strike 1984, public order management has moved on considerably. This is evidenced by the increasing militarisation of public order policing philosophy (Brewer et al 1988; Waddington PAJ 1991). A taboo had been broken in that the view that policing in Britain was non-political had been challenged:

Nowhere are the police political innocents... focusing on public order policing is revealed as a political activity. Recognition of this fact may be more palatable to the passive observer of events in South Africa or Northern Ireland, but it is no less true of Britain (Brewer et al 1988 p4).

'Policing is morally ambiguous and profoundly so' (Waddington PAJ 1996 p114), and police officers have a unique position in society being authorised by it to 'exercise coercion' in a manner that would be totally illegal if attempted by anyone else. This infers that the civic responsibility for citizens to police themselves has been superseded by police enforcement. Public order policing involves a moral ambiguity that everyday crime fighting does not, as evidenced by the policing of the 1995 protest regarding animal exportation (Waddington PAJ 1996 p115) when the police enforced the law, upon a group of citizens who were engaged in what amounted to civil disobedience, in order to stop the exportation of calves in 'veal crates' through a number of British ports.

The moral ambiguity of police action in facilitating what was viewed ultimately as animal cruelty by many and therefore illegitimate is apparent. Public order policing has always been complicated by political considerations and few police commanders would disagree with this view:

Public order policing is irreducibly political; it is a highly visible representation of the relationship between the state and citizen. Its future is inextricably intertwined with how the British state develops (Waddington PAJ 1996 p129).

There is an important difference between common criminality and protest: ‘what distinguishes them is that protest is a conspicuous act of citizenship’ and breaking the law in order to ‘participate in that moral community’ (Waddington PAJ 1996 p115) is seen as legitimate.

The year-long miners’ strike of 1984 had stimulated a rapid development in police tactics and deployments and officers had increasingly been seen wearing riot helmets and protective pads and carrying shields. The police had developed the National Reporting Centre (NRC) in 1972 because of previous miners’ strikes that had shown the police response to be ineffective. From then on the co-ordination of nationwide deployments could be centrally managed. New legislation had been passed that gave greater police powers (The Public Order Act 1986), evidencing greater state involvement (Brewer et al 1988). CS agents and baton round options were by now available for police commanders (Brewer et al 1988), though deployment of such options is extremely rare even now. Such tactical options are very rarely deployed and have never been recorded as having been used as a public order option on the mainland of Britain (interview sources). The limited and directed use of CS agents within firearms operations will not be considered here.

In 1981 *The Scarman Report* was published as a result of his inquiry into the Brixton riots of 10<sup>th</sup> -12<sup>th</sup> April that year. Lord Scarman was appointed by the then Home Secretary, William Whitelaw, to ‘inquire urgently into the serious disorder in Brixton...’ (Scarman 1981). His report was wide ranging and detailed, paying attention not only to police involvement but also to social and political conditions, as ‘the disorders cannot be fully understood unless they are seen in

the context of complex political, social and economic factors which together create a predisposition towards violent protest' (Scarman 1981 p195). The disorder occurred not as a sudden unpredictable event, but after a long period of social exclusion and perceived racial discrimination by a number of official bodies, notably the police. Many officers from other boroughs and departments of the Metropolitan Police had been deployed on Operation 'Swamp 81', performing numerous stop and search interventions using the discredited 'sus laws' under sections of the now revoked Vagrancy Act of 1824 (Hall 1999; Jones, C. 2011). Little evidence or even suspicion appeared to be needed in order to justify searching young local men, many of whom were of African Caribbean descent. Scarman advised that it is better to be policed consistently by local officers than heavily in short lived saturation policing operations. His recommendations were a watershed in policing practice, forming the basis for significant and ongoing changes to the policing of minorities and community race relations. A number of advances were made as a direct result of them.

Scarman argued that all officers, from Constable to Commander/Assistant Chief Constable (ACC), should receive training in public order tactics to a common minimum standard. He saw a need for specialist public order units and the Special Patrol Groups (SPG) were maintained, albeit their title has changed, accepting that there would be circumstances where their deployment was necessary. He also mentioned the options of CS agents and baton rounds as being available for use if necessary.

In the larger towns and cities with significant ethnic minority groups the police were seen by some as a predominantly white and racist organisation. The inner city riots of 1980-85, which had taken place in St Paul's, Brixton, Toxteth and Tottenham amongst others, had occurred after some form of police intervention that acted as a trigger incident. Lord Scarman's report had

recommended improvements in police training in public order policing and dealing with diversity (then community race relations or CRR). By then the police had taken Lord Scarman's advice and public order tactical training had developed significantly but CRR had not. CRR in 1988 was generally not a priority and police attitudes had yet to be seen to change and this may still be the case:

The essential problem remains a policing culture that, since the inception of the modern police in 1829, has always measured success in terms of the prevention and detection of crime, the maintenance of public order and the prosecution of offenders, and which has historically seen little value in developing community relations (Whitfield 2006).

Lord Scarman's report recommended a separate and distinct offence of racially discriminatory behaviour, which has been added to the police discipline code. He also recommended that an independent body should investigate complaints against the police, whilst allowing that there was no suggestion that police investigations were flawed. There was, however, a widespread lack of public confidence in the then existing system (Scarman 1981). Indeed, a number of changes have been made in the intervening period and the present Independent Police Complaints Commission (IPCC) does not directly employ police officers.

Scarman (1981) was of the view that patterns of patrol should include mobile and foot patrol and that operational officers should have the opportunity to get to know the community they serve. This is an approach that many would think essential, one that was idealised in such television programmes as *Dixon of Dock Green*. However, similar to the French case, community policing was seen by many officers as a low prestige role and many of the most able officers were 'creamed off' by specialist departments such as CID or Traffic (Jones & Winkler 1982 p103).

Scarman also believed that the police force should be more representative of the public it serves. Officers from minority groups were not present in the police in anything like the percentages they were present in the general

population. He did not support the use of quotas in recruitment or the lowering of standards, but made it clear that vigorous efforts should be made to recruit more black people (Holdaway 1991 p365; Scarman 1981). This was echoed by Robert Reiner; ‘...the personnel of the police must reflect the more diverse and plural demographics of postmodern societies’ (1992 p780).

The police did take heed of almost all his recommendations, some of which were more readily achievable than others. Even thirty years later some have yet to be accomplished, notably the representation of ethnic minority groups in the police, which is still only 3.5% (British Council 2011) compared to the non-white proportion of the national population of 7.9% (Office for National Statistics 2011). Whilst the Scarman Report was the beginning of a long and ongoing period of change and much has happened since then, his findings remain a landmark in police community relations against which comparison can still be made.

Since the Scarman Report, other inner city disturbances across Britain have prompted further inquiries and reports.

During the spring and early summer of 2001, there were a number of disturbances in towns and cities in England involving large numbers of people from different cultural backgrounds and which resulted in the destruction of property and attacks on the police. Whilst these disturbances were rightly condemned by all sides of the communities affected, the Government made clear its determination to establish why these disturbances took place (John Denham in Cattle 2001).

*‘Community Cohesion: A report of the independent review team’* (Cattle 2001) was initiated after what have become known as the Northern Milltown Riots that occurred in Oldham, Burnley and Bradford. A wide-ranging and detailed report that covered all the ingredients of British multicultural citizenship, it made sixty-seven recommendations of which seven were directed at policing:

- local and police authorities should establish protocols of support, with clear agreements put in place to tackle serious problems such as criminality and inter community tensions;
- the police should develop ‘good practice guides’ on communication with all sections of the community including young people;
- the police should facilitate formal and informal contacts with the community and, where necessary, re-organise duties and ‘patch responsibilities’;
- the police should address the lack of financial reward and career progression opportunities in the discipline of community policing, especially in the inner city areas;
- should quality assure diversity training;
- should review ethnic minority recruitment and take new and radical measures in that regard;
- should look at more pro-active approaches to the banning of potentially inflammatory marches and demonstrations (Cantle 2001 p60-61).

There were obvious similarities to the recommendations made by Scarman, particularly regarding the status of community police officers. A partnership or multi-agency approach was recommended and Cantle also makes clear the importance of the police in dealing with ‘quality of life’ issues. No agency alone can achieve the aim of improving quality of life. Cantle’s findings reflect this and ‘...there has been a great deal of support for the police and a recognition that their approach has improved considerably...’ (Cantle 2001 p40 5.11.1). The problems highlighted were more to do with a lack of police presence and the consequential ‘tolerance’ of drug dealing and abuse, propagating perceptions that ‘no go’ areas had developed. Cantle also emphasised the depth of social polarisation. Communities were not only separated geographically in housing



estates and schools, they operated ‘...on the basis of a series of parallel lives’ (Cantle 2001p9 2.1). This echoes comments made by Herman Ouseley, identifying a concerning drift towards self-segregation (Ouseley 2001). It was found communities may be geographically contiguous but are not neighbourly, which in turn results in ignorance, distrust, prejudice and ultimately conflict. The similarities between this and events in the banlieues of France are unmistakable.

The ‘silo’ like segregated existence of some communities has been blamed by some on the failure of multiculturalism as a policy (Cantle 2001; Mirza 2007). This failure has been apparent for some time, with minority communities vying against each other in the political arena for resources. The Cantle report ‘...pointed to the way in which local authorities’ policies had deepened segregation in parts of Britain’ (Mirza 2007). A full critique of British multiculturalism would require its own thesis and is outside the scope of this work. That said, it should be recognised that the findings of both Scarman and Cantle are significant in that not much had changed during the twenty years between them. This provided some of the context that helps focus this research.

### **Research focus**

In order to make a viable comparison of public order policing in France and Britain it is necessary to consider the respective historical, social and political foundations in both countries, as a frame for understanding how policing is imagined and practised. A contextual understanding of the institutional and operational levels of policing public order is also necessary.

Informed and framed by the concepts and findings identified in the extant research literature, a qualitative research design was constructed based upon a multi-method comparative strategy integrating elite interviews and direct and participant observations in both countries. The development of this approach was

selected in order to access the perspectives, ideas and practices that inform and shape how professional police officers approach the issues involved in managing mass public disorder.

Case studies are used 'to contribute to our knowledge of individual, group, organisational, social, political and related phenomena' (Yin 2009 p4). In order to further extend and elaborate the insights derived from the chosen approach, it was decided to include a comparative case study of public order incidents in both countries as 'an empirical inquiry that investigates contemporary phenomenon in depth and within its real-life context' (Yin 2009 p18). The very 'rich' context of the case studies chosen meant that no single data collection method could be relied upon (Yin 2003). There are six sources for the collection of evidence 'documents, archival records, interviews, direct observation, participant observation and physical artefacts' (Yin 2003 p98). The requirements of this thesis were met from four of these: documents, interviews, and direct and participant observations. Multiple sources of evidence allowed consideration of a broader range of issues and a 'convergence of sources' (Yin 2003p117) which, guided by the 'Flashpoints' framework, ensured a focused study.

### **Overall research aim/objectives**

The research design outlined above was devised to answer three main research questions:

1. What is the role of the police in policing disorder in the two countries?
2. How and why do French and British police forces approach disorder in the styles that they do?
3. In what ways are convergence and/or divergence of approach apparent in the policing of public disorder in France and Britain?

In order to engage with these questions David Waddington's 'Flashpoints' model (Waddington D et al 1989) was utilised to provide an analytic framework for organising, assessing and interpreting the empirical data. It is an approach that has already been successfully utilised in the analysis of a number of public disorder incidents. An enhanced version of this framework was adapted in line with Waddington's own critique (2010) that takes account of policing traditions and policies, as well as the existing six levels of structuration. This framework was applied to the research findings from all sources.

This chapter concludes with a summary of the research aims for this thesis and its methodology. The methodological considerations are explained, as is the choice of a qualitative research strategy employing observational and interviewing techniques for the fieldwork. It also justifies the choice of the adapted version of the 'Flashpoints' model as the analysis framework and describes the thesis structure.

## **Methodology**

All social research sets out with specific purposes from a particular position, and aims to persuade readers of the significance of its claims; these claims are always broadly political (Clough and Nutbrown 2007 p4)

This section explains the research strategy and how it was conducted. It will set out the rationale for the qualitative approach using both inductive and deductive reasoning, which fits with Uwe Flick's view that qualitative research 'refrains from...formulating hypotheses... in order to test them. Rather concepts are developed and refined in the process of research' (Flick 2007 pX).

Flick recommends creativity of methods or approaches, adapting these in order to achieve the research aims. This, in the context of this comparative study, required research to be carried out in two countries, consequently demanding

logistical and methodological flexibility that was simultaneously 'sensitive and adaptive to conditions in the field' (Flick 2007 p50).

Such cross-national comparison secures a number of benefits including making contact with individuals who have great experience and knowledge of their national traditions. Through comparison of a variety of concepts, new insights and deeper understanding of the issues are possible. Researchers are able to identify similarities and differences in the characteristics of institutions, structures and practices. Different cultural perspectives are possible from understanding the 'others' viewpoint and seeing one's own approaches through the eyes of a knowledgeable external observer (Hantrais 1995). Comparative research is also helpful in the refinement of theory (Howard, Newman & Pridmor 2000).

### **Origins and Context**

Each year between 2003 and 2008 the Gendarmerie Nationale hosted a 'European Union Multi National Public Order Exercise' centred on interoperability exercises and intelligence management at their sizeable Centre National d'Entrainement des Forces de Gendarmerie (CNEFG) at St Astier, Dordogne. Several countries from around Europe, as well as Turkey and Morocco, sent units to participate in these EU funded exercises, which afforded an opportunity to observe and experience the various national approaches to public order policing, and to assess the differing operational dimensions and doctrines. This is from where the idea for this research originated and developed, in the belief that it would give a deeper and broader understanding of this specialist area of policing. Further contemplation of the subject caused the author to consider questions such as:

- When is it necessary to disperse a crowd?

- Why is the use of tear gas such a sensitive issue in Britain, when it is used readily and seemingly without public disapproval in France, where associated injury potential is comparatively low compared to the use of bodily force and batons often preferred in Britain?
- Why is the policing of public order in France perceived, in Britain, to be a brutal affair compared to British methods?

These were apparently straightforward questions that, when given careful consideration, proved to be not so easy to answer. Happily all the questions were researchable in that they were: interesting, relevant, feasible, ethical, concise and answerable (Green 2008 p47).

It is timely here to acknowledge the centrality of human rights dilemmas to the policing of public order and human rights considerations are at the core of police doctrine and planning (KtP 2010). France and Britain (U.K.) are signatories to the European Convention on Human Rights (Ovey & White 2010) and whilst human rights are referred to in this thesis, and the public order policing doctrines of both countries are discussed, it is felt that deeper discussion of human rights issues would deserve a thesis of its own, so it needs to be clarified that analysis of the human rights dimension is not pursued in depth in this thesis.

Prior to commencing data collection, the above questions were further defined and refined through a lengthy process of ‘board-blasting’ or brainstorming the nature and scope of the questions and issues, followed by prioritisation, refinement and review (Green 2008 p56). A ‘Research in Progress’ presentation was made to the European Governance, Identity and Public Policy (EGIPP) research group of the Cardiff University School of European Studies, and the feedback obtained used to inform the development of the project. This eventually

came to focus upon a research question that asked ‘how can we and should we contextualise and compare the policing of public order in France and Britain?’

Of direct relevance to the research in terms of access to the field and the data obtained was the fact that throughout the field research stages, the author was a serving police officer professionally engaged in the policing of public order at all levels. In planning the research due regard was given to Brown’s researcher typology (Brown 1996 p180) of ‘inside insiders’ (serving police officers); ‘outside insiders’ (former police officers/professionals); ‘inside outsiders’ (usually academics brought in to carry out research but not police officers) and ‘outside outsiders’ (external commentators).

The descriptors given for each group were useful not only in appreciating the author’s position and the need to get the research done before retiring from police service, but also that even though leaving the organisation before completing the analysis might restrict future access, it could be beneficial as regards avoiding potential conflicts as well as giving an extra dimension in that:

useful creative tensions between researcher types... can push the boundaries of inquiry further than any one constituency...understanding can only be enhanced if there is a greater degree of crossover between the theoretical and applied domains and a suspension of hostility between them’ (Brown 1996 p 190)

As Jennifer Brown describes it, for the British research, access was provided to an ‘inside insider’. In France this status was more one of ‘outside insider’ being a fellow professional but not a member of their institution, and it is fair to say that, in order to gain access to the French Police and Gendarmes involved in public order, having this status was a necessity.

It was anticipated that the author would complete the analysis and writing up of this study after his retirement from the police and as such an ‘outside insider’ having ‘illuminating insights into the working culture and occupational

practices of police officers' (Brogden 1995 in Brown 1996 p 190). It was hoped that this could be the case without being viewed 'with suspicion because of the public nature of research' (Brown 1996 p182) or as David Canter puts it in his chapter '*A Tale of Two Cultures*': 'for the academic, contributing to knowledge leads to respect from colleagues and sometimes even to promotion. For the police officer such openness to those outside the police is fraught with danger and does not necessarily offer any career benefits' (Canter in Villiers and Adlam 2004 p119). Brown also notes that there are a number of former police officers such as PAJ Waddington that have become professional academics and as such are 'insider turned out'.

Initial access to the French police was arranged through official police channels with the French Embassy Police Liaison Officer in London, who did a superb job, over a period in excess of a year, making the necessary arrangements that made a two week research mission possible. The structure of the visit and the timetable was set by the French authorities based upon several communications outlining the research aims and logistical requirements. It included a week in Paris as a guest of the Gendarmerie Nationale at their barracks situated at Maisons Alfort in South West Paris and visits to the Police Nationale Val D'Oise Departmental Headquarters at Cergy Pontoise to the north of Paris and the Compagnies de Sécurité Républicain's Paris Headquarters at Vélizy Villacoublay in West Paris. Similarly the Gendarmerie Nationale provided access at all levels and at a number of venues in and around Paris. A number of presentations and/or tactical demonstrations were provided by all those visited and each of these was supplemented by question and answer sessions that were informal and helpful. Week two of the visit was spent as a participant observer at the CNEFG where the author was involved in a number of public order tactical training exercises involving several Gendarmerie Mobile squadrons. This form of research 'maximises

opportunities to learn from practice and promotes the transferability of new ideas' (Silver 2008 p103).

Throughout the visit no request was refused or question avoided. Numerous informal conversations took place and everyone involved appeared keen to help and were open in their attitude. Photographs were taken of scenario training that, being information rich, supported description and arguments (Alexander 2008 p473) giving readers a better understanding of the issues.

During this visit the author spent a total of nine full days observing and participating in public order policing briefings and exercises. It was recognized that, due to the slight difference of researcher typology during the French research and the evident logistical limitations, there could be an asymmetry of approach and potential for an imbalance in data collection and the inferences drawn.

Several discussions were engaged in with officers from the rank of Lieutenant to Colonel/Commissaire. These were 'conversations with purpose' in that they were guided by the research experience and data gathered in Britain. In total approximately fifty hours of exercises and presentations were observed. Field notes were made in a research log and copies of the always freely available presentation notes were retained. Each day's activity was reflected upon during the evenings and conclusions/personal observations noted. The data gathered during this period is detailed or discussed later in this thesis. It should be added here that, during 2004 and 2005, an additional fifteen days of immersion with gendarmerie units had been achieved, adding to the understanding of the French approach and providing a good base of knowledge to build on as a practitioner-researcher during the formal research phase.

'Someone who undertakes research within and often on behalf of their organisation' is known as a practitioner-researcher according to Gray ((2009 p401)



and whenever such a study is conducted there are inevitable questions regarding objectivity and subjectivity. Gray pays due regard to the ‘fairly open access to key decision makers’, but also balances this against the difficulty of adopting fresh perspectives and approaches. Silver (2008 p104) makes the point that ‘traditionally... separation has been seen as important in establishing and maintaining objectivity’ going on to justify participatory research as being ‘valuable in ensuring that the research remains grounded in the understanding and experiences of those being studied’ (Silver 2008 p105).

The need for objectivity throughout this research project was well understood. Subjectivity and the author’s familiarity with the subject were identified as potential issues and guarded against. The project was self-funded which meant that there were no vested interests requiring consideration. Another factor that assisted in this regard was that it was ‘action research’ that involved the researcher as a subject, and it was viewed as a potential agent for change. The data was generated from the direct experiences of research sources (Gray 2009 p313).

### **Developing the Research Strategy - Using a Qualitative Methodology**

This thesis is reliant on mixed methods that provide both a comparative and qualitative approach (Ragin 1994). It is in many respects ethnographic in character, in that it necessitates a ‘multi-method qualitative approach’ in order to achieve its aims and in large part seeks to ‘understand the ...insiders’ view of their own world’ (Flick 2007 p149). It broadly follows the approach described by Angrosino as ‘the collection of information about the material products, social relationships, beliefs and values of a community’ (2007 pXV) using ethnographic methods that ‘have been adapted by scholars from many academic disciplines and professional fields’ (Angrosino 2007 p19). The nature of this study is such that it

was anticipated that the research methodology would be a 'living' process that needed to 'discover a "methodology" for itself' (Clough + Nutbrown 2007 p xi) and so consequently some refinement of the research plan was expected and indeed welcomed when changes were necessary. In order to further explain the research methodology it is necessary to justify the choice of the 'Flashpoints' model.

### **Why 'Flashpoints'**

As detailed in the literature review in the next chapter, there are a number of theories that could be applied to any given public order or disorder scenario. It has also been shown that the 'Flashpoints' model has been successfully used to analyse a number of different types of disorder events including urban disorders, football violence and single issue protest (Waddington D 2007). The six interdependent levels specified by the Flashpoints model, assessing the structural, political/ideological, cultural, contextual, situational and interactional factors behind such incidents, provide an effective mechanism for capturing many of the 'surrounding' causal factors that need to be accounted for in explaining how and why a particular public order incident occurred.

In its original form, the Flashpoints model gives little consideration to police traditions, culture or doctrines. As such, it was necessary to add another level of structuration to take account of this area. David Waddington has suggested that an additional seventh level would enhance the model:

focusing on such recognised influences on police behaviour as national traditions of policing, formal systems of accountability and the particular philosophies, 'missions' or standard operating procedures governing aspects of strategy and tactics in relation to public order situations (Waddington D 2010 p346).

The areas he lists here as integral to this additional level of analysis amount to doctrine. For British public order policing, this is set out in the ACPO manual of Guidance on Keeping the Peace (KtP 2007) the first edition of which was published

in 2001. As will be discussed in more detail in due course, inclusion of this seventh level provides better contextual understanding of police agency at the ‘interactional’ level of the model.

Hence there are seven levels of analysis available for consideration which, when addressed with due regard to the advantages of understanding the issue of identities in crowd management (Reicher 1987; Adang 2002; Stott 2005), add meaning to this study.

The broad theoretical framework sketched out above, has ‘influenced the design, orientation and character’ of this study (Cooper 2008 p9). Having selected a predominantly qualitative approach, the specific field methods of participant observation linked with informal interviews and conversations, elite interviewing and case studies chosen for the data collection need to be explained and justified.

The ‘sampling’ process used for deciding which sources would be the most productive and effective was straightforward. The respondents interviewed depended on the nature of the organisations and people being studied, as well as on the (very) ‘legitimate limitations on [researcher] time, mobility, access and so forth’ and of course, the research aim (Ambrosino 2007 p48). As far as public order policing in Britain was concerned, choices were driven by what was achievable based upon the author’s position as an ‘inside insider’ and the numerous possible sources available to him due to his length of police service and existing network of contacts.

The strategy employed for selecting respondents and settings for conducting observations was one of ‘purposeful sampling’ (Patton 2002). This approach is focused on ‘selecting information-rich cases for study in-depth’ (Patton 2002p230), and was also used to select the case studies described later. Patton outlines fifteen purposeful sampling strategies and this thesis was guided,

in particular, by two of these, ‘snowball or chain sampling’, and ‘criterion sampling’ (Patton 2002 p237/8). ‘Snowball sampling’ amounts to identifying ‘well situated people’ or incidents that have been highlighted repeatedly and ‘criterion sampling’ where ‘cases... meet some predetermined criterion’ (Patton 2002). A total of sixteen semi-structured interviews were conducted with police officers who had several years of experience in a command role, encompassing the complete range of strategic, tactical and operational functions (see chart below).

The data gathering phase had in effect commenced many years before this study and the knowledge already acquired was supplemented in a directed manner using a variety of methods and sources. It was felt that this would ensure an appropriate amount of relevant data allowing the construction of the kind of ‘thick descriptions’ upon which qualitative research depends (Gray 2009 p176). Identifying the subjects for interview was again based on knowledge of the subject area, and knowing who the policy decision makers were in the British police service.

Rank	Experience	Formal/Informal
Chief Constable	Strategic, tactical and operational command	F
Deputy Ch. Constable x 2	Strategic, tactical and operational command	F
ACC/Commander x 2	Strategic, tactical and operational command	F
Ch/Supt. x 3	Strategic, tactical and operational command	F

Superintendent x 3	Strategic, tactical and operational command	F
Ch/Inspector x 2	Tactical and operational command	F
Inspector	Tactical and operational command	F
Sergeant	Operational Command Strategic, tactical and operational advisor	F
Commissaire and command team	Strategic, tactical and operational command	I
Colonel x 2	Strategic, tactical and operational command	I
Lt Colonel x 3	Strategic, tactical and operational command	I
Major/Commandant x 2	Tactical and operational command	I
Capitaine x 3	Tactical and operational command	I
Lieutenant x 2	Operational Command	I

Fig. 1 Interviews: subjects rank, role, experience and whether interview formal or informal.

The strategy in this area was, where possible, to take advantage of existing relationships. Two senior and influential ACPO officers already knew the researcher, who felt that if two such high profile police officers were ‘on board’ the rest would follow, a tried and tested route to success that is suggested by Arksey and Knight (1999 p122/3). This approach did work and in every case the respondent was happy to help and gave up significant time from their busy schedules. More importantly, their enthusiasm for their work was evident and

their candour appreciated. All the British interviews were conducted according to a semi-standardised interview schedule (Fielding and Thomas 2008 p246) so that the same questions were asked of each respondent but with allowance for supplementary questions that could probe answers given or even go 'off piste' if it was felt that this would benefit the research and enable the examination of the context of thought, feeling and action' (Arksey and Knight 1999 p32); additionally and importantly qualitative interviews especially 'allow for understanding and meanings to be explored in depth' (Arksey and Knight 1999 ).

The questions were designed to address the key issues of the research and the interview schedule loosely followed the structure of the 'Flashpoints Model' in order to ensure consistency and relevance to the research question. Supplementary questions were also included to be asked where appropriate. All interviewees consented to their interviews being recorded on a digital voice recorder for later transcription thus ensuring a 'permanent record that captures the whole of the conversation' (Arksey and Knight 1999 p 105). This was helpful in that the interviews could be later transcribed into 'Word' documents in order that analysis of the texts could be carried out. This assisted greatly, providing a complete record of what was said. Contemporaneous field notes of key points were also made during the interviews in order to have a summary of the main issues that when considered alongside the transcripts would allow for a thorough analysis.

Due consideration was given to whether the use of Computer Assisted Qualitative Data Analysis (CAQDAS) would be of benefit and it was decided not to use it on the grounds that the amount of data gathered from the interviews would be such that a paper based analysis would be achievable. Using the CAQDAS programmes 'Atlas ti' and 'Nvivo', the only ones that were available, was viewed as unlikely to add any value. Furthermore, access to the hardware containing

these programmes would be problematic and to become comfortable with the software would be vitally important (Lewins 2008 p417) but time constraints meant that this necessary level of comfort would not be achievable. Added to this was a degree of personal preference for being 'in touch' with the data and 'the personal nature of the relationship between data and the researcher' (Lewins 2008 p417). This was considered to be a rational decision based on an informed position (Delamont 2010).

The review of existing literature has provided some essential theories for use in the analysis, notably David Waddington's 'Flashpoints' model (Waddington 2007 p49). It has also revealed a number of sources of contextual data and the fact that there have been numerous studies into public order policing, including a comparative study of rioting in France and Britain (Waddington et al 2010). Notwithstanding, it is still the case that there has not been a comparative study of the *policing* of public order in France and Britain, nor one that was designed to show how the respective police forces manage public order and disorder nor, importantly, why they do what they do. In order to achieve the necessary broad understanding of the issues it was decided that as well as the contextual knowledge provided by a historical approach, it was necessary to compare case studies from both countries.

A case study is an in-depth study of a particular instance or of a few carefully selected cases (Gilbert 2008). Care needs to be taken with generalisation of findings but it is possible to be far more detailed than when using a large sample (Gilbert 2008). Case studies 'add depth of understanding to individual, group, organisational, social, political and related phenomena' (Yin 2009 p4) and can 'explain the presumed causal links in real-life interventions that are too complex for the survey or experimental strategies' (Yin 2009 p19). For this thesis the aim was to be able to draw some conclusions through a comparative

analysis (Gomm et al 2002). Application of the 'Flashpoints' analysis framework to the data provided the necessary rigour. It also ensured that a systematic procedure was followed (Yin 2009 p14). Embedding the case studies in this appropriate theoretical framework meant that they could be used analytically with the rich detail that emerged providing illuminating insights, 'making formerly opaque connections suddenly pellucid' (Mitchell 2002 p183).

Deciding which case studies were most suitable was based on their being both interesting for their own sake and that they were exceptional in some way (Gilbert 2008 p36). The relevance and currency of the events in question was also a consideration. It was necessary to select cases 'in which the experiences or processes to be studied [would] become especially clear' (Flick 2007 p28). Selection of the public disorder events for study was based upon the following main considerations:

- How recent were the events and the availability of evidence
- The seriousness of the disorder and that sustained police agency was necessary to deal with it
- The involvement of a wide range of police assets drawn from a large geographical area

Andrew Bennett's work on comparative methodology shows us how comparison of case studies helps with identification of additional variables and hypotheses, making inferences regarding causal mechanisms and developing historical explanations. Such comparison should achieve effective operationalisation of variables, or 'construct validity' (Bennett 2002). The ability to identify new hypotheses is important and case studies do so by deduction and induction. There were some considerations necessary regarding the potential for bias in case selection, however it was thought that for the method of this thesis the choices of which events to study were well justified and the 'tension between



parsimony and richness' (Bennett 2002 p27) achieved through application of the 'Flashpoints' model, as adapted, to the data proved to be beneficial. The limitations of case study methods including any lack of representativeness or 'weak capability' in the 'causal weight' (Bennett 2002 p28) of variables were also catered for by 'Flashpoints'. This thesis illuminates a number of policy implications; case studies contribute to theory building (Bennett 2002) and such theory development can be useful in policy making (George & Bennett 2005).

Decisions as to where best to go for participant observation in France were taken by the French Embassy, as already explained, and their choices proved to be appropriate, relevant, and informative. The conclusions, set out at the end of the thesis, are enriched by the empirical data derived from the fieldwork. The structure of the thesis is detailed in the next section.

### **Thesis structure**

Following this introduction and discussion of methodology, the thesis is divided into seven further chapters. Chapter Two contains a review of the literature which offers a discussion of public order policing and linked social research. The chapter starts by conceptualising public order policing, as distinct from 'normal' policing, and lays down the foundations of the thesis, addressing the ambiguity associated with repressive police agency on behalf of the state. This includes a full discussion of the 'Flashpoints' model (Waddington D et al 1989).

An overview of the different genres of disorder and protest is given, together with some discussion on the policing of crowds. Also the merits and demerits of the militarisation of public order policing are considered. The issues raised in this chapter inform the later analysis based upon the identified 'gap'.

The next four chapters rely on the fieldwork carried out in both France and Britain over a period of five years, and specifically upon testimony and observed

data from visits to key sources during 2009, presenting the empirical findings derived from that fieldwork period. Chapters Three and Four provide a contextual understanding of contemporary policing in France and Britain respectively, with their historical, social and political dimensions being addressed, focusing on the policing of public order within their particular republican and monarchic constitutions. These chapters also furnish description and explanation of the structures, traditions and doctrines of the policing institutions, and how public order policing is approached in the two countries. Chapters Five and Six are devoted to case studies into the causes and the policing of significant disorder events in both countries. The incidents were chosen because they were of a magnitude that required the mobilisation of large numbers of police officers across large geographical areas, which tested not only the operational efficiency of police tactics but also their sustainability over a period of time.

The French case study focuses on two incidents - Clichy sous Bois/Seine Saint Denis in 2005 and Villiers le Bel in 2007, both large and violent disorder incidents. The British study relies upon the serious disorder at Bradford in 2001, which until the very recent events of 2011, was the most recent public order policing operation involving significant mutual aid reinforcements. Both studies follow the adapted 'Flashpoints' framework for their analysis, ensuring a symmetrical and systematic handling of data and evidence (Yin 2009).

A flexibly structured comparison of the empirical findings is conducted in chapter seven where the data from the seven 'Flashpoints' levels of structuration are compared and contrasted, identifying the areas of convergence and divergence. This gives the basis for the conclusions that follow in the eighth and final chapter where a number of policy implications rooted in the empirical research are weighed. The efficacy of the 'Flashpoints' model, as adapted for this

thesis, is discussed and the potential for its operational application as a vehicle for threat and risk assessment based on contextual intelligence is raised.

The similarity of the tensions between the respective realities of policing and French republican ideals or British Peelian principles is also considered and linked to the changing political context of policing. Finally the possibility for sharing any identified good practice and how this might be achieved is discussed in line with the research aims, as are potential avenues of future research.

# Chapter Two

## Literature Review

### Introduction

Policing is not and never has been an easy task, especially when it concerns high profile incidents of public disorder (Bessel and Emsley 2000 p7). The remit of 'Public Order' within the police service is viewed by many as a specialism. It is one strand of the wider policing discipline, albeit 'singularly the most sensitive...' in the view of one chief constable (Jordan 2006). It is certainly not solely a case of 'riot-clad officers engaged in forceful confrontation with political dissidents, pickets and those engaged in "community disorders"' (Waddington PAJ 2003 p394). The term public order 'gives a superficial coherence to a potentially very broad range of circumstances and situations' (Newburn 2003 p284). Many commentators have made the point that policing is conceptually ambiguous or contradictory. There is a duality of roles in that the police have a duty to uphold the political and social order on behalf of the state, whilst at the same time protecting the citizens on behalf of whom the state claims legitimacy (Bessel 2000; Lofthouse 1996; Waddington PAJ 1994).

The subject matter of this thesis bridges academic disciplines touching on issues and themes relevant to criminology, politics, population demography, sociology, public policy, anthropology and psychology. It is not possible to cover them all, even with a broad brush, in one thesis, but their influence must be acknowledged, as the nature of policing is such that all these areas are potentially relevant to this area of study. This review of the

literature aims to provide an understanding of public order policing. It examines relevant theories of civil disorder and the increasing militarisation of the process of control. The policing of crowds is briefly considered and an overview of the different genres of disorder and protest is presented, This discussion helps to inform the choice of a framework for the subsequent analyses.

### **Public Order Policing**

Any form of public event or protest should be policed on its own merits. Each and every occasion has the potential to result in disorder or violence necessitating the use of high impact police tactics; and this happens frequently enough to concentrate the minds of police and government policy makers. Some consideration of policing styles, strategies and tactics is necessary for 'understanding the nature and consequences of police conduct in potentially conflictual situations' (Waddington D. 2007 p9).

Police public order strategy in western countries has generally moved away from a policy of escalated force to a more negotiated style of managing public space (della Porta et al 2006; King & Brearley 1996; Pike 2005; Waddington D 2007 p10; Waddington PAJ 2000). This change has been caused by various factors. A number of inquiries or commissions have criticised unnecessary use of force by the police. In response, the police have developed their capability; they plan more carefully and are more inclined to a negotiated form of management approach rather than one of overwhelming force (KtP 2010; Waddington PAJ 2000; Pike 2005). This is achieved by balancing the use of accommodation of protest organisers, through concessions and assistance, against a readily available coercive capability (Waddington PAJ 1994a).

The escalation of disorder resulting from uncompromising police tactics can endanger human lives, is resource intensive and damaging to legitimacy (KtP 2010; della Porta et al 2006; King & Brearley 1996; Waddington PAJ 1991/2000). Improved strategies, tactics and training have increased preventative capability (KtP 2010; della Porta et al 2006; King & Brearley 1996; Pike 2005; Waddington PAJ 1991/2000). These factors will be covered more fully when we look at the institutional and operational dimensions of public order policing in both countries and associated policing doctrines.

It has already been identified that policing is inherently political and that this imperative is bound to be reflected in police strategy, usually driving or limiting it: 'the order that the police are duty bound to uphold inevitably favours those powerful interests and so the room to manoeuvre is limited' (Waddington PAJ 2003 p415). Policing public order has real political significance because it has 'intrinsic characteristics' that are noticeably different to those of normal policing (Waddington PAJ 1996b p130; Pike 2005). According to PAJ Waddington (1996b) the following four characteristics constitute that difference:

*Visibility* - public order policing is 'intrinsically highly visible' and readily scrutinised.

*Corporate Action* - where generally police officers engaged in public order duties are deployed as groups or teams of officers: 'public order is a particularly corporate act by the police organisation'.

*Non-Criminal* - police public order agency is such that arrests are unusual as the crowd/gathering/protesters are not viewed as criminals.

*Contestable* - in that the police version of events is more likely to be challenged by numbers of people. This does not 'mean that the police version of events will not prevail...its acceptance is problematic'. (Waddington PAJ

1996b p130-131). However public order is highly political and post event analyses are used to gain political advantage

Public order policing can be all of these and is usually in the full view of the public eye. The nature of this policing discipline is evolving and since the late nineteen sixties has been subject to a creeping militarisation of its strategies, tactics and equipment (Jefferson 1987/1990/1993; Waddington PAJ 1987/1991/1993). There is a general view amongst academic commentators that militarisation 'proceeded apace in the 1980s in the wake of yet more serious disorder' (Reiner 1992 p766) and has been seen as a sinister development (Waddington D. 1992 p185), or as an unnecessary violation of civil rights (Jefferson 1990).

Given the interests and themes of this thesis it is important that the concept of 'militarisation' is robustly and coherently defined. The key contributions to this subject have been provided by Tony Jefferson and PAJ Waddington (Pike 2005), who have developed opposing views (Jefferson 1987/1990/1993; Waddington PAJ 1987/1991/1993). They show how this phenomenon has created a tension between police legitimacy and use of force. Waddington argues that militarisation is necessary for improved command and control and by consequence the minimum use of force, whilst Jefferson contends that it increases the likelihood of disorder (Pike 2005).

Legitimacy of police action is essential if we are to understand the policing of civil disorder (Waddington PAJ 1987; Pike 2005). Losing the moral 'high ground' is damaging to anyone with legitimate aims, notwithstanding the philosophy of civil disobedience. When the police or those being policed see each other's actions as illegitimate, violence is more likely (Waddington PAJ 1987). Impartiality is also an important aspect of legitimacy (Pike 2005), certainly in a protest situation, in that it 'not only seems to restrain police

action, it also inhibits the crowd who have something to lose from resorting to violence' (Waddington PAJ 1987 p38). Effective communication between the parties involved is necessary to minimise any potential for disorder because the better the police are at 'presenting themselves as impartial guardians of the peace' (Waddington PAJ 1987 p38) the lower the likelihood of a crowd becoming disorderly (Pike 2005; Waddington PAJ 1987). Waddington makes another important point, that a high quality command function is vital if police interventions, constituted as forms of corporate action, are to be successful:

In sum, one of the defining characteristics of militarism - the co-ordination of squads under superior command - offers the prospect of policing disorder with restrained discipline (Waddington PAJ 1993 p357).

He goes on to say that whilst such organisation is not in itself sufficient to ensure restraint, it is a necessary condition if discipline and co-ordination are to be achieved, elements that are simply not attainable through the more conventional British policing approach (Pike 2005).

Whilst such advances in police tactics and legislation may be seen as menacing it is more likely that militarisation of public order policing has come about through a necessarily pragmatic approach by police commanders. An example of practitioners doing what they have to do in order to fulfil their roles, or perhaps a process that could be better described as 'practitioner creep', where 'pragmatism, compromise, self-interest' linked to state traditions and societal change are responsible for developments in policing (Emsley 1983 p7).

It should be noted here that the British police, in spite of this militarisation, '...routinely and massively under-enforce the law' (Waddington PAJ 2005 p363). Full enforcement of the law by the police would swamp the judicial system, which would not be able to cope with huge numbers of



arrests. The police would also ultimately risk losing their legitimacy by employing such a strategy. The British public are used to a consensual policing style and research has shown ‘...that senior officers in command of major public order operations felt bound by democratic values, even to the point of resisting pressures from government ministers, MPs, and local government to take a more repressive stance to some controversial protests’ (Waddington PAJ 2005 p366).

The French style of policing is arguably less consensual than the British, with both its main police institutions being very much arms of the state, directly responsible to and directed by the prefects (Chapman 1951; Roché 2007; Stead 1983). This is as much a consequence of the way French institutions function as their intentions (Body-Gendrot 2004; Zauberman & Levy 2003).

The police of both countries espouse a doctrine of restrained or minimum use of force, which might be compromised by the fact that they do sometimes have to police disorderly crowds in a coercive manner (Waddington PAJ 2005). In Britain this is done by an unarmed and vulnerable force, which gives increased legitimacy (Waddington PAJ 2005). French and British police have been forced to develop their capability to deal with disorder. However, historically in Britain, there is a general trajectory of evolution detectable in that they encounter a problem, and then at the next incident introduce some changes in tactics, strategy or equipment. Waddington PAJ calls this a ‘process of adaptation’ (1987 p44). For example, events at the Notting Hill Carnival in 1976 saw police resorting to the use of dustbin lids as shields. Then, in Lewisham in 1977 police used riot shields for the first time (during a National Front march). Other stimuli to adaptation occurred such as the St Paul’s riot in Bristol 1980, where police were forced to withdraw due to their disorganised

approach. Further serious riots occurred in 1981, and in 1986 there was the first murder of a police officer in a public order situation (Constable Keith Blakelock at Broadwater Farm, Tottenham), since that of Constable Culley during the Coldbath Fields disorder, London in 1833 (Emsley 1996 p29, 40, 61).

Overall, in Britain, 1981 to 1991 was a turbulent ten year period (Waddington D 1992; Waddington PAJ & Wright 2009). It saw public order policing continuing to develop considerably in response to disorders such as the 'poll tax riot' of 1990 in central London and others occurring in Oxford, Cardiff and Tyneside in 1991. The development of police public order training and tactics (as advised by Lord Scarman) and the visible changes in equipment such as flame retardant overalls, riot helmets and protective pads, which were part of the necessary 'practitioner creep' mentioned earlier, may be seen as a manifestation of the militarisation of the police. This is claimed by some to be part of a process associated with authoritarian states using the police to subjugate belligerent citizens (Waddington PAJ 1987). Whilst paramilitary policing has traditionally been considered incompatible with liberty (Emsley 1983, in Waddington PAJ 1987) it is not incompatible with legitimacy and in reality encourages a disciplined and concerted police approach, which is more likely to reduce the use of force (Waddington PAJ 1987).

Policing large disorderly crowds is a fearsome task for front line police officers who may well be anxious, frustrated and angry. They will probably be unable to view the whole scene and lack an objective appreciation of the situation. The confrontational tension of such a situation, according to Randall Collins (2008) is ripe for 'forward panic', where hot explosive uncontrollable emotion flows in self-reinforcing waves so that individuals (in this context police officers) repeat their aggressive actions. Such a panic was evident during an incident in Los Angeles in 1991, where the suspect, Rodney King,

was badly beaten with batons by a number of overreacting police officers after a high speed car chase. According to Collins, 'most incidents of police violence that create public scandals have the character of a forward panic' (2008 p88). It is in such situations that strong command can make all the difference. Any disorganised approach is unlikely to be effective or restrained (Waddington PAJ 1987). If people are part of an organised, well led and disciplined body they are in fact less likely to have to resort to high levels of violence in order to contain violent crowds.

Interestingly for this study, the militarisation of British policing could also be argued to be a part of a wider blurring of role boundaries between the police and the military, due to developments in the international arena such as terrorism, which have necessitated shared agency and convergence of functions (Body-Gendrot 2010; Easton & Moelker 2010).

A third separate national force to deal with public order (full time public order specialists as seen on the continent and notably in France), is seen as unlikely in Britain due to financial, logistical and political reasons and because national riot police tend to be synonymous with the use of high levels of force (Waddington PAJ 1987). However, the 'central dilemma for the police is how to contain violent disorder whilst using only minimum force. The concerted discipline afforded by paramilitarism allows the police to quell civil disorder with less force than would otherwise be likely' (Waddington PAJ 1987 p44).

Waddington defines paramilitarism thus:

...coordination through superior command and control. Instead of leaving individual officers to take uncoordinated action at their own discretion, a paramilitaristic approach deploys squads of officers under the direction and control of their superiors ... a more disciplined response to disorderly and violent situations than is possible by traditional methods (Waddington PAJ 1993 p353).

If we accept this thinking it can be said that paramilitarism, regardless of its appearance or political impact, in reality fits well with contemporary British police doctrine and human rights theory as regards necessity, proportionality and legality (KtP 2010). These issues will be explored later and in more detail when the thesis considers the operational dimensions of police doctrine and strategy. The police, on behalf of the state, are monopolists of force in a civil society (Bittner in Waddington PAJ 1993; Waddington PAJ 1999; Collins 2008), and the 'application of force without effective command and control is the proverbial loose cannon' (Waddington PAJ 1993 p366). If the end result is the minimum use of force then paramilitary methods could be suggested as being better practice for achieving that end than conventional alternatives (Waddington PAJ 1993). Police use of force on disorderly citizens can sometimes be necessary but is not always required, as where the police 'or other authorities display a willingness to use force, the rioters almost always retreat, at least in that immediate locality' (Collins 2008 p71). Where force does have to be applied a disciplined, coordinated response is better practice than 'traditional' approaches by ill-equipped (and untrained) officers, and more likely to result in lower levels of force being used. The French concentration on state security has always relied on a military style and national structure for their police and there is 'little possibility today of a successful insurrectionary movement in France' (Chapman 1951 p75) because of their order maintenance capability and efficiency (Chapman 1951; Mucchielli 2009).

Jefferson takes what he calls a view from below, holding that a militarised style of public order policing exacerbates the potential for disorder as part of a 'self-fulfilling prophecy' (Jefferson 1987; Pike 2005). He describes four stages of an escalatory process: 1. preparation: where trouble is expected

and a worst case scenario is anticipated, 'riot police' are deployed; 2. controlling space: where a crowd is allowed to gather in or is excluded from a defined geographical area, which promotes confrontation; 3. controlling the crowd: a further escalation where the space is controlled and people contained - tensions are raised and disorder becomes more likely; 4. clearance: once the protest/gathering is over paramilitary tactics utilised to disperse a crowd can be confrontational. He argues that post event debriefing results in future events requiring greater police resources and the 'next crisis in public order policing is thus, unwittingly, being prepared' (Jefferson 1987 p53).

Waddington PAJ (1993) counters Jefferson's arguments stating that the use of trained officers in a coordinated manner is more effective in achieving successful outcomes with minimum use of force. Also that the police have a right to protect themselves, so that the use of protective clothing and equipment, even if there is a potential for this to be seen as provocative, is acceptable. He also allows that using certain tactical options, such as CS agents or water cannon, can have lower injury potential than police batons or horses (Pike 2005; Waddington 1993). He further rebuts Jefferson's model on the grounds that it relies on certain conditions always being present and always leading to some kind of disorder. He contends that when police plan for the worst case scenario the likelihood of disorder diminishes and when significant numbers of public order trained police are deployed there is 'progressively less violence' (Waddington PAJ 1993 p362), Also, when disorder does occur it has more to do with a breakdown in command and control than the employment of military methods. He contests that Jefferson simply does not like the police employing such methods, rather than identifying an

‘empirical connection’ (Waddington PAJ 1993 p366) between those methods and incidents of disorder (Pike 2005; Waddington PAJ 1993).

That said, in spite of this process of increasing militarisation, the response to the disturbances of August 2011 in London showed that the British model of policing seemed to have resulted in the police being less prepared for handling public disorder than their French counterparts. In French problem areas, where police and minority youths are in a permanent state of conflict, a well drilled paramilitary approach is used (Body-Gendrot 2011).

The main objective for police officers commanding an event or incident is the maintenance of control (Pike 2005; Waddington PAJ 1994). A defined command structure and effective briefings are necessary for successful operations (KtP 2001, 2007, 2010). British under enforcement of law and preference for facilitation of protest relies on negotiation (Waddington PAJ 1994). Maintaining control of public space and crowds requires skilled policing and there is a ‘need for police training to address... the macho orientation to action, challenge, confrontation and control inherent in police occupational culture’ (Waddington D 2007 p211). Police officers should engage with the public helpfully and co-operatively ‘in negotiation and liaison with event organisers in order to formulate a tacit “contract with the crowd”’ (Waddington D 2007 p212). Police conduct can destroy the order it seeks to uphold and a less abrasive manner can legitimise police action. Consequently, police officers should strive for the highest levels of professionalism (Waddington D 2007). It is difficult to dispute this point, but one should be mindful of the undeniably dangerous and stressful situations that police officers face in order to discharge their duties and remember that ‘under the hammer of war, the best of men can be driven to behave in the worst of ways’ (Best G 1991 3-27).

Negotiation and facilitation with event organisers or leaders as part of a 'soft hat' (King 2006; Pike 2005; Waddington D 2007) policing approach is a tactical consideration (KtP 2001, 2007, 2010) and the preferred start point for control maintenance. However, it is quite usual for reserve units to be kept nearby as a backup in case of emergency, a contingency that is sometimes described as the iron fist in a velvet glove (King and Waddington D 2005; Pike 2005; Waddington PAJ 1994). PAJ Waddington suggests that social movement analysis is useful (Waddington PAJ 2003), where 'ideas, individuals, events and organisations are linked to each other in broader processes of collective action' (della Porta & Diani 2006 p5). He argues that the existence of contention, and ultimately violence, can be explained by consideration of the political opportunities, mobilising structures and framing processes, which in his view is preferable as an analysis model to other frameworks such as the 'Flashpoints' model (Pike 2005; Waddington PAJ 2003).

The militarisation of British policing is an ongoing process and seems, in many ways, to be increasingly convergent with the French model. Lessons learned and the need for better practice has developed British public order policing tactics and operational police officers continually perfect and advance these techniques. It is clear that public order policing strategies, tactics and equipment can both facilitate order and instigate disorder. However, for this comparative study it is also important to understand the context in which public disorder occurs. To do this it is necessary to consider the 'Flashpoints' model.

### **The Flashpoints Model**

Whenever there is an occurrence of violent disorder contextual factors such as poverty, unemployment, lack of life chances and marginalisation are often cited as causal (Waddington D et al 1989; Waddington D 2007). But these

factors are also often apparent when disorder does not occur. To understand a disorder event one needs to analyse all factors, including predisposing issues and trigger incidents, and not merely cite the causal factors. Understanding why disorder does or does not occur requires the use of an interpretive framework. This is where the 'Flashpoints' model is applicable.

The 'Flashpoints Model' (Waddington D et al 1989; Waddington D 2007) is a framework that employs six levels of analysis relating to 'structure and action, [which] may be illustrated as a series of ever-widening concentric circles, ranging from the macro, or wider contextual factors, to the micro, or the immediate interactive situation' (King and Brearley 1996 p34). This model deserves a fuller explanation, as it is the most comprehensive model available at this time providing 'an attempt to theorise the factors... crucial determinants of order and disorder' (Waddington et al 1989 p157). The following paragraphs describe each of the six interdependent levels: structural; political/ideological; cultural; contextual; situational; and interactional.

### ***Structural***

The structural level refers to 'conflicts inherent in material and ideological differences between social groups and the extent to which they are resolvable within the existing social structure' (Waddington et al 1989 p158). So it concerns social factors such as exclusion, political and material deprivation, a mixture of grievances that had been noticed before by such notables as Scarman (1981) and Cattle (2002). These grievances can lead to the 'out group' being 'ideologically alienated from the state' (Waddington D 2007 p49), an echo of Ted Cattle's 'parallel lives' (2001 p9). The importance of place should not be underestimated. Neighbourhoods in which people live have a great influence upon a broad variety of social conditions such as crime,



health, community relations, housing, unwanted pregnancies, leadership networks, immigration, violence and disorder. This is part of a phenomenon that Robert Sampson calls enduring neighbourhood effect (Sampson 2010).

This 'structural' level may relate to a group or groups, with no real stake in society, without a voice, whose resentment cannot be communicated by 'normal' channels. This would include 'disenfranchised' minority groups. The following passage from Egon Bittner's 'The Functions of the Police in Modern Society' summarises this neatly:

One reason why the more serious aspects of police work suffer from low visibility is that they centre around the lives of people whose voice is either not heard or does not count on the forum of public opinion. It is exceedingly rare that the policemen make decisions that have a direct and lasting effect on the circumstances of existence of members of the middle and upper classes. This segment of society experiences police presence mainly in the form of traffic control and similar low level service. (Bittner 1980 p74)

### ***Political/Ideological***

This level covers what could be called strategic non-engagement. It concerns how key bodies in society deal with these 'out-groups'. Waddington mentions such bodies as the police, the judiciary, and the media. These are influential bodies whose action or inaction directly affects the groups in question, and importantly how these groups are perceived by the greater public. The media have a particular responsibility in this regard and their role will be discussed later.

### ***Cultural***

The importance of how a group's culture or subculture develops as a result of shared experiences, their attitudes to violence and how group members identify themselves is involved in this part of an analysis. If the groups involved have differing or incompatible views or behaviour, the potential for conflict is increased. Waddington defines the cultural variable as having

relevance when applied to dissenting sections of society and uses the example of interactions between police and those that are policed.

The policing of groups by officers from outside the area is a possible cause of conflict due to those officers being unaware of local sensitivities. This is true but again nothing new to the police of today (in Britain), whose preparation and duties include diversity training, ongoing community impact assessments, dedicated minority support units and neighbourhood police officers. The deployment of officers from out of area would be ordered due to operational need by a 'Gold' commander, defined as the officer in overall command and who sets strategy, who should have considered the negative aspects of such deployment (KtP 2001;2007;2010).Police command structures will be explained later in the operational dimension.

### ***Contextual***

Communication processes are considered at this level of the 'Flashpoints' model. The quality and efficacy of communication in any conflict situation is pivotal. This needs to include consideration of the recent history of interactions between police and citizens, where negative impressions are formed, rumours are passed and statements made by those involved that may be inflammatory. Again this includes media comment. It is important that liaison between police and other parties involved is maintained by good communication, or all those involved in the situation may become part of a self-fulfilling prophesy (Newburn 2007 p218).

### ***Situational***

'Spatial or social determinants of order or disorder' (Waddington D 2007 p50) are considered here. Communities live in neighbourhoods, which are diverse areas that can be defined as common places that vary in size and boundaries, where people and institutions interact. They amount to the spatial context of

social practices and meanings (Sampson 2010). Recognition of the significance of any dates and places that may be symbolic, such as the location of an earlier event involving police officers, is necessary. Such events and places may represent *cultural turf* to locals or *no go areas* to police officers (Waddington D 2007), which may well be perceived as requiring some kind of defensive or offensive action by either side. This might also include where the police see a location or position as being non-negotiable and under no circumstances to be breached. Perceptions such as these can become a driver of a particular course of action or choice of tactical option. David Waddington goes on to say that low profile or 'soft hat' policing is less likely to trigger disorder.

### ***Interactional***

This deals with the face-to-face interactions between police and public. These exchanges can produce widely divergent results depending upon the amount of 'respect, co-operation, restraint or provocation' (Waddington D 2007 p51) shown by either group. 'Police methods implemented, not only during but also in the build up to disorder, are pivotal to its instigation and development' (Waddington D 2007 p187).

In an already tense environment, even a minor and normally justifiable arrest may trigger disorder. Waddington D mentions the importance of what he calls 'intensifiers' such as the nature of the individual involved - are they high ranking, vulnerable, old or young. Such characteristics might amount to a 'trigger incident' (KtP 2007 p27) and certainly the manner of an arrest is an important factor in this regard. Police commanders must set a sensible and justifiable/defendable intervention policy in such situations (KtP 2007 3.1.1 p64) and should also be mindful that to:

... the rest of the community - the poor, the powerless, the ghetto, the slum dwellers, the devious, the deviant and the criminals - the

policeman is a figure of awesome power and importance. What he does or fails to do literally shapes their destiny on a day to day basis (Bittner 1980 p74)

It appears that the 'Flashpoints' model has been used primarily as a debriefing tool in that it has been used after the event and that when so used provides an analysis of the factors surrounding that event. Debriefing is important but only effective if the lessons learned are applied. In this way the 'Flashpoints' model has the potential to become a predictive tool and it will be suggested that as well as learning from analysis of past events, that application of an adapted 'Flashpoints' framework by practitioners as part of an ongoing community threat assessment could identify possible future disorder. In any event, using it provides a very thorough appreciation of the social conditions and precipitating factors leading up to a disorder incident.

'Flashpoints' has been tested as a model by application to a number of disorder case studies (Waddington D et al 1989; Waddington D 1992) including the Poll Tax riot 1990, Brixton 1981, and the Orgreave incident during the 1984 miners' strike. Non-violent events are also considered, which show that the model may also identify how a peaceful outcome might be achieved. However, it needs to be added that the 'Flashpoints' model is not viewed universally as the best framework for analysis of disorder incidents. Bagguley and Hussain base their objections to it on imponderables such as: not knowing exactly 'how much economic inequality' is necessary for disorder to break out; the power imbalance between the authorities and the crowd; and also because Waddington et al 'seem to assume that there is a singular flashpoint' (2008 p31).

Waddington PAJ, is the main critic of 'Flashpoints' and contends that any one of a number of incidents or issues during the build up to disorder could be identified as being a single flashpoint. The model is described as conceptually flawed, post-hoc and non-predictive and as less than objective because it relies upon partial and subjective analyses and a complex methodology that is influenced by the political 'colour' of those who use it (Waddington PAJ 2000b). Its levels of structuration are described as a mere 'checklist' of factors for consideration (Waddington PAJ 2000b p106).

Waddington D responds to PAJ's criticisms stating that he displays the same 'partisanship, polemic and selectivity' in his own work because he fails to analyse police behaviour or other perspectives. PAJ's analysis is informed solely by observation of police agency and is therefore selective and partial. Consequently, it is unreasonable of him to suggest that civilian accounts need to be treated with an 'agnostic scepticism' whilst preferring a more 'manufactured police perspective' (Waddington D 1998, p390; Pike 2005).

PAJ Waddington 'attempts to discredit the dominant academic consensus within his field and gain support for his views' (Waddington D 1998 p375), which has implications for how public disorder is understood and how it is policed. For PAJ Waddington the study of disorder seems to be an attempt to excuse political violence (Waddington D 1998 p380) and he eschews any consideration of the potential for poverty, deprivation, exclusion and severely diminished life chances as causal of disorder (Waddington D 1998 p382).

This considered body of opinion appears to have been somewhat pejoratively labelled the 'critical consensus' and a 'reflection of radical and liberal ideology' (Waddington PAJ 2000 p162). However, later in the same article PAJ Waddington allows that 'disadvantaged and deprived sections of the population increasingly find themselves excluded from institutions rooted

in class relations that are ill-suited to their needs and unresponsive to their problems' (Waddington PAJ 2000 p169). Thus they constitute exactly some of the 'predisposing factors' to which the Flashpoints model attends. A central plank of PAJ Waddington's apparent dismissal of the critical consensus is that the accounts used by analysts are those of protesters and rioters (Waddington D 1998 p390). His position regarding this consensus is problematic because he opposes so many credible commentators (Cantle 2001; Hussain & Bagguley 2009; Jobard et al 2009; Lagrange 2009; Scarman 1981; Waddington D 1998) whose opinions, for this study, are impossible to ignore.

It is true that any one-sided analysis fails due to lack of impartiality. It is therefore plain to see that 'Flashpoints' in its original form will not give due consideration to police traditions, culture or doctrines. As such, it will be necessary to add another level of structuration to take account of this area in order to ensure that the criticisms of the 'Flashpoints' model do not in any material way lessen its depth and scope as an analytic framework.

When compared to other analytic models 'Flashpoints' appears to provide a greater contextual understanding of why disorder does or does not occur. Additionally, notwithstanding the above arguments, it is probable that 'Flashpoints' when linked to existing or developing police intelligence systems could well be applicable in a predictive manner and this is addressed later.

This thesis compares the policing of disorder in France and Britain using the 'Flashpoints' model, adapted and improved in line with David Waddington's own critiques, as the main analytic tool. This enables a greater consideration of police function and agency, which should add depth to the analysis. This research is focused on the public order policing role, which will allow a different angle of approach and provide fresh insights.

Historically, the British government has only responded to the challenges of public disorder by giving the police greater powers and better training and equipment (Waddington D 1992). This can also be said of the French authorities, as evidenced by their relegation of proximity policing in favour of a more results orientated style (Mouhanna 2010), as well as providing better equipment and weaponry for use in policing disorder and intelligence gathering (Bronner & Mandraud 2008; PN+GN sources 2009). At the same time, in both countries, the underlying social deprivation and inequality has not been addressed (Body-Gendrot 2011; Waddington D 1992) and further problems of political, industrial and civil nature have been made more likely than not (Waddington D 1992). Recommendations made by David Waddington echoed those of Scarman, made ten years earlier (Waddington D 1992 p215), when he questioned whether anything had been learned. The intervening years, now today's recent political history, have shown his foresight to be accurate.

That said, today's police strategists are informing their thinking more and more with empirical academic research, which is in turn informing police activity. But tensions of the type described in publications by Waddington and others still exist. Recent events in the UK and France (Bagguley & Hussain 2008; Bujra & Pearce 2009; Jobard 2009; Lagrange 2009; Mouhana 2009; Mucchielli 2011; Waddington et al 2009) have highlighted what now appear to be age-old problems of social exclusion and deprivation, which can be exacerbated, or indeed mitigated, by the attitudes and behaviour of police officers when dealing with sensitive situations or conflict (Body-Gendrot 2004; KtP 2007 p32; Fassin 2006). Often this means managing large groups of people or 'crowds'. Some discussion of crowds is appropriate at this juncture, it assists in consideration of the difficulties that police face in this regard.

## Crowds

Policing a crowd is often necessary and sometimes contentious. A single definition of a crowd can be problematic as ‘definitions share common characteristics, conceptualising a crowd as a sizeable number of people gathered at a specific location for a measurable time period, with common goals and displaying common behaviours’ (Cabinet Office 2009). Indeed, a large number of people or a crowd can be described using any of the following: spectators, flock, followers, protestors, revellers or fans. They may be orderly or disorderly, whether planned or spontaneous. Crowds that are inclined towards disorder have also been described as mobs, and those more disposed towards order as audiences (King & Brearley 1996; Pike 2005).

There are a few notable theories of crowd disorder that need to be considered. The ‘classical’ view of ‘madding’ crowds was born of the social, economic and political upheaval of the eighteenth and nineteenth centuries (McPhail 1991) and mainly comes from the work of Gustave Le Bon (1895). According to Adang (2002) many police forces still subscribe to the ‘Le Bonian’ mindless mob or contagion theory (Le Bon 1895; McPhail 1991; Waddington PAJ 1991) in that people in crowd situations lose their individuality and become susceptible to incitement from ‘leaders’, and by a process of ‘contagion’ become disorderly. Until recently this theory was the basis of police training in many countries.

However, no matter their type or context, crowds should not be viewed in this way (Waddington D *et al* 1989; Waddington PAJ 1994a). The history of crowd psychology is ‘one of a distortion of the relationship between individual and society’ (Reicher 1987 p171). People are individuals, and as such the heterogeneity of a crowd needs to be recognised (Pike 2005; Reicher 1987; Stott, C. & Adang, O. 2003/2003a). If a crowd is treated as though all its



members are of the same mind, a homogeneous group, there is an increased risk of disorder. It is vital that the police interact with crowd members, allowing a level of trust to develop and for crowd dynamics to be recognised. This approach is better than using more repressive tactics that are likely to increase hostility towards the police (Reicher et al 2007; Stott and Reicher 1998; Stott and Drury, 2000; Stott et al 2001).

Waddington D (1992) uses the theories of Gordon Allport (1924 - social facilitation), Robert Zimbardo (1969 - de-individuation approach) and Smelser's *Theory of Collective Behaviour* (1962) as possible explanations of crowd behaviour. These theories were of their time and have been consequential on police agency.

De-individuation theory holds that 'anonymity', a concept drawn directly from Le Bon, reduces self-awareness within crowds, increasing individual tendencies to express violent and aggressive behaviour. However more recent analysis undermines the scientific validity of de-individuation or 'classic' theory as it lacks empirical support (Stott 2009). Such classic theory is flawed because it ignores the role of the police and the broader social context in which crowd events occur (Stott 2009; Reicher et al 2004; Waddington D et al 1989). That said, it has been responsible for the widely adopted view that crowd behaviour is pathological and undermines individual identity and that individuals within crowds are dangerous and unpredictable and can spontaneously become irrational, generating violent 'mobs'. This perspective understands crowds as unpredictable, volatile and dangerous and needing to be controlled, primarily by force (LeBon 1895; Stott 2009). These theories of crowd behaviour are less than compelling and have been superseded by social identity modelling of crowd behaviour that has been widely theorised and tested, especially in relation to football violence (Reicher 1987/1996; Reicher

et al 2007; Stott & Adang 2003a /2004; Stott & Drury 2001; Stott & Reicher 1998; Stott 2005; Stott 2009).

In terms of public order policing, certainly in the UK (and nowadays all over Europe) football related violence has provided an excellent vehicle for research and development of police leadership, strategy and tactics, much of which is reflected in the comprehensive doctrine available to police officers nowadays in the A.C.P.O. Manual of Guidance on Keeping the Peace or KTP (2011). A brief consideration of the policing of sporting events will help to illustrate the social identity modelling of crowds.

### **Sporting Events**

‘Research on the pattern of the interaction occurring during crowd events has highlighted the ways in which attempts to control disorder can actually create the conditions for widespread conflict as a kind of self-fulfilling prophesy’ (Stott & Adang 2004 p3). Disorder at sporting events has been experienced primarily around association football, as a result of intended violence to opposition supporters. However, incidents of violent disorder have increasingly occurred at other events, including celebratory gatherings. The phenomenon of football hooliganism is similar to other forms of male ‘gang’ culture, being linked to cultural and material deprivation and a lack of social control. Gang membership provides hierarchy and an opportunity to gain notoriety and respect through violence (Waddington D. 1992 p138).

The challenge is ‘... to explain how large numbers of people act together, to act in ways that are socially meaningful but do so without any planning or formal co-ordination... the spontaneous sociality of crowd action’ (Reicher 1987 p171) The social identity aspect of a crowd is important in understanding crowd mentality. This ‘relates behaviour to its social context and explains its social form’ (Reicher 1987 p202).

The effects of social identities in crowds can be explained by use of the terms 'in group' and 'out group' (Adang 2002). The 'in group' members will be alike and will identify with one another and will see members of the 'out-group' as different and make judgements based upon difference and may stereotype them. It can be drawn from this that any side in a dispute may see themselves as the 'in group' (including police officers), which could have far reaching consequences for police commanders or planners of events as regards placement or containment of groups. If confrontation between two groups does occur, those who are not part of the 'in group' and who were not looking for trouble may perceive that they are themselves under attack also and react accordingly. Put another way, it may be a case of ordinary crowd members becoming 'radicalised' (Hussain and Bagguley 2008 p34).

During the Euro 2000 football tournament the police strategy eschewed the mass mobilisation of riot police and instead promoted non-confrontational attitudes and behaviour with the intention of respecting other cultures and nationalities. This required them to be unbiased and to judge people on their behaviour, whilst adopting a flexible, approachable manner and actively making contacts with crowd members. Policing decisions and agency were based upon real information (Adang 2002). The strategy worked and generally the Euro 2000 tournament passed without the predicted crowd disorder (Adang 2002).

A scientific understanding of the psychology and behaviour of crowds is necessary for effective management (Stott and Adang 2003a). Stott and Adang state that football matches are crowd events, as are protest marches, rallies etc. Police should be aware of the hooligan or 'rent a mob' conflict issues and make contingency for this, but should be more generally aware that the intention of the majority is peaceful and they will see their activity as

legitimate. The view that the dynamics of a crowd are internal and people lose their inhibitions and act irrationally is outdated and dangerous. They further state that in order to minimise disorder in crowd situations the management or control of it needs to rely upon the principles that the crowd's legitimate (this may not mean lawful per se) intentions should be promoted. There should be a differentiation between groups seeking disorder and those that are not, and that the crowd should be managed proactively (Stott and Adang 2003a).

The social identity of the crowd which determines their collective behaviour is linked to their history. Scottish (and Welsh) football fans tend to chant anti-English songs because of their historical relationship with England (Adang and Stott 2003). Local derby events also may engender intense rivalry, the trouble seemingly being always with the neighbours.

Crowd dynamics involve interactions between groups, including the police, and the police role is vital in (positive) manipulation of crowd dynamics. The public order management approach must be knowledge driven and cognisant that risk is dynamic and levels of risk can be managed through appropriate interactions. Police in Britain use the term 'interventions'.

Balance is seen as vital to the success of any crowd management operation, which is balancing the tactics used relative to the risk involved. Low-key events should be managed in a low-key manner. Where robust police interventions are necessary at high-risk events and dynamic police tactics are required, they must be accurately targeted for police action to be judged as appropriate or legitimate to minimise the likelihood of aggressive crowd reactions, which may otherwise spiral out of control (Stott and Adang 2003a). Police interventions or deployments must be flexible in order to adapt to fluctuations in risk or threat levels. They need to be proportionate.

Successful crowd management depends on four principles: education - identifying groups and their cultures/sensitivities; facilitation - of legitimate intentions and lawful aims; communication - keeping crowd members informed; differentiation - between those who are the problem and those that are not (Adang & Stott 2004). Recognition of these principles is certainly a sensible aim in the planning phase or outset of an operation. Policing crowds is still a developing skill area and British police commanders are generally keen to learn from their mistakes (Interview sources 1, 7, 8).

Police strategies and tactics more recently employed in crowd control support this and policing operations increasingly involve debriefing and refinement, leading to successful outcomes. As an example the briefings delivered by South Wales Police prior to events and operations now highlight the need for professionalism and explain what the strategy is designed to achieve (Interviews 1, 5, 9). The emphasis is on setting standards, communicating them to the crowd in a manner that is 'consumable' (i.e. not inflammatory), and dealing with transgressors appropriately and readily:

the important issue to arise from research is that public order police tactics, fan/police interactions and crowd dynamics appear to play a very important role in determining the levels of 'disorder' that occur in the context of international football tournaments. The available data suggest that this is because the police can affect the inter-group interactions that underpin the emergence of the 'social identity' processes in the crowd, which make widespread 'rioting' more or less likely regardless of the presence or absence of 'hooligan' fans (Stott and Pearson 2006).

In their criticism of social identity modelling, Bagguley and Hussein see its methodology as being problematic because it fails to consider 'the diversity of the meaning of the events for the actors involved' (2008 p36) and that reification of the crowd oversimplifies rationalisation of crowd action. There may be some truth in this as the ESIM does provide for a degree of 'collective mind' within sections of a crowd should they be subject to illegitimate police

use of force. From a pragmatic viewpoint, these theories of crowd behaviour do serve to assist managers of events or incidents in their decision making and would apply equally to other forms of protest or celebration.

### **Single Issue Protest**

Police view single-issue protest as being different from, for example, football or urban violence. That is not to say that it never develops into violence. Single-issue protest can take many forms and is usually linked to an issue of importance to individuals or groups, such as animal welfare, genetically modified crops and anti-war expression (inter alia). Protest has to be visible and usually takes place on the streets of our cities which have 'become the locus for protest and protest has come from an ever growing diversity of quarters and with a mounting readiness to resort to violence on the part of protesters and the police' (Roach & Thomanek 1985 p1). Nevertheless, protest can be just as conspicuous when it is taken onto private property such as occurred during the 2005 G8 conference at Gleneagles in Scotland or where incursions are made into power stations or animal farms.

Peaceful demonstrations may be policed on safety grounds or because there is a risk of civil disobedience. A distinction should be made between 'simple criminality' and civil disobedience. Hoffman & Graham rely on the philosophy of John Rawls (Hoffman & Graham 2006 p210) when describing lawbreaking for self or group interest as having no justification and therefore criminal. However, breaking laws can be justifiable if an individual or group of people do so to protest against an unjust law or policy, as an appeal to the moral majority that is being asked to respect principles that it already implicitly accepts. Democracies do sometimes make unjust laws and civil disobedience could therefore be justified if:

- The injustice is clear;

- The disobedience involves breaking laws (not necessarily the law at issue);
- It is a public act - in order to be communicative;
- It is non-violent;
- Those doing it accept the consequences of their action;
- It does not threaten the stability of the state;
- It happens within a wider fidelity to the law (Hoffman & Graham 2006 p210).

So, according to this philosophy, the disobedience must be to make a point in a non-violent way that only breaks the law in order to further a moral and justifiable protest against an unjust policy or law.

### **The Media**

It would be naïve to believe that the media, notably the tabloid newspapers in the UK, but including other forms of it, are neutral or unbiased in their reporting of events or issues. It is safe to assert that the various media have considerable influence throughout the world; particularly television, the dominance of which ‘has turned protest into performance art’ (Milne 2005). Public protests, disorder or riots provide dramatic images of violence involving protestors, counter-protestors, police officers or all of these and more (Bessel and Emsley 2000; della Porta et al. 2006; Greer & McLaughlin 2010; Waddington D 1992/1997/2007; Waddington et al. 2009). As was the case during the G20 protest and the violence of 2009, media coverage, notably and especially ‘citizen journalists’, facilitated a drip feed of fresh video footage, witness testimonies and commentary that provided non-police perspectives that were emotive and highly critical of the police (Greer & McLaughlin 2010).

The media have (rightly) reported protest and public order issues and have championed causes, such as the section 28 debate (Local Government Act 1988 forbidding the promotion of homosexuality by local authorities) that was widely publicised at the time, or indeed the EU constitution question where 'The Sun' newspaper claimed pressure from its readership caused Prime Minister Blair to give an assurance that there would be a referendum before Britain signed up to an EU constitution.

So 'when does the press cross the line between covering protest and sponsoring it?' (Milne 2005). The glare of press or media attention can drive an issue or 'a threat to societal values and interests'- what Stanley Cohen has termed a 'moral panic' (Cohen 1972 p9), to the extent that disorder is actually caused. For example, the 'Sarah's Law' campaign regarding paedophiles was 'championed' by the News of the World (BBC News 2001c), whose editor saw fit to release the name of a convicted paedophile living on the Paulsgrove estate in Portsmouth so triggering in a week's rioting, injury to police and damage to property.

The media's ability to simultaneously increase public interest in single issues and, of course, their own circulation or viewing figures is well documented. The 'symbiotic' relationship between the media and those with grievances (Milne 2005) is also obvious, and it is plain that whilst the media may not wholly initiate and direct protest, it can readily and easily fan the flames of discontent. Twenty four hour TV in particular needs to fill its timeslots. It is difficult to quantify how much effect media coverage may have, for instance, upon the severity of sentences imposed on those convicted of public order offences following a well publicised riot or protest. It is probable though that the attitudes and behaviour of those involved in such events has been affected in some way by media coverage.



Media attention does impact upon public order policing and the police need to have well-developed media strategies to deal with this factor (KtP 2010 p11). Any police action in a public order situation is likely to be subject to media attention that focuses the 'spotlight effect of public scrutiny' and therefore the police are less likely to 'flex their repressive muscle' (Wisler and Tackenberg 2000 p122). The police need to use the media more constructively; media and public reaction to a more negotiated approach instead of superior force is usually positive and consequently more likely to build trust between the public and the police (Hartung 2008).

### **Review Synopsis**

As with all reviews, this remains a work in progress inasmuch as it can be modified to take account of any significant new developments or discoveries. However, currently it is sufficient in identifying and framing the issues that will constitute the principal empirical focus for this thesis. Moreover, as Ebeling and Gibbs (2008 p78) point out 'once the fieldwork is finished, you are happy with the research question and you have systematically searched the literature... you can be confident that you can stop'. As such this chapter now forms the foundation for this research thesis.

This chapter has characterised public order policing as a morally ambiguous area that is politically and operationally fraught with issues of legitimacy, ethics and accountability. There is a considerable body of knowledge resulting from academic research and operational experience. Some of these areas have been considered here and this has highlighted the variety and polarity of opinion. Tony Jefferson's and Waddington PAJ's arguments regarding militarisation; Waddington PAJ and Waddington D's polemics regarding the 'flashpoints' model; Reicher et al's elaborated social identity modelling of crowds weighed against the more 'classical' conception

of collective identity (LeBon 1895), all evidence the ongoing conflictual theoretical dimension of public order policing (Pike 2005).

This thesis addresses whether or not the management of contemporary public order and disorder produces any convergence between French and British approaches. In so doing, it pays due regard to their existing very different structures and whether national histories and trajectories are key to understanding this area. It also considers debates around representation of social diversity in police forces and the importance of citizenship and identity as factors in the policing of public order.

From the foregoing it is apparent that there are many parallels between the French and British political, social and historical situations. The historical similarities of empire and colonialism discussed in the previous chapter are evident, with both states having the same issues of post-colonial difference as outlined by Michel and Honneger (2007), albeit involving different national and cultural origins. The violence and cruelty of colonialism is a significant historical factor in the ongoing resentment amongst those in society who still find themselves subject to racism and exclusion, whether as a result of centralist republican ideals or of well intentioned but misguided multi-cultural policies.

There would appear to be a cyclical theme, in both countries, of disenfranchisement and exclusion of sections of society that causes discontent and ultimately disorder or riot. In Britain such matters have been followed by inquiries, findings and recommendations that initiate change that never quite seems to provide lasting solutions. Lessons appear to have to be learned time and time again (Scarman 1981; Cattle 2001; HoCHAC 2011; JRF 2011).

It is within this context that British police policy makers and practitioners must strive to keep all sides happy. This is not a simple task.

There is a need for police commanders to maintain the capability to deal with disorder whilst at the same time providing a service that is visible and gives the public what it needs and importantly, what it wants on a day-to-day basis. This is the same in France, except that there, it seems, the '(Re)public' in effect means the 'state'.

There is much debate about how best the police can provide such a service and it is certain that in spite of their many similarities, the French and British systems are very different in approach and delivery. What seems equally certain is that, in terms of the policing of public order, the similarities and differences of these approaches have not been objectively compared and that such a comparison could well assist in identifying any good practice that might be worth 'translating' across the Channel.

Public Order Policing is a wide enough discipline in itself to necessitate a fairly tight adherence to the core comparison made in this thesis. Such a study is likely to ask some questions of the general foundational principles and traditions of both national institutions. A comparison of the political and operational dimensions of the discipline, within the contemporary social context, should deliver the necessary material on which to base reasoned conclusions. It was with this aim in mind that the research methodology was formulated.

# Chapter Three

*Liberté, égalité, fraternité*

## France

### Introduction

This chapter contextualises policing as a discipline in the French tradition and in particular the policing of public order. It considers the development of policing within France and the society of which it is a part, reflecting how ‘the evolution of the French police is an inseparable process in the evolution of the French state’ (Stead 1983 p158). This requires an historical overview and some mention of the period before the Revolution, as well as subsequent events. Setting the scene for following chapters in this manner will show a continuity of development over the long term and provide an understanding of how the present system and structure is linked to those times. History provides us with key junctures that have helped shape contemporary policing cultures in France. Therefore some consideration of the French colonial past is also required in order to understand the ‘patchwork quilt’ landscape of its contemporary cultural mix within a strong republican structure.

The focus of this study is public order policing, which allows us largely to ignore municipal police forces and administrative units beyond acknowledging their existence. This study concentrates on the two national French policing institutions, the Gendarmerie Nationale (GN) and the Police Nationale (PN) and, in particular, their respective public order policing specialists, the Gendarmerie Mobile (GM) and the Compagnies Républicaines de Sécurité (CRS). This chapter will first describe the historical and social context, including some influential historical events. It will then provide an understanding of the contemporary institutional context where structures, doctrine and methods will be considered.

## Historical and Social Context

The history of policing predates the French revolution. The development of policing in France follows the organisation of society and in particular the development of the State (Stead 1983; GN source 4). The origins of modern French policing go back to the *ancien* regime, the pre-revolutionary French monarchy, and the relatively decentralised organisation that was a corollary of this mode of organisation. The crown was absolutist in theory but, in practice, relied on the support of provincial nobles, who had their own control over the policing function (GN source 4). Hence, the origins of modern policing are to be found in the Middle Ages. During the Middle Ages the Connetable (Constable in English, from the Latin *comes stabuli* - count of the stables) was one of the five high offices of the crown (Heraldica 2010).

As first officer of the crown, he [the Connetable] ranked in precedence immediately after the peers... The constable had under his command all military officers, including the *marechaux*... He also administered military justice within the host (the name of the jurisdiction was the *connétablie*), which he exercised with the assistance of the *maréchaux* (marshals) of France. This is very much in parallel with the Court of the Lord Constable... which existed in England at the same time (Heraldica 2010).

Until Cardinal Richelieu's Edict of January 1627 the policing function in France was carried out by the Connetable. Thereafter it became the responsibility of the *Maréchaussee* (Marshal - from old German *marah* - horse, and *schalh* - servant or stable keeper, a body essentially much the same as its predecessor, both in role and etymology). It is worth noting here that Richelieu's Edict came in the middle of the Thirty Year War that led to the Treaties of Westphalia and the basis of the modern conception of state sovereignty. The Gendarmerie is the heir to those Royal Constabularies and, until 1944, was the only national policing body in France (Emsley 1983; Gendarmerie 2009).

Initially charged with protecting the population from the many unemployed ex-soldiers that had formed groups or militias and who survived through plunder (Emsley 1983 p29; GN source 4), gendarmerie duties grew to include a more general policing role. On March 9, 1720, a nationwide territorial structure was created, and in 1791 was officially

renamed the Gendarmerie Nationale (GN). Codification of its role and duties was confirmed in law in 1798, and nowadays the Gendarmerie is responsible for policing 95% of France territorially and 50% of its population (GN source 4). The gendarmerie is a pre-revolutionary institution that has survived and developed over centuries. The Revolution caused the disintegration of the ancient regime, a consequence of which was the need for new political institutions such as the Préfecture and the transformation of existing ones, including the Gendarmerie. This helps to explain why, in France, the policing of disorder is conceptualised as being divorced from territory. It also imparts a sense of the importance of how the State reaches from behind and beyond the Republic.

There is, in France, a historical and traditional distrust of the concept of local policing. In part, this might be ascribed to being a consequence of historical abuses of power by self-interested local regulators and militias who served their masters first, and not always the needs of the wider public (Emsley 1983 p29; GN source 4). As such, the only recourse of the people was to the Sovereign in Paris, who was able to take a less parochial view. This factor is viewed by the GN as conceptually important to the national police force approach with regard to the policing of protest and disorder because, even today, most major demonstrations of public dissatisfaction take place in Paris (GN source 4). However, this is not to say that other regions and cities of France are free from unrest. Therefore the services of all the national police units are available for deployment throughout France and, in the case of the GN, this includes the Départements d'Outre Mer and the Territoires d'Outre Mer (DOM TOMs) situated around the globe, and still considered to be very much a part of the republic.

The Dom-Toms are utterly different from our own post-empire Commonwealth of 54 sovereign states. When you see pictures of the Queen in a far-flung office, her position there is purely ceremonial. Not so with the many formal portraits of Sarkozy across the Dom-Toms. The French president is boss, bankrolls the lot, and keeps them in check. When the Commonwealth gets restive, a conference is called. When the Dom-Toms get restive, the Elysée Palace sends in the gendarmes. (Millard 2010 no page No.)

The GN's survival across several regimes is significant, and some description of the post-revolutionary (1789) phases is necessary to show how the GN serves the State over and above any particular regime. The wider philosophical evolution of French society is a significant factor, as is the impact of a number of specific events, which will be described later. Some description and discussion of the French Republic is vital to understanding this aspect.

## Republique

The French Republic is *one and indivisible*, meaning that it is made up of equal citizens, not separate communities. The Republic thus enables unity to be combined with diversity, the *me* with the *we*. The two resulting principles are those of national sovereignty (i.e. top-down sovereignty, that of the nation-states) and popular sovereignty i.e. (bottom-up sovereignty, that of the people). National sovereignty corresponds to the idea that every Nation... an assembly of citizens united by a common history, language and culture, retains control of the decisions [made]... for the common good. Popular sovereignty is the essence of democracy: power proceeds from the people, who delegate it temporarily to their elected officials. Popular sovereignty is delegated but remains inalienable. The people are free to decide, to do and undo [author's translation] (France-republicaine 2010).

The culture of French republicanism has developed from pre-Revolutionary times through five republics, two empires and one restoration of the monarchy. The French Revolution of 1789, essentially the origin of the rights of man, together with the French Constitution and French republican ideals, further consolidated a centralist and national approach to policing. These ideals, based upon the American bill of rights and natural rights doctrine, declared that no matter what the circumstances, wherever or whenever, the Rights of Man remain universal and valid (Chavis 2009). So a liberal democracy was born, founded upon the thinking of philosophers such as John Locke, Thomas Paine and, in particular, the French philosopher of the Revolution, Jean Jacques Rousseau (Baczko 1988; Morsink 1984; Shestack 1998). These democratic rights were underpinned by the rule of law, with the GN operating as the national police force, vested with the responsibility of ensuring such protection (GN source 4; Stead 1983). It is worthy of note that regular military forces remained available as an arm of government.

From 1795 and the declaration of the constitution of the First Republic, France was ‘...the first society in history which tried to live without a public religion’ (Letailleur 2008). It will become clear, later in this thesis, that the secularism versus particularism debate in France and the concept of being French before anything else is a significant factor in this study. Even though the ideals of republicanism were laid down by the Revolution of 1789, the separation of Church and State in public life or *Laïcité*, was not formalised until 1905 by the Third Republic, when a law was finally passed to confirm it (Letailleur 2008).

The removal of cultural and religious identity from public life has strong and noble aims in terms of protecting social and political rights. However, those protections have become contentious due to the increasing diversity and cultural requirements of the very citizens they are designed to protect. Additionally, this republican model does not seem to adapt readily to changing circumstances. It has not allowed meaningful devolution of policing methodologies to adapt to societal changes. To illustrate this it is necessary to outline and discuss French imperialism and the effects of Empire.

## **Empire**

The policing of public disorder needs to take account of the imperial legacy and its lasting consequences in contemporary French society. This legacy has created a powerful cocktail of discontent (Aldrich 2007; Zauberman & Levy 2007), which makes the policing of consequent societal tension highly problematic. In abstract terms there are no distinctions between types of French citizen (Michel & Honneger 2007; Zauberman & Levy 2003), a noble aim inherited from the revolution. But the contraposition is that there is no recognition of the specific rights or needs of minority groups. The police tend to be isolated from local contexts, certainly in sensitive areas. Abstract citizenship appears to have become a means of deliberately ignoring the needs of local communities (Aldrich 2007; Zauberman & Levy 2007; Michel & Honneger 2007; Roché 2005/6).



At its peak, during the 1920s and 30s, the French Empire covered some 4,767,000 sq. miles and was second in size and influence only to the British Empire (Betts 2004 p1). Republican ideals, as well as self-interest, drove the French civilising mission in its colonies, particularly those in Africa. It is reasonable to say that France saw itself as a positive benefactor bringing enlightenment to the natives of the lands it occupied, 'affording access to a culture and language... uniquely suited to conveying the universal values associated with the Revolution' (Cumming in Cole and Raymond 2006 p157).

The colonisation of so many lands, together with the intended 'Frenchification' of their populations, cultures, administrations and structures has more recently brought an influx of these colonial descendants to France in search of education, employment and wealth, laying down the foundations of France's contemporary demography. The detail of this demography is something of a mystery in official terms, and best explained thus:

In the case of France... analysis of this problem is hindered by an abstract conception of citizenship that rejects any reference to a person's affiliation with a community other than the Nation. In particular, it should be stressed that it is against the law to include any ethnic or religious categorization of the population within public statistics and, more generally, to allow for the processing of "personal data revealing racial origin" based on public records (Zauberman and Levy 2003 p1066).

The only lawful official distinction is between French citizens and aliens. In short, you are either French or you are not. This can be easily confirmed by visiting official French websites such as the INSEE (*Institut National de la Statistique et des Études Économiques*) or INED (*Institut national d'études démographiques*). The total population of Metropolitan France on 1<sup>st</sup> January 2010 was 62,793,432 or 65,447,374 including the Dom-Toms (Insee 2010), and these sites give statistics of age, gender, birth rate or region, but do not give any indication of ethnicity or religion. There is no allowable official distinction between French citizens along the lines of their ethnicity or origins.

This is often perceived as a form of official discrimination and exclusion. For balance, it also needs to be said that French authorities have some justifiable argument for this stance, because in 1990 the CNIL (*Commission Nationale de l'Informatique et des*

*Libertés*) authorised the creation of a police database containing sensitive personal information, including race and ethnicity, on the grounds that it was necessary in the prevention of terrorism. There was much protest, even from Charles Pasqua, a former Minister of the Interior, who referred to the wartime Vichy Government's 'Fichier des Juifs'. Similarly, another attempt to authorise use of skin colour for identification purposes was blocked by the then Minister of the Interior, Jean-Pierre Chevènement, as being against 'the values of the republic' (Zauberman and Levy 2003 p1067).

So there is in France a real concern that such data could be used once again to persecute minorities, and there appears to be a genuine moral debate regarding this issue. Zauberman and Levy posit the argument that this dichotomy has more to do with the conception of France, and the place of minorities within it, than it has with the moral debate as previously outlined. Regardless of the philosophical issues, the policing of minority groups will always be a sensitive issue, and one not made easier by misconceptions, or policies perceived as having little relevance to the groups in question.

This is closely linked to what Noemi Michel and Manuela Honneger define as 'postcolonial difference', where 'post colonially conscious' colonial descendants are opposed to the thinking of 'post colonially unconscious' politicians and the traditional conception of the state as being neutral (Michel and Honneger 2007 p2). Consideration of this issue is necessary because it forms an important part of the case studies. The importance of republican ideals and state protection was already apparent, because both are central to how the state polices its citizens. The effects of Republic and Empire are a broad set of cultural and service values closely linked to the role of the State. They form some of the core ideas that underpin French 'political culture'.

The nature of contemporary policing has also been shaped by key events in history and two such incidents, as described by GN sources during the empirical research (GN sources 4 + 8) are summarised below. These events amount to concrete practitioner experiences, key historical junctures that have left their mark on the contemporary

policing of disorder and use of force. They are described to demonstrate how contemporary responses are rooted in particular experiences drawn from the past. They were the signal events of their time that changed police thinking.

### **'Le fusillade de Fourmies' 1891**

Fourmies is a town of some 15,000 inhabitants in Northern France some two hundred kilometres north of Paris and situated close to the Belgian border. In 1891 it was one of a number of textile producing towns most of whose inhabitants were textile workers. Paul Lafargue (son-in-law of Karl Marx) and a leader of a socialist political group called 'Guesdists' had been urging a day of industrial action on May 1<sup>st</sup> in protest at working conditions and pay. This was an entrenched dispute with both sides fighting hard for their perceived rights. On the morning of May 1<sup>st</sup> a crowd of some two hundred gathered in the town square for what was intended to be a peaceful protest. However, a scuffle with a mounted police officer resulted in four of the protesters being arrested. As a result of this incident, two companies of a locally based army regiment were deployed to the scene. This is likely to have done little to reduce tension. They were armed with the then newly developed and issued 'Lebel' rifle, an effective weapon especially at close range (Congres 2009). The crowd was faced by three hundred soldiers led by Commander Chapus. Stones were thrown and the crowd pushed forward. Chapus ordered shots to be fired over the protesters heads but to no avail. He then ordered his soldiers to fix bayonets but this was ineffective due to their close proximity to the crowd. Whilst it is not possible to state whether or not he panicked, the situation caused him to give his troops the order to fire at the crowd. As a result thirty five protesters were injured and nine were killed. Amongst the nine dead were two boys and four young women (ac-lille 2009; GN sources 4 + 8). The lesson was stark; rightly or wrongly Chapus directed his men to open fire. Military forces tend to follow orders.

## Languedoc 1907

Possibly France's biggest civil disturbance of the twentieth century was generated by the strong feelings of Languedoc wine growers whose livelihoods were threatened by the catastrophic effects of phylloxera (a disease of grape vines). This was further compounded by the perceived governmental discrimination towards the Languedoc wine producers after the vine rootstock had been replaced and wine production reinvigorated (GN source 4). The then Prime Minister Georges Clemenceau (Le Tigre) deployed army units against the protesters and five people were killed, including Cécile Bourel, a twenty year old woman, who had been shopping in the local market. Serious rioting and damage occurred as a result (Lichfield 2007). When the soldiers of the 17th Infantry Regiment, who were largely recruited from the Languedoc region, heard of the deaths they refused to 'fire on their fathers' (GN source 2009) and approximately five hundred of them mutinied and marched on Béziers.

Outright civil war, even a southern secession, seemed briefly to threaten. The action of the 17th has since entered into France's rich folklore of resistance and rebellion. In truth, the soldiers appear to have been unsure what to do next. Within 24 hours, without firing a shot, they accepted an amnesty and a promise of no punishment. Most were rapidly thrown out of the army or sent to miserable postings abroad (Lichfield in The Guardian 2007).

Army units from elsewhere in France had to be drafted in to replace them once they had been removed from their duties. For Clemenceau's administration the lesson learned was the need for dedicated public order units to be available for deployment in such circumstances, and that they should not be native to the region in question. This was achieved after the First World War, in 1921, with the formation within the GN of the Gendarmerie Mobile. Today most Gendarmes are posted away from their home regions.

The evolution of the Gendarmerie has continued. In 1950, whilst still coming under the Ministry of Defence, the Gendarmerie was made distinct from the army, becoming a separate force, but still charged with policing duties throughout the Republic. In 2002 their operational duties, regarding their national internal security mission, were brought under the Ministry of the Interior (Home Office), headed at that time by Nicolas Sarkozy.

In 2009, the administration of the Gendarmerie became fully the responsibility of this office, except for military missions:

August 3, 2009 - Law 2009-971: The powers of the judicial authority ... notwithstanding, the Gendarmerie Nationale lies under the authority of the Home Minister ... With regards to its military missions ... the institution is placed under the Defence Minister's authority (Gendarmerie ppt 2009).

So, in all non-military matters their budget is controlled by the Ministry of the Interior although, as it stands, the GN still retains its military status. This 'rapprochement' (vie-publique 2009) will bring the two forces of law and order, the PN and GN, closer together in terms of interoperability, with the sharing of human and material resources, as well as training facilities. This process is intended to be incremental, and will make efficiency savings. It will also bring all policing services under the authority of the Préfets. The classic rivalry that existed between these two codes of policing seems to have become less important because of this convergence, but it is fair to say that this rivalry does still exist, and this was apparent during conversations with sources from both institutions.

The Police Nationale is often cited as having originated as part of Marshall Petain's wartime Vichy government in 1941, and there is some truth in this. An Act was passed on April 23<sup>rd</sup> that year, and the national police service was established, generally with policing responsibilities for towns with populations of over 10,000 people (Interieur 2010; Stead 1983). Paris retained its special status, which will be discussed in a following section about the Prefecture de Police. The national structure of the police force, forerunner of today's PN may have been formed by the Vichy government, but the French 'civil' police system began life much earlier. On further investigation it is apparent that its history parallels that of the GN.

At the same time that the Connetablie was in place, an inchoate city police force was developing in Paris; it was the first of its kind. In 1254 the Chevalier of the Watch was installed and staffed by 'twenty mounted sergeants and twenty six sergeants on foot' (Interieur 2010), charged with keeping Paris safe by night. Following on from this, similar city forces were developed throughout France.

In 1667 the office of Lieutenant of Police was created by the 'Colbert Edict' and Gabriel-Nicolas de la Reynie was appointed Lieutenant General by the King, and given responsibility for the policing of Paris (Emsley 1983; Stead 1983). He is considered to have laid the foundations of the modern police force, and is quoted as having said 'policing is to ensure the safety of the public and private individuals, by protecting the city from that which causes disorder' (Interieur 2010). One can see that the maintenance of public order was seen as the primary policing role and this system was extended to all the major cities of France. It remaining as such until the Revolution changed the regime, when the role of the Lieutenant of Police became the responsibility of the elected mayor, with police chiefs working under the direction of that office. Several developments took place over the ensuing period including the installation of police commissioners (Commissaire or Superintendent) in all cities of over 5000, but crime levels and 'rebellious activity' continued to rise (Interieur 2010). It is clear that, throughout these developments, the French police role was very political (Emsley 1983) and there seems to have been a focus upon maintenance of order, intelligence gathering and repression of anti state activity (Emsley 1983; Stead 1983).

Under Napoleon Bonaparte, the State was reformed and the Prefecture de Police established (Emsley 1983; GN source 2009; Stead 1983). The Prefet de Police was now in charge of all aspects of policing in Paris, still with an emphasis on public order, and protecting the security of the state. Outside Paris, police forces in other cities acted under the authority of the Prefet or sub-Prefet, all direct representatives of the State. In rural areas and smaller towns policing remained the responsibility of the GN (GN source 4). City police forces continued to change and develop through the four Republics until Marshal Petain's reform created a national body. Today they are organised regionally with each Departement having a chief of police in charge of a number of police districts, each commanded by a Commissaire Divisionnaire (Chief Superintendent). Also a national officer

training school was established at Saint Cyr au Mont D'Or near Lyon (l'Ecole Nationale Supérieure de la Police ENSP).

Towards the end of World War Two, after the liberation of France, the Ministry of the Interior took over direction of the national police, now the Sûreté Nationale (1944 - 1966), still responsible for policing all towns having populations of over 10,000 people. This was a further key development in the centralisation of the French police system (Stead 1983). In 1947 after a series of industrial strikes, a sub-directorate of Republican Security Companies (CRS) was formed as a general reserve of the National Police. The Prefecture de Police de Paris again remained unchanged. In 1966 a law was passed that established the PN in its present form with its headquarters in Paris. Whilst remaining a national body, it is 'owned' by the Interior Ministry, and the Préfet de Paris remains the chief of police for the Petite Couronne.



Fig.2 The Prefecture de Paris Boundaries (La Petite Couronne)

The development of the PN has continued since then and, over more recent decades, a concerted modernisation process has taken place. This has resulted in a number of new structures or directorates being established, which will be detailed in the following section that describes the contemporary institutional dimension.

## The Contemporary Institutional Context

This section shows that there is a division between two rival corps, The GN and the PN. Both are under very firm State control, which appears to distrust the concept of local police forces, and community policing. Insofar as distinctions can be made, whilst both are very much national institutions, the GN is a generalist force, with the PN mainly being operational in large cities. Both have responsibilities for the policing of disorder, but the PN in particular appear to symbolise the alienation from the populations of the *quartiers* (sensitive suburbs). In order for this study to provide a real appreciation of the policing of public order in France, discussion of the institutional dimension needs to concentrate on these two national policing bodies (GN and PN), and the role of the Préfecture in Paris. The following descriptions are intended to outline the functions of the two national forces and how they are directly controlled by the state through the Préfets. The organisation chart that follows gives a summary view of the present structure that will be more fully explained in the following sections.

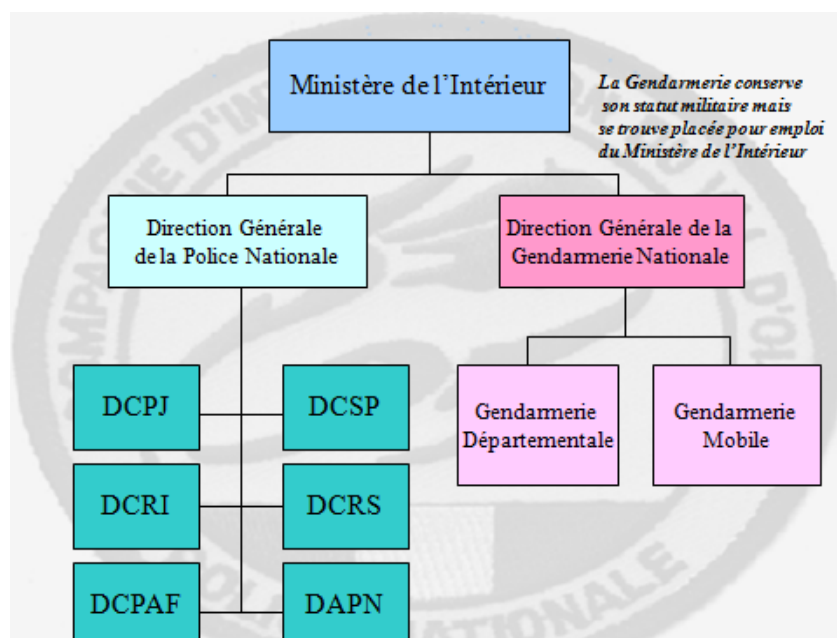


Fig. 3 Organisation chart of French Policing Structure (PN ppt 2009)



## Gendarmerie Nationale (GN)

The operational activities of the GN are in reality governed by three authorities, each overseeing particular aspects of its role. Defence missions remain under the authority of the Ministry of Defence; investigation duties and powers are performed and effected under the authority of the Ministry of Justice; public safety and public order duties are implemented under the authority of the Ministry of the Interior (GN sources 4 + 5). As such, the GN is a very flexible service that can be deployed to a wide range of crises. Figure three below shows how gendarmerie duties may include the full spectrum, from general policing patrols to fighting full scale wars within French territory or abroad.

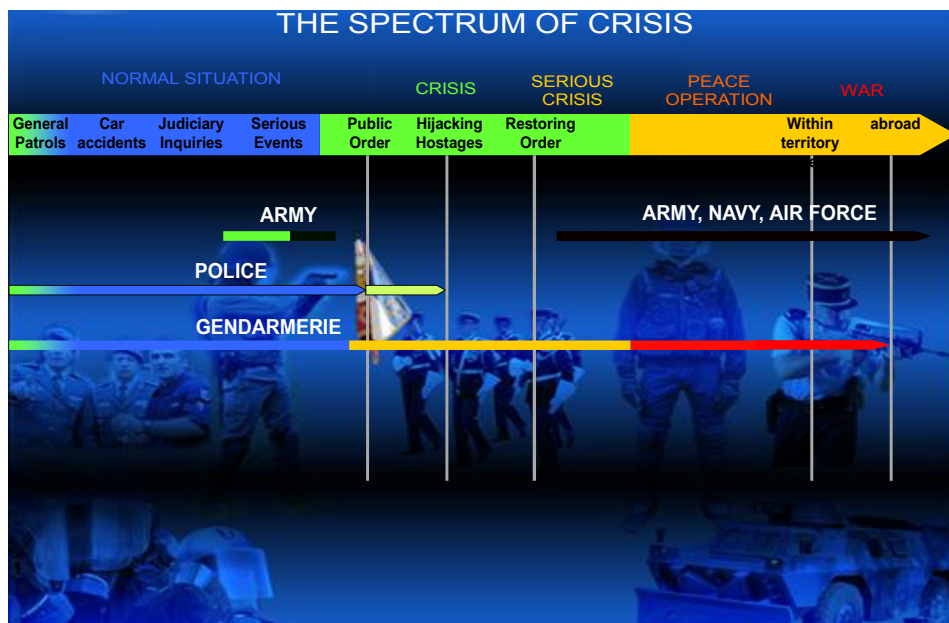


Fig.4 The Spectrum of Crisis (Gendarmerie ppt 2009)

The GN is ‘a police force with a military status’ (GN sources 4 + 5) made up of 105,021 personnel, mostly Gendarmes (6,744 officers; 76,275 NCOs; and 14,952 volunteers), 246 support officers, and a civilian staff of 1,928. There are also around 40,000 reservists that can be called upon in time of need.

In 2007 the GN was awarded €7.3 billion as its annual budget (48% of the national policing budget). As well as salaries, costs included maintenance of 4,120 barracks, 32,000 vehicles and 83,296 computers. The GN strives to stay abreast of developments in IT and

communication technology, updating them at significant cost (Osor 2009). The GN is a distinct body with a own character and culture that is different from that of their colleagues, the Police Nationale (PN), and this does impact upon their service delivery: 'we don't do policing the same way' (GN source 7). This is not to say that their policing aims differ from the PN. In a general policing context it seems more a difference of policing style.

The organisation of the GN confirms its military-style, with a hierarchical chain of operational command. It is divided into twenty two geographical areas and each area commander answers directly to the Directeur Général de la Gendarmerie Nationale (DGGN). It is a national organisation comprised of the territorial gendarmerie, the mobile gendarmerie and a number of specialist units (Gendarmerie 2009).

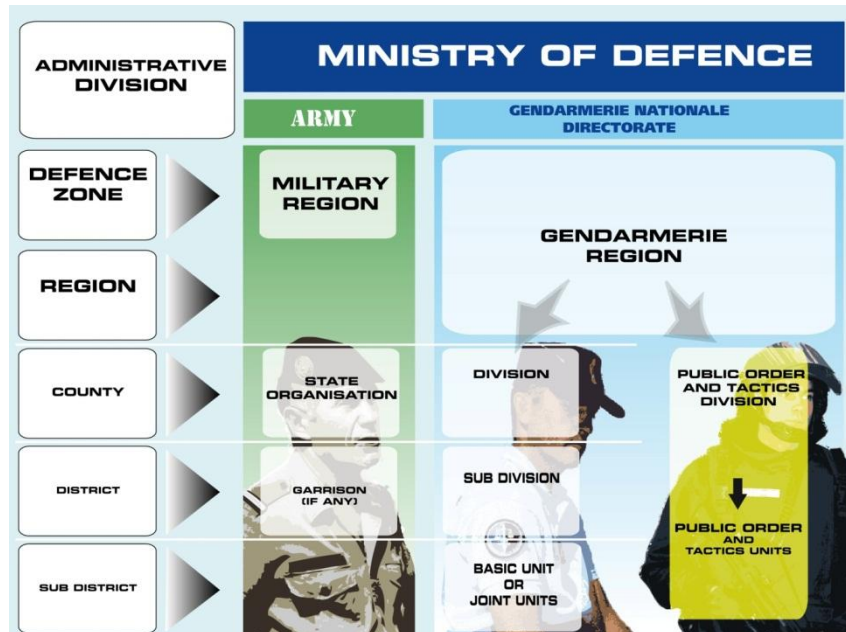
#### **The Gendarmerie Départementale (Divisional or Territorial Gendarmerie)**

The departmental Gendarmes are generally based in the smaller towns and rural areas. They have a traditional policing function with the maintenance of public safety as their primary role. This is further defined as 'protecting people and property, keeping the public informed, together with gathering and sharing intelligence' (Gendarmerie ppt 2009). Being approximately 66,000 gendarmes in strength, the departmental gendarmerie prides itself as being a community orientated local policing force that is close to, and indeed, a part of the population. It claims to have a community driven and partnership-based policing approach that includes local security contracts and crime prevention duties. Such local contracts would evidence a genuine cooperation with local authorities, even though these are also very much a part of the State architecture. This could bear comparison with the British structure. There are also 3,200 gendarmerie school-safety liaison officers, which further evidences a commitment in this regard (Gendarmerie ppt 2009).

Gendarmes are formed in 'Groupements' at county level across France, with 'Compagnies' at the district level (similar to UK Basic Command Units). They also work out

of smaller joint or lone stations at the Canton level (roughly equivalent to an electoral Ward in the UK). Fig. 4 below juxtaposes the military and GN structures.

*Fig. 5 Organisation of the GM/GN*



*(Gendarmerie ppt 2009)*

Additionally there are number of more specialist units that supplement the divisional Gendarmerie such as: criminal investigation, intelligence and judicial investigation units (CID); surveillance and intervention squads based in sensitive areas, who perform surveillance duties to assist divisional units; La Brigade de Prévention de la Délinquance Juvénile (BPDJ), units that intervene in sensitive suburban areas to reduce juvenile criminality; roads policing units tasked with road safety, including motorcycle patrols that police the road networks; mountain units that are trained in search and rescue and police the mountainous areas (twenty mountain and high mountain platoons that conduct approximately 4,000-4,500 search and rescue operations per year). There are also Gendarmes skilled in cave and tunnel rescue; air support units (twenty one in metropolitan France) and nautical units that watch the coast and inland waterways

(twenty seven sea-shore units, twelve river units and five land-water marine units). The Gendarmerie also trains and deploys police dogs (410 teams).

Gendarmerie responsibilities cover a continuum of policing duties from a civil peacetime role to military war duties. The Police Nationale role is a purely civil policing one. The Gendarmerie sees itself as 'a state force handling the [whole] security continuum' (Gendarmerie ppt 2009).

### **The Gendarmerie Mobile (Public Order Units)**

Today the Gendarmerie Mobile (GM) consists of 16,476 Gendarmes of all ranks. It is the Gendarmerie's main public order response asset and is generally responsible for maintaining and where necessary restoring law and order. When not engaged in public order duties GM units may be deployed on general public safety duties with departmental gendarmes. GN sources (2, 4, 5, 6 + 7) suggest that this does happen when possible, but GM squadrons are usually dedicated to public order duties. The GM is also nationally structured with a territorial organisation. There are twenty three 'groupements' serving out of the metropolitan territory, each of which is made up of between four and seven squadrons (Escadron de Gendarmerie Mobile EGM the basic unit of the GM). An armoured group is also available, based at Versailles Sartory. At the time of writing the GM has 127 such squadrons although it was predicted that this number would be reduced in the near future due to financial restraints (GN source 4). Each squadron of around 120 Gendarmes is sub divided into four platoons; three regular platoons and one intervention group. The gendarmes of the intervention groups (pelotons d'intervention) receive extra training to perform specialist roles, thus giving each squadron a great degree of logistical and tactical flexibility and autonomy. Each squadron spends on average 180 days away from their base each year and two or three squadrons are permanently deployed on crisis-management operations such as Kosovo/Ivory Coast. This is in addition to specific assignments on a squadron or individual basis deployed to such places as Haiti, DRC and Lebanon.



Fig. 6 An EGM in training at St Astier 2009

The nature of GM duties can generally be described as having the following categories and proportions: public security 44%; protection and escort 21%; public order operations 13%; training 10% ; other missions 12% (GN source 4). Whilst only 13% of their duties are ascribed to public order operations, in this context this refers to the narrower description of policing protest, sporting events and crowd control rather than the wider meaning of maintaining order, which would include all the other duties mentioned above such as public security. When on operational public order duties in France GM members wear a black uniform with a blue helmet or soft ‘bonnet de police’ (see picture). ‘Soft hat’ duties are likely to be carried out wearing a light blue shirt. All gendarmes wear the stylised grenade badge. GM badges including insignia of rank are yellow to distinguish them from the territorial gendarmerie, which are white.

Regular and frequent operational deployments throughout France and around the world keep the squadrons very busy. As well as their ongoing personal career development, and local EGM training of twenty days a year, each squadron attends the National Public Order Training Centre (CNEFG) at St Astier for two weeks intensive public order refreshment training and scenarios every eighteen months (Gendarmerie

presentation 2009). Elements of the GM are regularly deployed on EU, NATO and UN peacemaking and peace building operations. On average there are 1,500 gendarmes deployed around the world at any given time.



Fig. 7 Gendarmerie images (Gendarmerie ppt 2009)

### ***Force de Gendarmerie mobile et d'intervention (FGMI)***

Formed in 2005 the FGMI is based at Maisons Alfort in Paris and is an integral part of the GM organisation. The FGMI is responsible for the command and management of the GM within the Ile de France, and sensitive escort duties. It has at its disposal 3500 gendarmes organised in five to eight groupements, including the armoured group based at Versailles Sartory. It is also the home of the Etat Major Projetable de Gestion de Crise (EMPGC), which is a deployable headquarters for crisis management. This is a unit that can be deployed anywhere in the world as an emergency planning and major incident command team to assist in the management of crises ranging from natural disasters such as earthquakes etc. to mining accidents, shipwrecks, environmental pollution and riots or looting. In short it can attend to almost any type of major incident. It also has the linked responsibilities for operational debriefing with a view to any necessary improvements through review and rewrite of methodologies, operational advice and the maintenance of their capabilities through training. This unit has had operational involvement in the policing of notable events such as: the G8 Summit at Vichy 2007, a very large public order event; Operation 'Harpie' in Guyana 2008, where gendarmes were deployed to deal with illegal gold mining; the 'Proces Ferrara' in 2009, where bank robber Antonio Ferrara,

captured after being broken out of a Fresnes gaol in 2003 by an armed gang, faced a two month trial; and the NATO Summit in Strasbourg 2009, which saw significant protests (EMPGC presentation 2009).

### ***Intervention Units***

The Groupe d'Intervention de la Gendarmerie Nationale (GIGN) is essentially a counter-terrorism & intervention unit, whose gendarmes are highly skilled intervention specialists. They are intensively trained to deal with serious events such as terrorism, serious crime, hostage situations and interventions in prisons. The GIGN are also available for deployment overseas at short notice. Also available for intervention duties is the Peloton d'Intervention de Deuxième Génération (PI2G), whose two GM squadrons (based at Toulouse and Orange) form part of a new initiative that is an intermediate force between the GM squadron intervention teams and the GIGN. PI2G is available at short notice and trained to similar level as the GIGN and can assist that group if necessary. Two further PI2G units are planned for the northern half of the country.

It has been shown that the GN maintains a significant public order policing capability. In its GM it possesses the organisational capacity to deal with all levels of public order issues, across the globe if necessary. The GM is highly trained, well equipped and can respond quickly and effectively; its squadrons are regularly deployed on order maintenance duties in the sensitive areas of French cities or towns, often as support for the Police Nationale, which will be considered next.

### **Police Nationale (PN)**

Security is part of the inalienable rights of man ... guaranteeing the rights of man and citizen necessitates a public force established for the benefit of all and not for the usefulness of those to whom it is entrusted (French Interior Ministry 2010)

As outlined earlier the PN has developed as a national organisation since the time of the Second World War. In its present form it is part of the Ministry of the Interior and headed

by the Directeur Général de la Police Nationale. The PN strength as at 1<sup>st</sup> January 2006 was 145,820 staff including 119,182 police officers plus 26, 638 support staff (French Interior Ministry 2010).

The philosophy of the PN is stated as being directly linked to the 1789 declaration of the rights of man and is written into statute (with laws of 1995 and 2002). It has the aims of maintaining public peace and security by enforcement of the law, protecting life and property and the prevention of disorder and delinquency. The police have a responsibility to investigate crime, bring offenders to justice, and to provide information to the state regarding any threats to public order or the 'fundamental interests' of the state (French Interior Ministry 2010). To carry out these functions the Director General has several directorates that manage specific areas of policing. These include the following:

***L'Inspection Générale de la Police Nationale (IGPN)***

A national inspectorate for the PN, it performs a function equivalent to the British H.M. Inspectorate of Constabulary (HMIC). It researches aspects of policing, making recommendations with the aim of improving policing services.

***Direction Centrale de la Police Judiciaire (DCPJ)***

The national directorate for the policing of criminal matters is focused mainly on organised crime. It approximates the British Serious and Organised Crime Agency (SOCA). This office co-ordinates all law enforcement agencies in this regard (PN, GN, Customs and Excise etc).

***Direction Centrale du Renseignement Intérieur (DCRI)***

This is the PN's central intelligence agency that reports directly to the Minister of the Interior. It has departments responsible for such areas as: economic protection, terrorism, technological, violent subversion, general administration, support, counter-espionage and international affairs.



### ***Direction Centrale de la Sécurité Publique (DCSP)***

This is the central directorate of public security, which has responsibility for territorial policing across France. Its primary functions are concerned with public safety, urban violence, fighting crime and roads policing. It directs general police duties across the spectrum, and is widely perceived as being the directing body for uniformed policing. This includes the policing of public order at the local level, and each Departmental Prefet has local public order units at their disposal. These units are known as Compagnies d'Intervention (CDI), and members are trained in public order tactics. They carry an array of equipment necessary for this role. CDI agents wear operational uniforms that are very similar to that of the CRS but they can be distinguished by their departmental badges and their vehicles.



Fig. 8. A section of a Compagnie d'Intervention (CDI) in training. Val D'Oise 2009

### ***Direction Centrale des Compagnies Républicaines de Sécurité (DCCRS)***

This is the central directorate of the CRS, whose duties and structure will be further explained as part of the following section on the CRS.

The Director General of the Police also has a number of specialist units to deal with anti-terrorism, drugs, armed interventions, scientific analysis and information. The rank structure of the PN is structured in three 'corps': The Gardiens de la Paix (peace

keepers), who are non-commissioned officers that perform civil policing duties; the 'Corps des Officiers', the equivalent to the UK inspecting ranks; and the 'Commissaires', which are equivalent to British superintendent ranks. This study will refer to them generally as police officers, unless specificity is necessary. However, it is worth noting that the 'corps' system is very strong in France, particularly in the civil service and other state institutions. Loyalty to ones 'corps' is usual, although promotion to a higher corps is possible and does happen but requires the appropriate academic qualification.

### **Compagnies Républicaines de Sécurité (CRS)**

The CRS are remembered for their role in the iconic protests of May 1968 where they clashed with protesting students, earning a fearsome reputation and became subject of slogans such as "CRS - SS" and "CRS - Assassins". Such sentiment is often characterised in the songs, comics and stories of popular culture.

Formed in 1944 the CRS are the public order specialists of the PN. Perhaps better known, certainly more infamous, than the GM, they perform more or less the same roles and are interoperable with them (they are often deployed alongside one another for bigger events). The primary role of the CRS is public order policing and they are usually seen performing crowd control duties at protests, sporting or organised events. They are also the general reserve of the PN and are managed by the central directorate (DCCRS). Several units remain at the permanent disposal of the Préfets for deployments to deal with urban violence and public safety. As such they are frequently utilised in the most troubled inner city areas. 30% of CRS officers are based in Paris and 10% - 15% in the banlieues (suburbs) of Paris (PN source 4).

Prior to 1944, the maintenance of public order was carried out by the military, in a manner that was more repressive and less preventative than that performed by the CRS nowadays (PN source 4). That said they still have a very military structure and style (Stead 1983). The military Groupes Mobile de Reserve (GMR), also known as 'La Garde', had been formed by the Vichy government in 1941 as a mobile force and was modelled on the GM,

but with a civil not military statute. Dissolved after the Liberation on 8th December 1944, (Policies 2010) the GMR were replaced by the CRS whose members included many former French resistance men (PN source 4), which is ironic as the GMR were often tasked with repression of the wartime resistance movement.

The CRS numbers approximately 14,421 staff in total (CRS presentation December 2009), of which 12,343 are 'active' (police officers). There are also 1,791 technical and administrative staff and 287 'Adjoints de Sécurité' who are not regular CRS police officers and who have limited powers. CRS officers are recognisable by their blue uniforms that have a large red CRS patch badge on them. They also wear a 'bonnet de police' or a black helmet with two yellow horizontal bands, which nowadays is of similar design to the gendarmerie helmet, probably as a result of a recent move to a shared procurement of equipment.



Fig.9 CRS Agents (www.google.com)

The basic unit of the CRS is, as one might expect, the company. Each company normally has a complement of between 120 and 150 members with a Commandant in charge. There are normally four general service platoons and one headquarters platoon that includes the company secretariat and is responsible for such things as equipment, vehicles, weapons, ordnance and catering. As such each company is self sufficient. CRS companies normally operate away from their home base where they are accommodated in barracks.

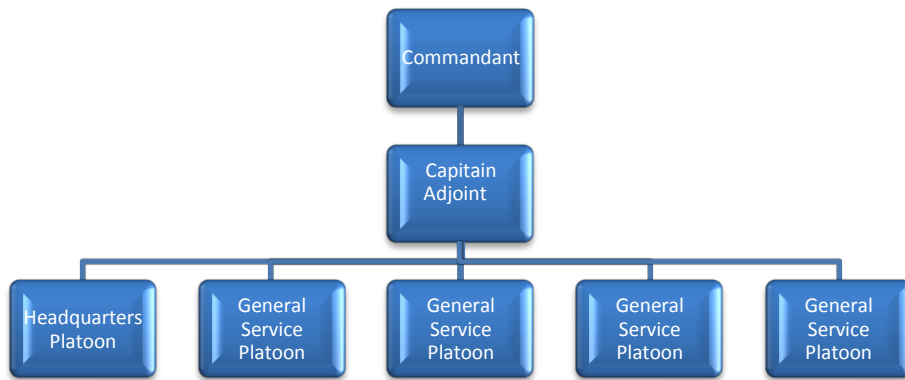


Fig. 10 Typical CRS Company Structure

There are sixty one companies spread across the whole of France in seven directorates, corresponding with the seven defence zones. Every CRS company maintains its operational efficiency with an annual training regime, without which they would lose ‘reflexes and capacities’ (PN source 4). Using training grounds local to their geographic bases they have three five day blocks of collective training each year to hone the ‘fundamental and automatic responses’ (PN source 4) necessary for maintenance and re-establishment of public order. In addition, an obligatory two-company night exercise and a further ten training days are interspersed through the year.

In addition to the companies there are also nine motorway units, six motorcycle units and one mountain unit (search and rescue). The main point to keep in mind is that the CRS is a mobile reserve that has a permanent responsibility to be available for deployment throughout the territory. They are also instrumental as a part of the government’s anti-delinquency and urban violence strategies (French Interior Ministry 2010). As such, CRS units are engaged full time in security patrols in all French cities and, like their GM counterparts, they regularly train together as units, work as a team and frequently deal with significant disorder situations.

By way of summary the following page contains a chart showing the operational units of the two national police forces of France. It provides a quick reference and comparison of the two organisations. It can be seen that both institutions possess similar assets, albeit within slightly different structures.

**Fig.11 Operational Units/Sub Units of the French National Police Forces**

<b>Gendarmerie Nationale</b>	<b>Police Nationale</b>
<p><b>Gendarmerie Départementale</b></p> <ul style="list-style-type: none"> <li>• Uniformed Patrol</li> <li>• Criminal investigation, intelligence and judicial investigation units (CID)</li> <li>• Surveillance and intervention squads (sensitive areas)</li> <li>• La Brigade de prévention de la délinquance juvénile (BPDJ)</li> <li>• Roads policing units</li> <li>• Mountain units -search and rescue;</li> <li>• Air support units</li> <li>• Gendarmerie police dogs</li> <li>• School-safety liaison officers</li> <li>• Gendarmerie Maritime</li> <li>• Gendarmerie de l'Air (Airforce Gendarmerie)</li> <li>• Gendarmerie des transports aériens (Air Transport)</li> <li>• Gendarmerie de l'Armement (DGA)</li> <li>• Gendarmerie Nationale's Prospective Centre (CPGN)</li> </ul> <p><b>The Republican Guard</b></p> <ul style="list-style-type: none"> <li>• Two infantry regiments</li> <li>• One cavalry regiment</li> <li>• Motorcycle squadron</li> <li>• Orchestra, bands and a choir</li> </ul> <p><b>The Gendarmerie Mobile</b></p> <ul style="list-style-type: none"> <li>• 23 'Groupements' <ul style="list-style-type: none"> <li>○ 4 – 7 Squadrons each</li> <li>○ Total of 127 Squadrons</li> </ul> </li> <li>• 1 Armoured Groupement</li> <li>• Force de Gendarmerie mobile et d'intervention (FGMI)</li> <li>• Groupe d'intervention de la Gendarmerie nationale (GIGN)</li> <li>• Peloton d'Intervention de Deuxième Génération (PI2G)</li> <li>• International and European security forces</li> </ul>	<p><b>Direction Générale de la Police Nationale DGPN</b></p> <ul style="list-style-type: none"> <li>• Anti Drug Unit (MILAD)</li> <li>• Anti Terrorist Unit (UCLAT)</li> <li>• Research, Assistance, Intervention, Dissuasion (RAID)</li> <li>• Interior Ministry Security Unit (SSMI)</li> <li>• Central Vehicle Database (SCA)</li> <li>• Intelligence Service(SICOP)</li> <li>• Victims unit</li> <li>• Scientific unit (forensics)</li> <li>• Police band</li> </ul> <p><b>Direction Centrale de la Sécurité Publique (DCSP)</b> Uniform Patrol</p> <p><b>Direction Centrale de la Sécurité Publique (DCSP)</b> Compagnies d'Intervention (CDI)</p> <p><b>Direction Centrale de la Police aux Frontières (DCPAF)</b> Border Police</p> <p><b>Direction Centrale des Compagnies Républicaines de Sécurité (DCCRS)</b></p> <ul style="list-style-type: none"> <li>• Compagnies Républicaines de Sécurité (CRS) <ul style="list-style-type: none"> <li>○ 7 Zones</li> <li>○ 61 x Companies</li> <li>○ 9 x motorway units</li> <li>○ 6 x motorcycle units</li> <li>○ Search &amp; rescue units (seasonal)</li> </ul> </li> </ul>

## Prefecture of Police

The police headquarters in the heart of the life of the community, guarantees the safety of persons and property in Paris and the three departments of the inner suburbs. Founded in 1800, serving all audiences, it brings together diverse expertise within both the mayor and the prefect (Prefecture 2010)

As outlined earlier, the Préfecture de Police is the competent authority for all policing missions within the 'petite couronne', the city of Paris and the departments of Hauts de Seine, Seine Saint Denis and Val de Marne. Within this jurisdiction the Prefecture has responsibility for the security and safety of all citizens. The Prefet de Police of Paris has the same responsibilities that the DGPN does outside of Paris, and draws this authority directly from the Minister of the Interior. The DGPN has no authority over the Prefet de Police. 'The Prefet of Police commands what is in effect a kind of microcosm of the Police Nationale' (Stead 1983 p8). The Préfecture then is a unique organisation with no equivalent British institution. It is quite different from the current Mayor of London's office.

Paris has a population of approximately 12 million and each year plays host to 5200 sporting, ceremonial, inauguration or festive events as well as many thousands of incidents requiring policing. As regards the control of the policing of public order and traffic the Préfecture houses the public order and information command room, which is staffed by representatives of the PN, GN and other public services such as the fire brigade.



Fig. 12 Central control room Paris

The organisation chart below of the Public Order and Traffic command structure is just one part of the Préfecture’s large and complex structure.

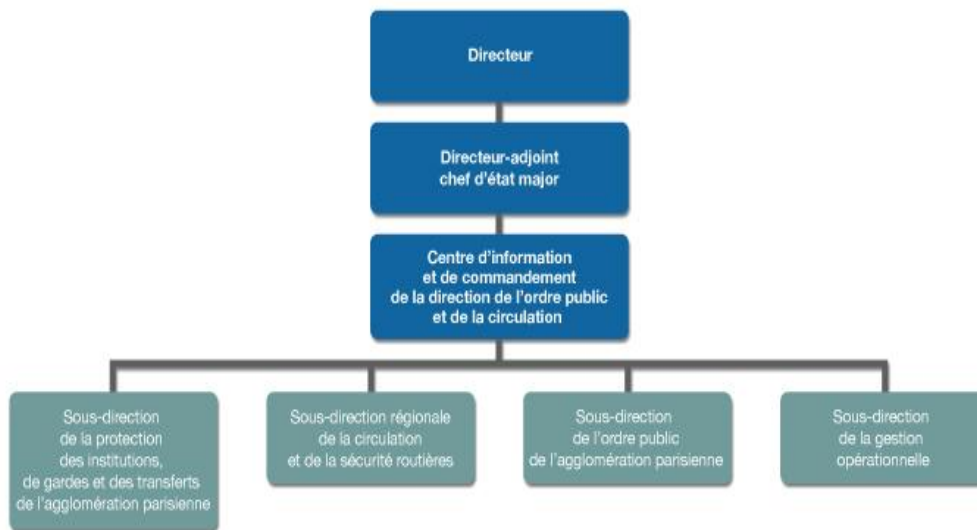


Fig.13 Prefecture organisation chart (Interieur 2010)

It is clear then, that Paris has great importance as the heart of the Republic in the minds of the French people. It is the seat of government and where people come together for events and to protest. It is where the policing of such events is practised regularly and most often. Policing big events or disorders is more difficult elsewhere (PN source). ‘Politically Paris is more important than elsewhere so events are policed more thoroughly’ (PN source 3). It is also the reason that Napoléon created the Préfecture to care for it.

### **GM, CRS and CDI Public Order Policing - Doctrines and Methods**

All three of these public order policing bodies are bound by the same laws, the same human rights culture and the same republican ideals. Yet they have significant differences of structure, history and policing culture as were detailed earlier. There is potential for issues regarding the inter-operability of these organisations. However, when asked if they can work readily with one another, the general response was that they can work alongside one another as units, but not as mixed teams. CRS officers and GM gendarmes have a mutual respect, but there is an evident element of competition. PN source 3 commented

that the GM is less mobile than CRS units. A GM officer (GN source 7) said that the CRS cost more, and take longer to deploy than the GM, because they are bound by the red tape of service constraints. This is no doubt largely due to the relative strength of the unions in the PN, who have access to the media. As a military body, union membership is denied to members of the GN. The points made by both PN and GN sources all seemed reasonable, valid and served to underline a fundamental difference of approach.

The following figure 14 shows a typical departmental police structure and provides a clear view of the importance given to public order policing.

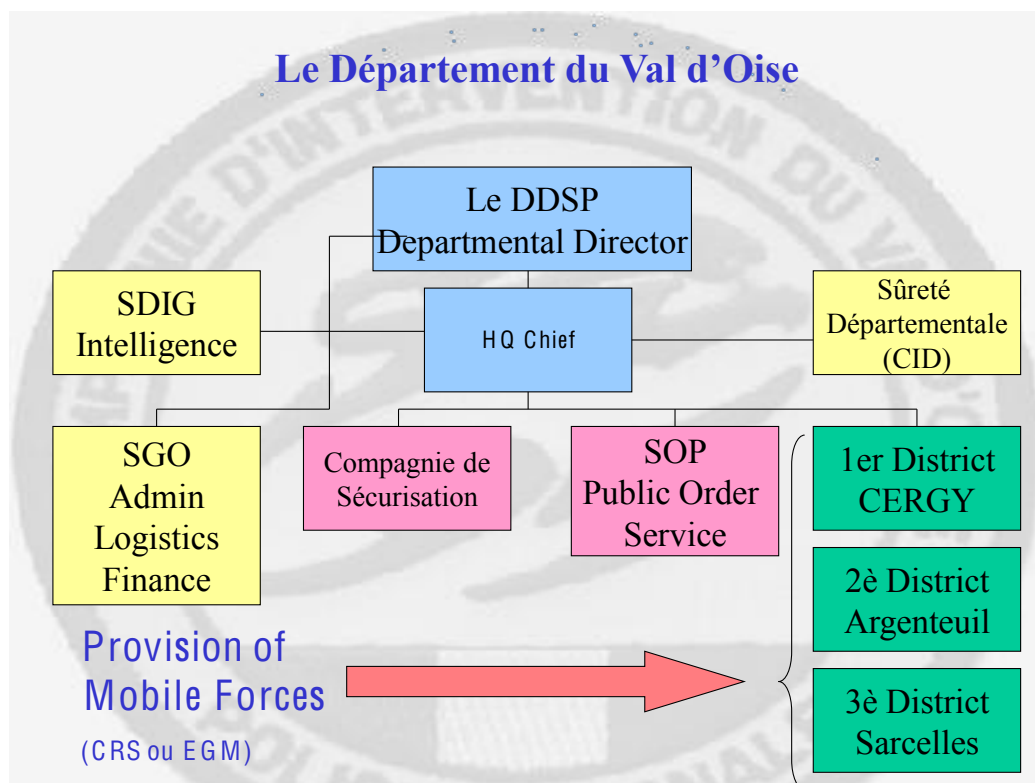


Fig.14 A Département level policing structure (PN presentation 2009)

At the department level, public order policing is the responsibility of the Service Ordre Publique (SOP) which deals with day to day public order policing in the districts. The DDSP of the Département of Val D'Oise has two thousand three hundred officers policing three districts (or sous-préfectures) as detailed in the above chart. Each district has three or



four Commissariats (Police Stations commanded by a Commissaire/Superintendent). The Service des Informations Général (SDIG) is the intelligence unit that gathers information from many sources, which would include elected officials, the unions, protest organisers and paid informants. In this way community tension indicators can be monitored and, as with all effective police services, it is fair to assert that information and intelligence is vital for strategic, tactical and operational decision making. It is notable though, that the SDIG seem to focus on ‘high’ (State) policing intelligence sources rather than community sources.

Departmental SOPs are typically structured as shown below:

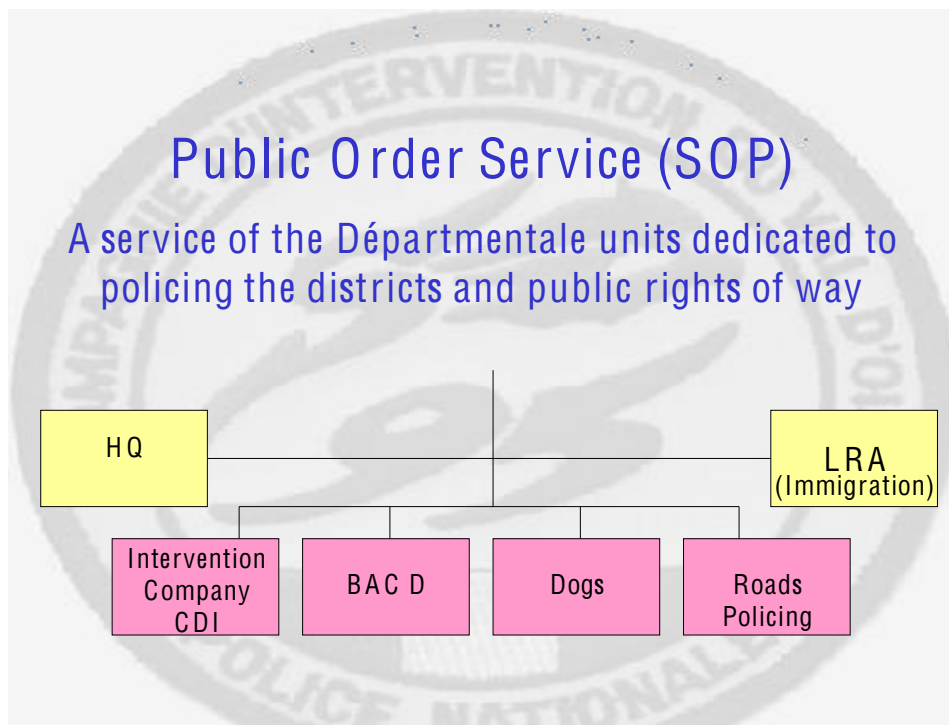


Fig.15 Service Ordre Publique structure (PN presentation 2009)

The SOP of the Département of Val D’Oise has just under two hundred staff with the complements of the operational units as follows: CDI - ninety agents; BAC D - thirty; police dogs - sixteen; roads policing - thirty. Police numbers in other Départements are established according to the area’s geographic size, populations and profiles.

The BAC D is the Brigade Anti Criminalité Départementale, which is aimed at combating delinquency and low to medium level crime. They generally patrol during the hours of darkness and frequently use stop and check powers on potential offenders (PN source 3). They have been criticised because of the frequency and style of their interventions (HRW 2012; Goris et al 2009). Resentment over police attitudes and behaviour during identity checks was a significant factor in triggering the 2005 disturbances, with stop and search having been the cause of ‘countless lower-intensity conflicts between police and young people in urban areas’ (HRW 2012 p2). This divisiveness has a negative effect on broader police and community relations, certainly as regards information and intelligence gathering (HRW 2012). Similar criticism has been levelled at the Metropolitan police in London, where the disturbances of August 2011 also lacked a single cause and where stop and search, particularly of black and Asian men, was a major source of discontent with the police. These tensions were cited by some as a motivating factor for the disturbances and some attacks on the police (Singh et al 2011). The CDI, as previously detailed, is a large unit that performs public order duties, high visibility patrols and interventions within the Département. They are trained in and deploy similar tactics to CRS units.

Community policing, as it is understood in the UK, does not seem to have the same tradition in France. Patrolling local police officers who interact with the communities and are part of the community are not evident. The community policing approach attempted in Paris between 1997 and 2005 ‘Police de Proximité’, was deemed to have been unsuccessful and scrapped. Its failure has been attributed to the Ministry of the Interior’s hierarchical, complex and inflexible nature, together with the layers of authority that managed the police. Also it was under-resourced at an operational level, and viewed by police officers as a role that lacked prestige (Roché 2005 p58). A Commissaire also stated that in France prevention of crime and disorder is more difficult because the public do not like talking to the police (PN source 3; HRW 2012); implicitly there is little in the way of

police structure or agency to facilitate such communication. So it can be argued that community policing in France is simply not viewed as important enough for the state or its institutions to invest in.

However, in the place of Police de Proximité another initiative was instituted in the form of Unités Territoriales de Quartier (UTeQ), whose officers provided a constant presence in the difficult areas with the aim of reducing urban violence, a job that is considered 'tres dur' - 'very tough' (PN source 3). Launched in 2008 by Michelle Alliot Marie, the then Minister of the Interior, they patrolled the sensitive areas of Saint-Denis, La Courneuve, Clichy-sous-Bois and Montfermeil. These units were staffed by agents with at least four years service, and were present in many sensitive areas such as Cergy Pontoise and Villiers le Bel (Val D'Oise). The government website post of April 2008 stated that they were aimed at the underground economy and the trade in illicit drugs as well as re-establishing public confidence in the police (French Gouvernement 2010). It then adds that they are armed with 'Taser' and 'Flashball', otherwise known as less than lethal weapons. This would be in addition to conventional side arms, which are carried by all national police agents and gendarmes. This could suggest that, whilst intending to build confidence in the police, it was through enforcement rather than engagement, and probably seen by recipients as repressive rather than progressive.

French government support for this style of policing remains stronger than it was for Police de Proximité and this was evidenced by the then Minister of the Interior Brice Hortefeux's announcement of June 2010, regarding the establishment of a further twenty-six UTeQ units for Bobigny, Paris (lefigaro 2010). The UTeQs were supported by the Compagnies de Sécurisation, also part of the Departmental structure under the DDSP and who might be expected to have a good local knowledge. These companies were aimed at countering urban violence and delinquency and performed a support role similar to that of the CRS (PN source 3) but, being locally based and controlled, should have had a better

understanding of local cultures. So it is fair to say that there was a considerable and increased state investment in order maintenance.

Where gatherings of people or crowds leads to tension with potential for disorder, the French authorities often use powers under Article 431-3 of the French Penal Code, which defines participation in a 'délictueuse attroupement' (unlawful assembly) as:

any gathering in a street or other public place likely to disturb public order. A crowd can be dispersed by the police after two orders (sommations) to disperse have been issued without effect by the Prefet, sub prefet, mayor or deputies, any police officer responsible for public safety or any other judicially qualified police officer bearing the insignia of their office... the police may use direct force if violence or assault are used against them or they cannot otherwise defend the ground they occupy (Lexinter 2010)

Where a crowd has gathered, spontaneously or otherwise, and public order is likely to be disturbed, the Préfet has to analyse the situation, and decide if authorisation for use of force is necessary and proportionate. If such authorisation is given, the police will make an announcement known as a 'sommation', which is in effect a warning message that force may be used if the crowd does not disperse. A loud signal flare (fusée rouge) will normally be fired before each 'sommation'. If the crowd does not take heed of two 'sommations' the police may forcibly disperse it. It would be usual to make the 'sommations' before each use of force, using both audible and visual means such as loudspeakers and signs, and then give sufficient time for those wishing to leave to do so. Levels of force used are at the discretion of the commanding officer, who must have due regard to their necessity and proportionality. Commanders will use the lowest level of force possible, in order to achieve the aim (GN sources 3, 4, 5 + 8; PN sources 3 + 4). However academic sources suggest that these good intentions fall short of the reality described by their sources (Hamidi 2009; Mouhanna 2009, 2010b; Roché 2006). Whatever the perceptions or findings of commentators, the decision regarding the level of force necessary is the responsibility of the commander. In contrast to the personal responsibility for use of force normally held by their British counterparts, there *should* be less likelihood of a French police officer using force without direction.

The following levels of force require a ‘sommation’: use of batons; offensive bounds (this would be a charge forward by a line of police); tear gas grenades; water cannon and armoured vehicles. Any planned use of firearms would also have to be authorised by the Préfet and warning messages announced. The diagrams below illustrate the human rights standards to which they train and the operational goals they seek to achieve. These are translations of two Gendarmerie presentation slides and show the graduation of force, the first refers to the public order context:

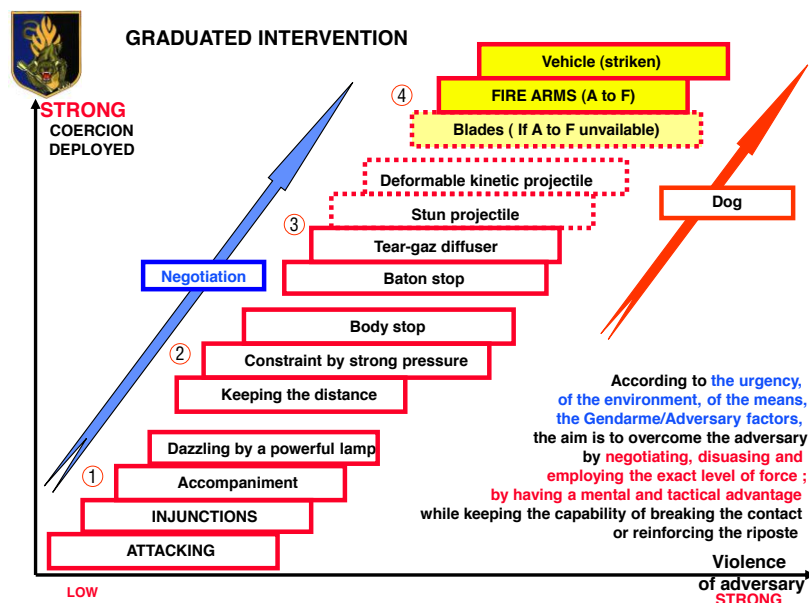


Fig.16 Public Order Graduated Force (Gendarmerie presentation 2009)

The next one shows the graduation at a more general and individual level. Both slides demonstrate steps in a process designed to ‘respect the sacred principle of graduated response’ (GN sources 3 + 5).

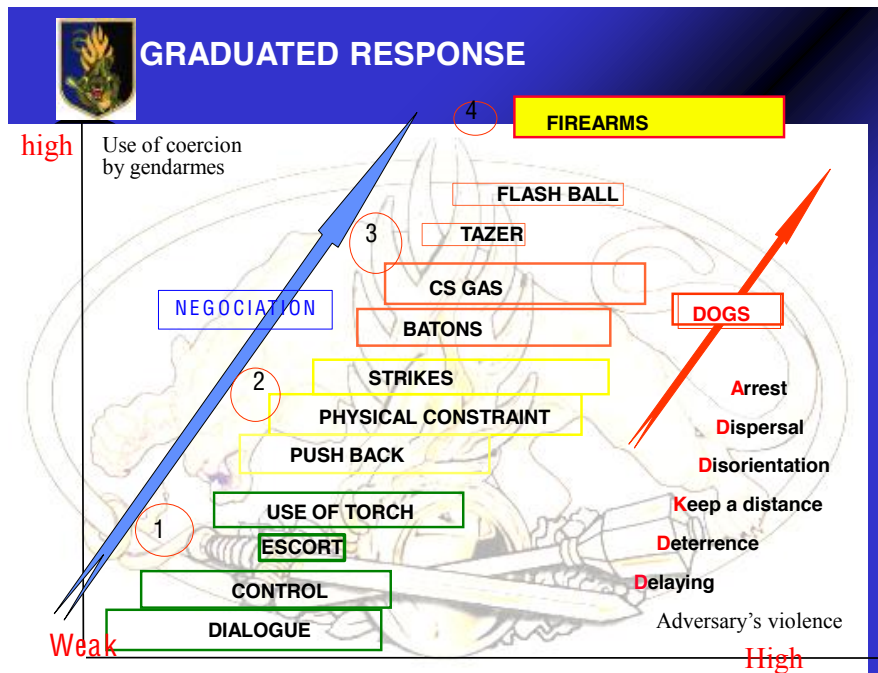


Fig.17 Graduated Response (Gendarmerie presentation 2009)

The French method and manner of dealing with unlawful assemblies is reminiscent of the old British procedure of a magistrate reading of the Riot Act (enacted in 1715 and repealed in 1973) prior to forces of order dealing with riotous behaviour. Warning messages are still very much a part of British public order policing tactics, and will be discussed in the following chapter.

Throughout the continuum of graduated force, it is evident that negotiation is a constant, and disengagement is always an option when necessity and proportionality considerations are made. It is also worth noting that the use of tear gas is lower on the French continuum than the use of police dogs, which is very different from the UK. A conversation with a gendarmerie officer regarding British perceptions of the frequent and liberal use of tear gas in France drew the following response 'but you [the British] use dogs... the Nazis used dogs' (GN source 6). This exchange showed distinctly how diverse policing cultures view use of certain options. Balancing the human rights of one group or individual against another can be a complex and challenging task with significant political and reputational issues. However, in a straightforward use of force context, whilst the mere presence of a police dog can be argued to amount to a 'use of force' in itself, when

one considers the injury potential of a dog bite compared to tear gas (dog bites tear flesh; tear gas makes eyes water), it is clear that he had a point.

## Summary

So, whilst the French forces of law and order have a solid and foundational human rights ethos, they are explicitly an arm of government, and seem to have a compelling republican responsibility to deal with disorder, or potential disorder, through application of the law that is rather more 'to its letter' than the British approach.

The French policing system amounts to an overt arm of state control. British officers attest to serve the Queen. However, there is a fine but significant conceptual difference between the state and The Crown. British policing originates in the communities themselves, whereas French policing is applied by the State. The French police always had a distinctly political role (Emsley 1983). Gendarmes were 'required to report on strangers and events concerning public peace' (Emsley 1983 p45), a case of the state controlling its citizens. There is no comparable legal philosophy or set of codified rules in Britain.

French policing is centrally managed, nationally structured and made up of two main institutions, the Gendarmerie Nationale and the Police Nationale, although many municipalities have their own local policing arrangements as well. Both the GN and the PN have their own full time public order policing specialists, the GM and the CRS, who perform a number of security and public safety functions, as well as maintenance of order. More often than not GN and PN staff are posted away from their region of origin. The British system of policing geographical areas using the same police officers consistently has been viewed by some in France as preferable to the French approach which resembles occupation by foreign forces; at the same time the centralisation of British policing has been called very much a French import (Emsley 1983). The PN and GN have their own distinct traditions, but ultimately perform similar and complementary roles

within the French mainland, because both institutions are now controlled by the Ministry of the Interior.

While there have been a number of convergent changes, in areas such as equipment and tactics, the PN and GN remain distinctly separate bodies. There is some difference of approach, and indeed a high degree of rivalry between the codes and corps, but both institutions have very strong cultures of service to the state that are central to their professional identities, and this will be reflected in the analyses that follow.



# Chapter Four

## Britain

### Introduction

Any general description or perception of Britain usually includes the four nations of the Union; England, Wales, Scotland and Northern Ireland. Apart from the Police Service of Northern Ireland (PSNI) the British police are generally unarmed and have similar structures, uniforms, cultures and doctrines. All are 'British' in appearance and style and police according to *Peelian Principles* that will be discussed later. So whilst much of this research has been carried out in England and Wales, the data and comment relates and refers to Britain and the British model of policing.

This chapter seeks to describe the development of policing in Britain, outlining the historical, social and institutional dimensions. Following the structure of the previous chapter, it provides a brief history of the origins of the police in Britain, sufficient to describe, explain and contextualise policing in the British tradition. The historical and social context section will discuss certain notable examples of public disorder that occurred in Britain, seeking to provide some context for these. This section will also include a brief description of imperialism and multiculturalism, however it is not an examination of these or any other political or social phenomena. They are mentioned here in order that a comparison with the French situation may be made, and to provide some context for public order policing. As with the previous chapter, the institutional dimension will further explain the development of public order policing in Britain and detail contemporary policing strategies, tactics and methods in this regard.

## Historical and Social Context

The Parekh Report of 2000 describes Britain as ‘a community of citizens and a community of communities, both a liberal and a multicultural society, and needs to reconcile their sometimes conflicting requirements’ (Intro. No page No.), and it is fair to broadly describe Britain, and just about every European state, as a liberal western democracy. However, unlike many of its closer European neighbours Britain does not have a written constitution. In the words of one politician, Norman Baker, the British Constitution ‘has proved to be not worth the paper it’s *not* written on’ (BBC News 2009). This unwritten constitution is not that strong a basis for democracy in that it can essentially be whatever the government wants it to be (Haseler 2010) and ‘is nothing less than the western world’s only remaining *ancient regime*’ (Haseler 1990 p415). This lack of codification means that British governance, which is based upon a variety of sources such as common law, statutes, treaties and conventions, is both complex and unwieldy. It is within this complexity that policing in Britain is carried out.

One may surmise that prior to Roman times any social regulation would have been truly communitarian, of the people by the people within communities and appropriate to local custom, since ‘in unpoliced society police functions were often carried out by citizens rotating in local offices’ (Silver 1967 p9). In order to find the earliest form or structure of a ‘police’ force in Britain it is necessary to go back to Anglo-Saxon England, between the end of the Roman occupation in the 5<sup>th</sup> Century and the Norman Conquest of 1066 (Emsley 1983/1986; Rawlings 2002). This period saw legislative functions being carried out by the King and his councils (Regia 2010) with new or updated laws being issued at regular intervals. There was a distinction between maintenance of the Sovereign’s peace (central government) and ‘policing’ at the local level. As there was no occupational police service any action taken to investigate a crime would have been wholly dependent

upon the victim or victim's family seeking justice (Regia 2010). The idea of collective responsibility for keeping law and order was established during 'the thousand years since Alfred the Great (in what was then Saxon England)' (Alderson 1985 p20).

In the tenth century the Shires of England, each headed by the Shire-reeve (precursor of sheriff, the pivot of central and local government), were divided into administrative areas called 'Hundreds' headed by a 'Hundredman'. Each Hundred was sub-divided into 'Tythes', which in this context are groupings of ten households rather than the feudal tax tithing of a tenth of a household's produce. Each Tythe was headed by a 'Tythingman'. Any executive legal action or policing function was carried out by ten freemen of the Tythe led by the Tythingman, and then usually only for crimes against the Kings Peace (Regia 2010; Kent 1981; Roberg et al 2000). A system of 'Hundred' and 'Shire' courts would hear cases. At a more local level a system of 'Frankpledge' existed (Rawlings 2002). This was a system of suretyship that relied upon the compulsory sharing of responsibility among persons connected through kinship, or by oath of fealty to a lord or knight. All 'commoners' were required to be a member of a tithing, a group of 'ten' with a mutual responsibility for each other's conduct, a frankpledge (Olsen T no date).

The office of Constable did not appear in England until after the Norman Conquest. Having a role similar to that of the Connetable of France and being responsible for the 'military affairs for the king... an enforcing agent of the king's writs' (Musson 2003) the Constable was an important position but a lofty one. As such it was necessary to have a structure where local officers would carry out the peacekeeping function as 'a natural adjunct to the community responsibility entailed in the frankpledge system, which supplied an awareness and alertness at the truly local level, and in the watch, a nocturnal vigilance against unwanted or dangerous outsiders' (Musson 2003). The constable at this level was the lowest

officer in the hierarchy of authority and also responsible on one hand for representing the state (king) to the local population and on the other for representing local interests to the state (Kent 1981).

According to English jurist Henry de Bracton, the judicial role of the constable was to find evidence and record facts on which judgements could be made. The Constable was the 'eyes and ears of the court' and the earliest *strong arm of the law*. 'It is the duty of the constable to enrol everything in order, for he has record as to the things he sees; but he cannot judge... He has record as to matters of fact, not matters of judgment and law' (Bracton 1968 Vol.4 p136). It is still the case that the police do not apportion blame. Their duty remains that of putting the facts before the court, as well as keeping the peace.

Settlements came to be dependent upon the peace being kept by local constables drawing their authority from the 1285 Statute of Winchester that codified to some degree earlier customs regarding the possession of weapons and keeping the Kings Peace. As a precaution against assaults, robberies and other crime, this statute also provided guidance to keepers of the watch regarding the arrest of suspicious strangers. Constables whilst being responsible to the Sheriff and having responsibilities for arrest on indictment by the county court were not just central agents. They had local affinities and a duty to make summary arrests as necessary. Consequently they were also responsible for leading any 'hue and cry' posses in pursuit of wrongdoers. Indeed Constables and Tythingmen both had responsibilities in this regard (Police Federation 2007).

Developments throughout the hundred years or so from the mid seventeenth century saw Tythingmen's duties become the sole function of the parish constables, who in turn reported to Justices of the Peace instead of Shire-reeves. In towns keeping the peace became the responsibility of the Guilds, and later 'The Watch', whose men guarded the gates and patrolled the streets at

night (Met police 2010). Evidently law enforcement was then very much a public duty carried out by the public, albeit as a stratum of a larger system. Attributed to Henry Fielding, the first formal police unit was established in London around 1749 (Emsley 1983; Rawlings 2002). Its officers were directly attached to the Bow Street Magistrates Court; hence their more famous title 'Bow Street Runners'. Their salaries were paid from central funds.

The eighteenth century was a time of great economic and social change in Britain. The advent of the industrial revolution drew people in search of fortune from all over the country, Europe and further afield and the populations of towns and cities burgeoned. The Watch systems and parish constables remained in place until the nineteenth century by when it was apparent that they were simply no longer able to cope with the numbers of people, the increase of poverty and the changes in crime and behaviour. A new police force was needed to 'respond to increased levels of social disorder' (Lenz & Chaires 2007 p76) in that rapidly growing industrialised urban society (Lenz & Chaires 2007; Emsley 2001; Rawlings 2002).

Home Secretary Sir Robert Peel was concerned that increasing levels of crime were a threat to the system of government and set up a Parliamentary inquiry that led to the Metropolitan Police Act of 1829 being passed and the 'Jenny Darbies' (a corruption of the French Gens d'Armes) were born (Rawlings 2002 p120). The main difference between the *New Police* and the old system was the removal of community control to the effect that policing became rather more imposed upon them than done by them (Rawlings 2002). Whilst this new, contested, force proved itself to be more effective than the moribund system it replaced (Bayley 1975), it was not as popular as history suggests. After reforming the police in Ireland, Peel had an overt distrust of local power structures and an overwhelming urge toward centralisation that influenced his London police reform

proposals (Paley 1989 p125). Also, 'so pervasive was the resistance to their arrival that we need to ask ourselves... how such a decisive enlargement of the powers of the state became possible at all' (Ignatieff 1979 in Newburn 2000 p25). The new standards of social control consequent to this new institution were mostly imposed on the working classes, minimising the political impact of this increased potential for repression (Lenz & Chaires 2007; Paley 1989; Rawlings 2002).

The first (and only joint) Commissioners of the Metropolitan Police, Colonel Charles Rowan and Sir Richard Mayne, were charged with organising the new police and based upon Peel's ideas developed their 'General Instructions' which detailed the structure, methods and objectives of policing (Lenz & Chaires 2007; Rawlings 2002). These ultimately led to the below listed and erroneously titled *Peelian Principles* being constructed, albeit as an 'invention of twentieth century textbook authors' (Lenz & Chaires 2007 p69). These principles are significant because they have become the 'grandfather' of today's practices, 'adopted as idealised ancestors' might be by an orphan (Lenz & Chaires 2007 p78). These nine principles have become part of the argument that the development of the British model of policing is a success of democratic process (Neyroud - forthcoming) and this is further evidenced by the fact that the HMIC have reproduced them in their 2009 report:

1. The basic mission for which the police exist is to prevent crime and disorder.
2. The ability of the police to perform their duties is dependent upon public approval of police actions.
3. Police must secure the willing co-operation of the public in voluntary observance of the law to be able to secure and maintain the respect of the public.
4. The degree of co-operation of the public that can be secured diminishes proportionately to the necessity of the use of physical force.
5. Police seek and preserve public favour not by catering to public opinion but by constantly demonstrating absolute impartial service to the law.
6. Police use physical force to the extent necessary to secure observance of the law or to restore order only when the exercise of persuasion, advice and warning is found to be insufficient.

7. Police, at all times, should maintain a relationship with the public that gives reality to the historic tradition that the police are the public and the public are the police; the police being only members of the public who are paid to give full-time attention to duties which are incumbent on every citizen in the interests of community welfare and existence.
8. Police should always direct their action strictly towards their functions and never appear to usurp the powers of the judiciary.
9. The test of police efficiency is the absence of crime and disorder, not the visible evidence of police action in dealing with it.

(Adapting to Protest - Nurturing the British Model of Policing 2009)

It can be seen that although a twentieth century construct, these principles have been 'laid' as the foundation upon which the tradition or idealised view of British policing has been built. That said, they are believed by many to be as relevant today as they were then, and are possibly in sharper focus now. This is due in part to recent reviews as a result of the death of Ian Tomlinson, who died after being pushed to the floor by a police officer at the 2009 G20 protest in London.

Rowan and Mayne set up their Headquarters at 4 Whitehall Place, also known as Scotland Yard. By 1839, the Metropolitan Police Force was responsible for policing the whole of London, apart from the Square Mile of the City, which had its own 'City of London Police' (CoLP). In 1839 the County Police Act was passed, and numerous full time county forces were established throughout England and Wales structured along similar lines to the Metropolitan Police. This structure is still in place today (Rawlings 2002; Met police 2010).

So the modern police force in Britain can trace its roots back to the middle-ages and, as has been shown, has developed since those times into the civil force recognisable today. Its structure and traditions are the result of this ongoing process, and have been affected by numerous factors, not least the incidence of conflict, disorder and riots, some of which are outlined next.

## Rioting in Britain

Some discussion of historical British disorders is helpful at this stage, and the following summarised events, whilst not requiring deep analysis for this thesis, do show how the use of military forces in civil disorder can alienate the citizens of the state. Rioting in Britain is not a new phenomenon and has been recorded as early as 1208, when violence erupted between students and townspeople in Oxford (Oxford 2010), and again in 1355 with the St. Scholastica day riot (Miller no date). Rioting and disorder in England [Britain], the optimal 'traditional' political society, often provided the unorganised poor the (only) means by which, 'in the absence of representative institutions or the ability to participate in them, they might articulately address the propertied class' (Silver 2005 p19). The frequency of rioting in Britain increased with 'popular disorder' appearing to reach its peak with the Gordon Riots of 1780 (Emsley 1983 p162; Rudé 1959). Significant outbreaks of disorder in Britain have occurred with a certain frequency ever since<sup>1</sup>. The relevance to this study of the following events is both descriptive and contextual. They help to show how the use of force on behalf of a liberal democracy becomes seen as legitimate, and therefore acceptable, *only when it is necessary and proportionate and carried out by a civil authority*. 'During a riot police confront not an enemy, but a fellow citizen' (Waddington PAJ 2000 p163), but where military force has been used on civilians it has involved high levels of violence and people have been killed or badly injured (Marrow 1994; Marlow 1989; Rawlings 2002; Rudé 1956). The use of troops, as seen during the Gordon Riots of 1780 and the Peterloo Massacre of 1819, was catastrophic in terms of civil liberties and reputations. Another, different, example of how the *possibility* of military involvement can be politically resonant, the coal strike or 'Tonypandy

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<sup>1</sup> See Bessel & Emsley 2000; Emsley 1983; Geary 1985; Rawlings 2002; Rudé 1959; Tilly 1995; Waddington D 2001; Waddington, Jobard & King 2009; Weinberger 1991



Riot' of 1910 is also discussed. Again these incidents amount to signal events of their time. They motivated changes in police thinking.

### ***The Gordon Riots***

The Gordon Riots of 1780 also 'took place at a time of acute political crisis' (Rudé 1956) when a number of factors were in issue including:

The sharp divisions... brought out between the government and the City of London on the bearing of arms...the particular anxieties of the Roman Catholic community; and, perhaps most important of all, to the permanent strengthening of the executive by the powerful arguments which they provided in favour of a professional police force (Rudé 1956 p93).

The link between the strengthening of the executive and the need to have a professional police force is explicit. The reason for these riots was the perceived strengthening of the Catholic agenda brought about by The Papists Act of 1778, which sought to redress some of the injustices of the previous Popery Act of 1698. The catalyst for disorder was a petition supported appeal to parliament to the effect that the Papists Act should be repealed. This appeal was brought by Lord George Gordon, chairman of the Protestant Association who had been successful in preventing a similar Act in Scotland.

The petition was ultimately unsuccessful but it was brought to the House of Commons accompanied by a crowd of some 50,000 people. The disturbances were not directed at the rich but during the ensuing riots, that lasted for several days, the houses, businesses, offices and shops of visibly prominent Catholics were attacked (Rogers 1998). Public houses were similarly treated, as were several gaols, including Newgate and the Clink, where the inmates were released (Rudé 1964). The riots were eventually quelled by troops, who, having been released from the need for civil direction (Babington 1990) opened fire on more than one occasion, resulting in 285 people killed and 173 treated for wounds. A further 450 rioters were arrested with 160 being tried at the Old Bailey. Twenty five were sentenced to death and hanged; twelve were sentenced to prison for terms of

between one month and five years, and one was 'privately whipped' (Rudé 1956; Babington 1990). Lord Gordon was tried but acquitted after a remarkable legal defence (Rudé 1956).

### *The Peterloo Massacre*

On 16<sup>th</sup> August 1819 a crowd of at least 60,000 (Marlow 1989) gathered at Saint Peters Field, Manchester, as part of a pro-democracy and anti-poverty demonstration. What occurred there became known as 'The Peterloo Massacre', after cavalry were used to disperse what was an orderly political demonstration (Babington 1990; Marlow 1989). So large was the crowd that the 400 or so special constables on duty were engulfed by it. Local magistrates panicked and asked for military assistance, sending notes to the Manchester and Salford Yeomanry Cavalry (MYC) and the 15<sup>th</sup> Hussars (Marlow 1989). The Hussars, commanded by Lt. Colonel L'Estrange, were a full-time army unit. The Yeomanry, led by Captain Hugh Birley and Major Thomas Trafford, were a part-time local volunteer force, many of them recruited from the families of wealthy middle class businessmen (Babington 1990). The MYC, members of which had old scores to settle with some amongst the crowd, took up the task of arresting the speakers. They charged the crowd with sabres drawn and there was no escape as the 'soldiery [rode and struck] at a solid block of life, writhing and struggling in vain fight for flight...' (Walmsley 1969 p.xx). Twelve people died, including a woman and a child, and approximately 630 were injured (Marrow 1994). Most injuries were caused by crushing as the crowd panicked, but many were inflicted by sabres (Marlow 1989).

The subsequent conviction and sentencing of leading protesters and the successful civil action against members of the MYC, shows the 'Peterloo Massacre' to be a contested issue and whilst the authorities saw it as a victory it was a 'pyrrhic' one as it has become a 'legend of government oppression' (Babington

1990 p59). There is little doubt that this is because ‘the picture of cavalry-men cutting down unarmed women scorched the imagination’ (Rogers 1998 p244).

The seriousness of these riots is difficult to comprehend today, but one might imagine the gravity of similar events taking place and ask why they do not. A later example of how disorder was dealt with in Britain, but where troops did not use violence was the 1910 disorder at Tonypandy. Many accounts of it have been written<sup>2</sup> and it is significant for a number of socio-political reasons but mostly, for this thesis, because it was one of the last occasions that troops were mobilised for use in policing civil disorder on mainland Britain and it showed a growing political sensitivity to the use of military force against citizens (Geary 1985).

### ***Tonypandy 1910***

The Cambrian Combine mining network had trialled a new coal seam at the Ely Pit, Penygraig, in the Rhondda Valley. Seventy miners were tasked to work it for a set period in order to assess extraction rates. Extracting coal from this mine was problematic due to a band of rock running through the seam, and consequently less coal was being produced than expected. The miners, who were paid by the ton of produce, were effectively being paid less for working longer. This resulted in the employers claiming that the miners were deliberately working slowly and in August that year the owners posted ‘lock out’ notices that effectively barred these miners from their places of work, who then as a consequence went on strike. Workers from other areas were called in by the mining company causing the disaffected miners to picket the mines. This culminated with a balloted walk out by thousands of other miners, closing all the pits of the area except for one at Llwynypia. Disorder occurred and damage was

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<sup>2</sup> Geary 1985; Weinberger 1991; [webapps.rhondda-cynon-taff.gov.uk](http://webapps.rhondda-cynon-taff.gov.uk); [www.tonypandy2010](http://www.tonypandy2010)

caused to local shops and the house of a mining official. The resolve of the miners was such that they fought pitched battles with Glamorganshire Constabulary officers. The autocratic Glamorganshire Chief Constable, Captain Lionel Lindsay, a friend of the local mine owners, having engineered an acceptance that the local population was turbulent (Weinberger 1991), drafted 300 Metropolitan police officers to Tonypany, as directed by Home Secretary Winston Churchill, in order to 'avoid bloodshed and consequent adverse public reaction' (Geary 1985 p118). Central government was reluctant to use troops in civil disorder (Geary 1985; Weinberger 1991) but infantry and cavalry troops, under the command of General Macready, were also sent ready for deployment by the civil authorities if necessary. Somewhat unusually, Macready also commanded the Metropolitan police contingent (Weinberger 1991). It is not documented whether troops were used against civilians on this occasion (RCT 2010). However one miner, Samuel Rhys, did die, probably as the result of a blow from a police truncheon (RCT 2010). The emotional fallout from that date is still present (Weinberger 1991), even though the events are now just outside living memory, and a centenary remembrance event took place in Tonypany on Sunday 7<sup>th</sup> November 2010 (RCTBC 2010). The fact that troops were deployed to 'police' civilians is significant and still spoken of.

That Churchill was deeply concerned regarding the potential consequences of military action against civilians involved in an industrial dispute (Geary 1985) is evidenced by this excerpt from his letter to Prime Minister David Lloyd George:

The time will come... when I shall have to leave the soldiers in much more naked contact with the population...the strikers...may come right up against the rifles with consequences of the utmost gravity (NLS 2010)

Churchill's letter went on to say 'unless some real quality is put into this business we shall get into very deep water indeed' (NLS 2010), which in the language of those times was a fairly explicit request for help from someone with influence and

perhaps some affinity with the people of the area. Whilst troops were not used directly against civilians on this occasion, the example of ‘Tonypany’ was later repeatedly used to castigate Churchill for repressive use of force (Weinberger 1991 p41).

These examples of rioting in Britain illustrate that where the forces of order have local connections, as at Peterloo and Tonypany, local allegiances can result in excessive and one-sided repression (Geary 1985). They have also shown that such use of military forces has been no more successful here than in France. That said, the use of civil forces to deal with civil matters is no guarantee that public relations will be unaffected. This is borne out by the repercussions of just about every riot or violent protest that has taken place in Britain since the First World War (Geary 1985). Each such event seems to have been a catalyst for debate and change throughout the twentieth century and certainly the first decade of the twenty-first, a period of rapid change and technological development.

The growth of television and electronic media over this period needs to be acknowledged. Disorder is extremely newsworthy and the increasingly detailed and sustained reporting of it gives exposure to the arguments and behaviour of all involved, which affects public opinion;

press activism has helped foster a new kind of social movement: dramatic surges of single-issue sentiment that occur outside party politics and which can be activated by surprisingly small groups of people (Milne 2005 p10).

The inner city riots of the early 1980s, and notably Brixton in 1981, have already been touched upon in this thesis and were instrumental in changing forever the policing of such incidents in Britain. The effects of serious disorder can be long term (Geary 1985) as can the repercussions for police public relations. It is sufficient to say that Britain like France also has a ‘tradition’ of rioting as a means of social reform. Social historians ‘have come to regard the riot as part of the

development of our democracy and growth of social and political reform in this country...Britain has riots some say, whilst other countries have revolutions' (Metropolitan Police c1986).

## **Empire**

*The sun never sets on the British Empire* is an oft quoted saying stemming from the fact that, at its zenith, the geographical reach of the Empire meant that the sun was always shining in one part of it. This is significant, in that the broad ethnic mix, or demography, of Britain today shows such diversity largely because of the 'unforeseen legacy of their imperial past - the large inflow of migrants, mostly from South Asia' (Darwin J 2005). Many immigrants, people from the Dominions, Colonies, Protectorates, Mandates and Territories of that Empire, have since arrived in Britain. The ebbs and flows of prosperity and poverty across the globe that are usually linked to social, political and environmental crises have caused a constant stream of migrants. Britain has been the destination of choice because of its relative stability and prosperity and, in many cases, its imperial legacy of language and culture. This 'colonial expansion established the pre-conditions for the global use of English' (Graddol 1997 p5) and English has become the lingua franca of the business world and indeed of globalisation itself.

At its largest, in terms of land area, between the two World Wars, the British Empire covered between a quarter and a third of the globe and its land area was 150 times the size of the British Isles (British Empire 2010). There are a number of factors viewed as causal to the growth of this Empire, amongst them Christianity, specifically Protestantism, whose work ethic was readily reconciled with Christian doctrine. British civilisation, being seen as innately superior to that of those that were being colonised, whilst not as explicit in intent as the French 'mission civilatrice', was similar in effect. Commerce or mercantilism was also significant,

with British chartered monopoly companies, such as the East India Company, generating vast profits that ensured the spread of British influence around the globe. The industrial revolution in Britain powered British expansionism throughout this period, and there was a powerful and effective Royal Navy to help secure strategic imperial aims (British Empire 2010). At the turn of the 20th century British colonies existed in every continent, and the pink colour indicating the Queen's Dominions dominated the world map. Britain today, has a diverse multicultural mix, which successive governments have managed through a policy of multiculturalism or, more precisely, liberal multiculturalism. This has been held up by politicians as both a success and failure as a policy, depending upon their political 'colour'.

The 'politics of difference', where being visibly different becomes a source of power, is not the foundation of true equality (Steele 1990). Identity politics has been beneficial for minority groups, but is also a source of conflict. It would seem that British multiculturalism has not amounted to meaningful integration. Some minority ethnic and cultural groups have been inclined to live within their own areas (Cantle 2001 p9). Such silo like existence is not a basis for understanding or respect, often breeding suspicion, envy and hatred. Recent history has shown that difference, in any form, remains a source of suspicion and conflict and that integration is a slow process. This has proven to be a challenge to British policing, the structure of which we shall look at next.

### **Institutional Context**

Outside England and Wales there are a further nine territorial forces in Scotland and Northern Ireland. As well as the territorial police forces there are a number of non-territorial forces that have specific functions, as listed below:

- British Transport Police
- Central Motorway Policing Group

- Civil Nuclear Constabulary (formerly UKAEA Constabulary)
- Ministry of Defence Police
- Port of Dover Police
- Port of Liverpool Police
- The Serious Organised Crime Agency (SOCA)
- Scottish Drug Enforcement Agency

Presently there are forty-three separate territorial police forces in England and Wales. Each force, or service as they prefer to be called nowadays, is headed by a Chief Constable or, in the case of the City of London and the Metropolitan Police, a Commissioner (Directgov 2010). Each police area has a Police Authority made up of local people, normally seventeen in number including nine local councillors and eight independents, of which at least one must be a magistrate. Police Authorities are part of a tripartite link between themselves, the Chief Constable and the Home Office, and are responsible to the public for ensuring the efficiency of the police, and to ensure that the public have a say in what the local police objectives should be. They set employment targets with the aim of having a police service that reflects the local community. They also have a legal duty to check that policing is carried out in a fair and respectful manner (APA 2010). Additionally there are a number of national policing priorities that are set by central government.

This structure is shortly to change, with Police Authorities being replaced by a Policing and Crime Commissioner. This will be an elected official, in all probability along party political lines. Understandably there are concerns that this will effectively amount to a politicisation of the police, and this was reflected in the Association of Police Authorities (APA) website with a paragraph stating that local police authorities ensure that communities are served according to their needs, and ‘not for party-political reasons or on behalf of one particular interest group’ (APA 2010).



Previous reviews of policing saw the numbers of police forces in Britain drop from 239 to 43 (Geary 1985) in what was effectively a process of centralisation. This has increased Home Office influence over policing (Geary 1985). The present number of forces has been criticised as being: (i) still too many to be coherent or consistent and are incapable of dealing with organised crime and terrorism; (ii) too costly because of unnecessary duplication of resources across the country (Independent 2010). The present chairman of the Association of Chief Police Officers (ACPO) Sir Hugh Orde and Sir Paul Stephenson (former Commissioner), have indicated that the present structure needs independent review to evaluate if it remains fit for purpose (Independent 2010). A 2005 initiative to make changes to this structure by Home Secretary Charles Clarke made little headway. 'Closing the Gap' (HMIC 2005) looked at a number of issues including merging smaller forces into larger regional organisations, thus reducing costs by doing away with a number of high ranking positions, gaining efficiencies of scale, and by more effective sharing of specialist resources. This was ultimately shelved in spite of its finding that 'the 43 force structure is no longer fit for purpose' (2005 p76). Simply, the political will was not strong enough.

However, a review of national police leadership and training *has* been carried out. The former chief executive of the NPIA and former Chief Constable, Peter Neyroud, makes several recommendations, including the phasing out of the NPIA. He is explicit that 'the more that policing is localised for delivery, the more important it is to be clear on the areas where interoperability and national standards are vital to protect the public' (Neyroud 2010 p10). So it is fair to argue that British policing is becoming more nationally structured, as well as being a national institution.

The 2009 think tank 'Reform' report *A New Force* also recommends that the police should be accountable to elected politicians but, to be more efficient at the local level, police forces should be smaller, with the Metropolitan Police taking the national lead on serious crime (which one supposes would include cross border, national and international crime). This could avoid wastage caused by unnecessary regional bureaucracies and duplicated spending on serious crime at the national level (Bassett et al 2009).

It is probable that the forty-three police chiefs in England and Wales would robustly defend their 'Constabulary Independence' (Savage, Charman & Cope 2000) and it seems eminently sensible that policing decisions be made by people who have the authority, qualification and competence to make them. Presently each force is divided into a number of Basic Command Units (BCU), or Boroughs, which are fairly autonomous, and this could be described as localism in action. They have their own command teams and control their own budgets. They are normally commanded by a Chief Superintendent, who should be 'plugged in' to local issues, sensitivities and priorities, effectively making each BCU a smaller local force. They are guided by force policing plans, which are developed in line with national policy. National policy comes from the Home Office and there are a number of national police bodies that have been established in order to achieve this:

***Her Majesty's Inspectorate of Constabulary (HMIC)***

HMIC is an independent body that inspects all aspects of policing across England and Wales with the aim of improvement. It is a statutory body that acts as a regulator, representing public interest, making regular inspections of the forty-three territorial forces and PSNI; British Transport Police (BTP); the Serious and Organised Crime Agency (SOCA) and HM Revenue and Customs. It produces reports that are available to the public and intended to be 'clear, jargon-free and

designed to be accessible, measured, objective, statistically reliable and authoritative' (HMIC 2010). It claims to identify areas of good practice and offer expert advice to forces. It is headed by a Chief Constable and generally uses seconded serving senior officers in the role of Rapporteurs. As such it is very much a part of the establishment and there is a danger that this structure might promote an overly conservative adherence to the traditional view of British policing. Consequently its reports may lack some objectivity.

### ***Association of Chief Police Officers (ACPO)***

The Association of Chief Police Officers (ACPO) is an independent, professionally led strategic body. In the public interest and, in equal and active partnership with Government and the Association of Police Authorities, ACPO leads and coordinates the direction and development of the police service in England, Wales and Northern Ireland (ACPO 2010)

The above ACPO Statement of Purpose, taken from their website, gives the impression that ACPO does 'what it says on the tin', inasmuch that it is an influential body which advises government on policing issues, and ultimately sets national police strategy. Interestingly, this 'somewhat enigmatic organisation' (Savage, Charman & Cope 2000 p1) is a private company registered under the Companies Act 1985 with its memorandum and articles of association stating that the 'name of the Company (hereinafter called the Company) is 'The Association of Chief Police Officers of England, Wales and Northern Ireland' (ACPO 2010). There are questions as to the transparency of this company. Until November 2011 it did not have to comply with the Freedom of Information Act which raises concerns that its private nature means that it lacks accountability. This raises other questions regarding conflict of interest. Would ACPO be better situated institutionally and professionally as part of 'Police UK' rather than a private body? Whose interests does such a PLC serve best - its own or those of the police service? Indeed the Reform report A New Force (Bassett et al 2009) describes ACPO as 'a self-perpetuating oligarchy'. This is probably due, at least in part, to

the fact that it is ultimately the relevant Police Authority that is responsible for the appointment of Chief Officers. These officers are chosen from those who have been selected for and successfully attended the Strategic Command Course, in line with Home Office guidelines (MPA 2010). These courses are designed and run by the National Policing Improvement Agency (NPIA - see below) on behalf of ACPO.

ACPO was the true influence on national police strategy (Bassett et al 2009). It cites its primary aim as being the provision of 'strong and visible leadership..., inspiring confidence in those we lead, our partners and the diverse communities we serve' (ACPO 2010). Their website provides information regarding its structure and policies. Its manuals of guidance on firearms, public order and conflict management are, however, no longer available.

Further objectives include: (i) overseeing the development of doctrine; (ii) being the principal voice of policing; (iii) co-ordination of strategic responses to national need; (iv) development of the highest professional knowledge and standards; (v) ensuring 'that the ACPO brand name is recognised globally as a mark of excellence in policing'. It espouses an ethical and inclusive methodology in achieving these objectives that is 'committed to equality and Human Rights' (ACPO 2010). The Neyroud report has recommended that ACPO be subject to some 'repositioning' of its role regarding leadership and professional standards (Neyroud 2010 p8).

### ***Police National Information and Co-ordination Centre (PNICC)***

PNICC is a development of the National Reporting Centre that was instituted in 1972. It is one of the national bodies that exist under the umbrella of ACPO. It is a small but important unit, designed to act as a national mobilisation coordination centre so that resources can be deployed where necessary. It employs a small

number of full-time staff and others seconded to it in time of need. So where a police force requires the assistance of extra resources in order to deal with pre-planned or spontaneous events, they can be made available. PNICC has been pivotal in the policing of such events as G8, G20 and the Suffolk serial murder investigations. It was also involved in the planning of mutual aid assistance for the English Defence League protests and the national influenza pandemic. It co-ordinates the mobilisation of police support to large operations and critical incidents and is the link to the Cabinet Office Briefing Room (COBR). Drawing resources from forces throughout the UK, it has responsibility for providing mutual aid assistance to the Metropolitan Police for the 2012 Olympic Games (ACPO 2010).

PNICC should co-ordinate resources according to the requirements of the event or operation and relies upon the Police National Mobilisation Plan (PNMP) matrix of national resources that is subscribed to by all forces, each of which should have defined its commitment according to what it can actually provide in terms of specialist resources and numbers of them.

PNICC does not, however, provide a perfect answer to urgent need. During the August 2011 disturbances in London the Metropolitan Police Force Mobilisation Plan was ineffective, due to the lack of public order trained officers available to deal with the situations (Police Federation 2011). PNICC offered little help during the first 48 hours of the disturbances and, whilst disorder was still confined to London, PNICC failed to co-ordinate strategy. It would seem that the spontaneous nature of those events badly affected the ability of the police to respond. PNICC was shown to be ineffectual in co-ordinating the initial interoperability and response of trained human resources, communications and equipment (Police Federation 2011). Simply put, PNICC takes time to mobilise both its own and others resources, which can result in a ponderous operational response. Once up

and running, after the violence spread outside London, PNICC did succeed in its aim (Police Federation 2011).

### ***National Policing Improvement Agency (NPIA)***

The NPIA was formed in 2007 as a replacement for 'Centrex' which had replaced National Police Training before that. The NPIA is a national body:

a non-departmental public body (NDPB) sponsored and funded by the Home Office. It is police-owned and police-led; with representation on the National Policing Board and an executive leadership drawn from the police service (NPIA 2010).

It has developed a ten year strategic framework called 'Building Capability', which sets out seven areas for continuing improvement:

- Developing effective operational processes, practices and doctrine
- Enhancing global security
- Strengthening leadership in the police service at all levels
- Developing the skills and professionalism of the workforce
- Improving the use of information, knowledge and science
- continuously improving the delivery of support services
- increasing the efficiency of service delivery by forces

NPIA has a number of specialist departments that can provide knowledge and training in their fields. Amongst these departments is the Specialist Operations Centre, which includes the Uniformed Operational Support team that deals with public order, operational planning and the policing of major incidents. It remains to be seen how the NPIA role will be affected by the proposed changes recommended in the Neyroud review, which questions how the 'national functions currently delivered by the NPIA could be transitioned into the future' (Neyroud 2010 p9). This is as good as saying that NPIA has a short life expectancy.

From the above it is apparent that policing in Britain is carried out by several agencies that, on the face of it, work symbiotically to achieve the

overarching policing plan as dictated by the Home Office. This could be compared with the different departments of the rather more bureaucratic French Policing structure, as described in the previous chapter, the main difference being that in France policing is done by two national forces. Also, there are a number of national policing bodies in Britain, which suggests that the British local policing model requires a nationally co-ordinated and assisted structure. These include the National Crime Squad (NCS), National Criminal Intelligence Service (NCIS), National Public Order Intelligence Unit (NPIOU), National Ballistics Intelligence Service (NABIS), Police National Database (PND), Police National Computer (PNC), Police National Legal Database (PNLD) and the Police National DNA Database, which have been created over the last thirty-seven years. This indicates that a national policing approach does exist. The apparent cohesiveness of ACPO, APA and HMIC etc. also suggests a creeping centralisation of strategy. Additionally, and notwithstanding, a localism of policing under the BCU structure, there are several layers or centres of influence that evidence a 'process of accretion of power to central government... the enhanced corporate status of ACPO both centralises policing policy... and protects the decentralised nature of British policing...' (Savage, Charman & Cope 2000a p47).

### ***Public Order Policing in Britain***

The concept of mutual aid has already been mentioned and in simple terms amounts to an agreement between the forty-three forces of England and Wales to assist one another in time of need. The forces of Scotland and the PSNI are also signed up to this agreement. The style and 'colour' of public order policing in Britain stems from doctrine produced by NPIA, published as a three part concept comprising the ACPO Manual of Guidance on Keeping the Peace (KtP 2007), the ACPO Standards, Tactics and Training Manual (Centrex 2004) and the ACPO approved training packages (APOC; IPOC; CMS). The ACPO Manual of Guidance on

Keeping the Peace is the 'bible' of public order policing, often referred to simply as 'KtP' (Interview sources 2009) should be used by all forces and practitioners. KtP along with the ACPO standards, tactics and training manual and commander training packages formed the remainder of the public order policing doctrine. All these documents have now been brought together in a new style guidance manual which is called 'Public Order - Authorised Professional Practice' (NPIA source 1).

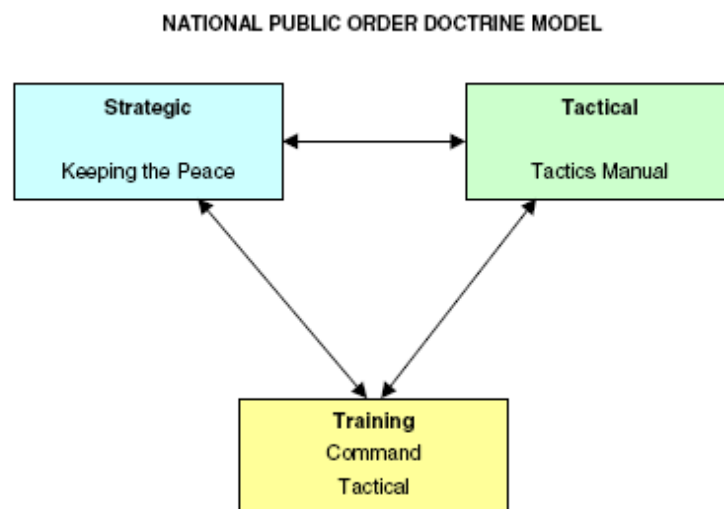


Fig.18 National Public Order Doctrine Model

Being duty bound to keep the peace, all British police officers are trained in general police duties. This training includes core subjects such as police law, human rights, criminal justice, diversity and fairness, and conflict management (personal safety). Generally officers patrol a 'beat', usually alone, and are aware of their sworn responsibility to protect life and property and to prevent and detect offences 'without fear or favour'. They have a degree of discretion, requiring that they make decisions as to when offenders are reported or arrested, based upon the legal necessity standard. Consequently, they become used to



dealing with what can be very sensitive and important issues on their own, within a framework of local and national policies and procedures (Police source 2009). This is the traditional, idealised, policing role. There is a key shift of role from normal police duties to the corporate action (Waddington PAJ 1996b) required for public order policing. The structured teamwork required by public order policing is not the norm for most officers.

One of Lord Scarman's recommendations was improved training for officers in public order policing (Scarman 1981). This resulted in the development of national tactics and training across Britain. More recently public order training in Britain has been subject to review, due to the HMIC enquiry into the policing of the G20 protests of April 2009 in London. During that event, Ian Tomlinson died after being pushed over by a police officer. A number of other incidents also occurred that were widely broadcast, debated, and in some cases sensationalised by the press and TV. The more recent disorders of August 2011 have further invigorated this process. In truth, police public order training was already changing by including further human rights awareness training (SWP 2009), and has now been codified by an updated manual of guidance - KtP 2010 (HMIC 2011).

During basic training all officers should be trained to *Level Three* in public order policing techniques, where they receive grounding in basic tactics such as foot cordons, command structures, and an overview of Common Minimum Standard (CMS) or *Level Two* tactics. In order that units from different forces can work together effectively each force maintains a number of officers who are trained to *Level Two* or Mutual Aid Standard (MAS). Presently this requires that each officer receives four days CMS training each year, and attains operational competence in seven basic public order tactics: Foot Cordons; Shield Cordons; Free Running Lines; Mixed Shield Dispersal; Building Entries; Petrol Reception (being petrol bombed) and dealing with Violent and Deranged Persons (VDP). This

is intended to ensure commonality of words of command etc. and hence interoperability, so that, theoretically at least, PSUs from different forces can work together effectively. In reality this training, whilst intended to be common across all forces, does not mean that all receive similar training.

Regional priorities are allowed for in the doctrine, for example, forces with significant football league 'risk group' supporters (read hooligans!) do have greater numbers of operational deployments, and train accordingly. Others may have to manage regular environmental protest, such as the Thames Valley Police at and around the Oxford University biomedical research centre. Different forces will have different capabilities, depending on their requirements. All forces have a responsibility to ensure that their units are fit for purpose. However, not all give their level two trained officers the required full four days CMS training, which could mean that their PSU officers may be vulnerable if deployed to serious public disorder incidents as evidenced at Bradford in 2001 (interview sources 3, 6 +7).

The basic unit of public order policing in Britain is the Police Support Unit (PSU); PSU officers are volunteers who have full time 'day jobs' as police officers, serving the communities of their areas, and are brought together on an 'ad hoc' basis for operational public order deployments. PSUs may well be deployed frequently and regularly in some forces, but they remain part-time public order units. A PSU is made up of one commander usually of Inspector rank, three Sergeants who each command a 'serial' of six Constables, a total of twenty two officers. Some regional variation is apparent, and a PSU may also include a further three constables as drivers and another two as medics. Each force maintains a set number of PSUs and has an agreed mutual aid commitment.

Many forces also maintain a *level one* capability such as the Territorial Support Groups (TSG) of the Metropolitan Police, whose members are employed

full-time in this role. They are trained to a higher level in conflict management and public order tactics, providing a non-firearms tactical intervention capability as well as being a resource for major events, major incident enquiries, crime exercises, searches and, of course, being the first response to spontaneous disorder situations. In provincial forces, such as the South Wales Police (SWP), these teams are smaller, and may have such titles as Operational Support Teams (OST), Tactical Aid Group (TAG) or Support Group. Ultimately all are a derivative of the Special Patrol Group (SPG), and provide a flexible and expeditious response to serious incidents, with many of them also being trained as a response to Chemical, Biological, Radiological and Nuclear (CBRN) incidents. All forces also have a CBRN PSU commitment for mutual aid, which is necessarily a growth area in the present climate.

The Public Order Command Structure has three levels: strategic, tactical and operational (KtP 2007), usually referred to as *Gold*, *Silver* and *Bronze* respectively.

DIAGRAM: Public Order Command Structure

This illustration provides a structure for a command team to manage an event. It must not be regarded as exhaustive.

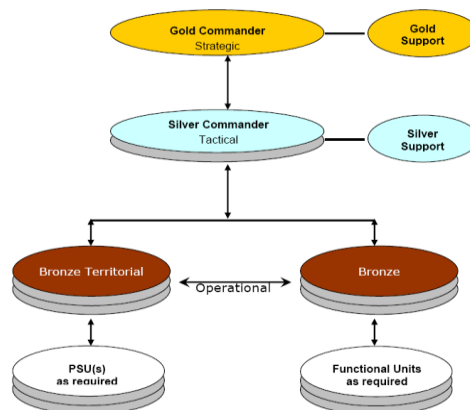


Fig.19 Public Order Command Structure KtP 2007

The 'Keeping the Peace' manual of guidance states that this command structure is designed for use at pre-planned or spontaneous incidents, and is flexible enough

to cope with a wide range of events. The command function is role not rank specific. That is to say those officers performing such roles should have received the necessary level of training, and have evidence of their specialist competence . As a result of the review of police action at the 2001 'Milltown' riots in Oldham and Bradford, the public order command function was recognised as being in need of improvement and became the subject of a development programme by 'Centrex' (precursor of NPIA). From this came the Advanced and Initial Public Order Command Courses (APOC and IPOC) and, more recently, three distinct courses for each level of command have been developed (HMIC 2011).

*Gold* is responsible for formulating strategy, or the 'overall intention to combine resources towards managing and resolving an event or incident' (KtP 2007). The *Gold* commander should make a number of strategic considerations when setting strategy, and has overall responsibility. *Silver* is responsible for devising the tactical plan 'in order to achieve the strategy set by *Gold*' (KtP 2010). *Silver* is the pivotal link between *Gold* and *Bronze*, the latter being the ground commander and responsible for a geographical area or a specific function. *Bronze* ensures that the tactical plan is implemented on the ground. It is normal to have one *Gold*, one *Silver* and as many *Bronzes* as necessary. PAJ Waddington argues that this 'military analogy' (1991 p142) creates tension in that it allows *Gold* to 'arc' across the level and interfere with operational decisions on the ground through direct contact with *Bronze* without recourse to *Silver* and, it may be supposed, vice versa. Personal experience showed this to be possible when one *Gold* decided that a morale boosting walkabout would be appropriate during one of the FA Cup finals played in Cardiff. Whilst walking past a rowdy group of fans who were kicking a football around a packed approach to the stadium, the ball struck *Gold* in the ear knocking off his hat. It could have been much worse but the

lesson was salutary. Notwithstanding this example, Waddington's concern is only a problem if commanders are not role disciplined in line with KtP guidance.

At this time the KtP stands as British public order policing doctrine (that which is taught) for all levels of training, planning and command. KtP has always been a 'living' document and the latest version is the third edition since its original publication. The main point here is that it is the only official manual of guidance for public order policing in Britain. It is a necessary reference for public order commanders, advisors and planners and is a comprehensive document that really does guide police public order agency (Interview sources). In its original foreword Chief Constable Med Hughes states 'Keeping the Peace will remain the comprehensive guide on public order matters and it will continue to evolve to meet future demands and challenges' (KtP 2007 p6). It is not though, a rigid document that contains everything:

It is not intended to be exhaustive or restrictive and does not preclude the innovative use of strategies and tactics which are lawful, Human Rights compliant and have been adequately risk assessed. (KtP 2010 p8).

The latest version contains core principles for application in the policing of public order incidents such as policing style; communication; command and proportionate responses. One model deserving of explanation is the Conflict Management Model, which is fundamental. It is widely used and accepted by practitioners. Experience has shown it to be applicable at all levels and to any conflict situations be they general policing issues, firearms or public order incidents (Interview sources).

### ***The Conflict Management Model (CMM)***

The CMM is taught to all police officers. It is taught on joining as part of officer safety and conflict management training and regularly reinforced in annual continuation training, which is compulsory in some format for all ranks. Officers

specialising in areas such as public order and firearms will have more regular exposure to it.

It is a model that has become indispensable to command and planning at strategic, tactical and operational levels (Interview sources). It guides individual officers whilst performing the police patrolling function. It also guides teams of officers performing specialist tasks and when used in organising and executing the biggest most complex operations, be they spontaneous or planned.

KtP states that this model gives guidance for the ‘management of events and incidents with a risk to public safety or potential for disorder... assists in the decision making process and provides a structure for the documentation of decisions and their rationale’ (KtP 2007 p30).

DIAGRAM: The Conflict Management Model

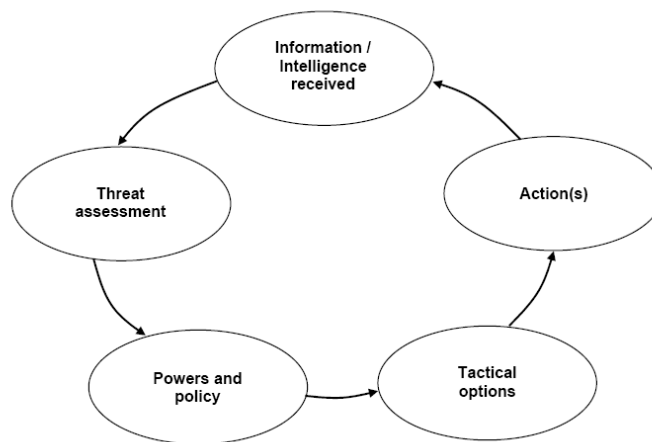


Fig.20

It is a cyclical model that works in an anti-clockwise direction. As can be seen above the model starts with *information and intelligence* on which the rest of the process is based. Any source of information is possible, from what can be seen to what is known or learned, which should inform any decisions or planning. Any impact factors can then be considered as part of the *Threat Assessment* which can

range from a simple 'here and now' individual threat assessment to do with numbers, location or weapons to organisational reputational issues. Consideration would also be given to the situation in relation to the disorder model (KtP 2007). Community Impact Assessments and operational risk assessments would also come under this heading.

*Powers and Policies* includes consideration of human rights issues such as necessity and proportionality, especially when attempting to balance the rights of conflicting groups. Any use of force including powers of arrest would sit here too. KtP 2010 also advocates that consideration of a *Working Strategy* sits between *Threat Assessment* and *Powers and Policies*.

*Tactical Options* would include, for example, at an individual level such decisions as to what technique is appropriate to affect an arrest under the prevailing circumstances. KtP 2010 includes a list of tactical options that:

...is not exhaustive and additional options and considerations may sometimes apply, dependent upon the unique nature of the operation or incident (KtP 2010 p96)

This provides considerable flexibility in a commander's decision making. Commanders and individual officers are in no way precluded from adapting tactics to suit the conditions, but this must always be with due regard for the human rights of all concerned.

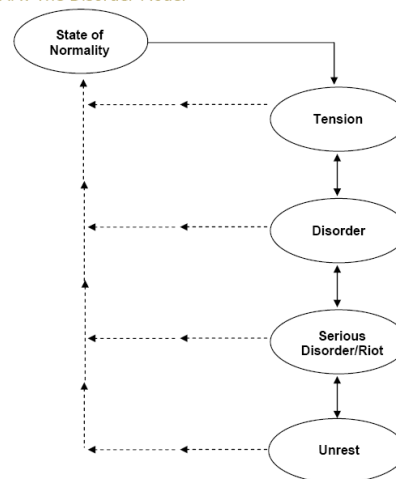
The final heading within the CMM is *Actions and Contingencies* (KtP 2010). The main point of note regarding this model is that any action that is taken will change the *Information and Intelligence* and it is necessary to 'spin the model' continuously; as the information and intelligence changes so it is necessary to re-appraise threat and risk assessments and whether any course of action embarked upon remains necessary (KtP 2010). KtP also states that 'none of the stages should be seen as the sole responsibility of the police. The prevention of disorder and

restoration of order in the community relies upon the appropriate partnership assistance and cooperation' (KtP 2010 p46).

### ***The Disorder Model***

This model 'explains the nature of disorder, and may assist in the management of policing operations, events and incidents where there is a risk of disorder or a potential for disorder to occur or further escalate'(KtP 2007). It can be a useful tool particularly when used in conjunction with the Conflict Management Model.

DIAGRAM: The Disorder Model



The Disorder Model (KtP 2007) Fig.21

Whilst it may serve to do this in a broad outline manner, it does not fully describe the nature and scope of disorder. What it is certainly not meant to be is a continuum on which to justify authorisation of higher levels of force. What it can do very well though, is to give commanders a framework on which to rationalise their decision making based upon human rights requirements of necessity and proportionality. KtP 2007 provides broad descriptors of each stage as follows;



**State of Normality/Steady State:**

The day-to-day state of order and policing services provided within a community. This can vary widely from one area to another and even by time of day. Good community information and intelligence management will provide accurate information as to the current state. It should be recognised that communities are complex in nature and may be permanent or transient.

**Tension:**

This manifests itself as a level of increased concern, frustration or hostility within a community. A trigger incident may result in movement from a state of heightening tension to disorder. Such incidents can be caused by the police, the community or a third party.

**Disorder:**

This represents the stage at which mood is supplemented by action, whether isolated or sustained. It manifests itself in disruption, damage or violence. Such disorder may occur following a single trigger incident, or a series of incidents that have a cumulative effect. At this level, unchecked or uncontrolled activity may deteriorate into serious disorder.

**Serious Disorder/Riot:**

An escalation into widespread violent behaviour. This may take the form of violent protest, rioting, criminal damage, looting, and include the use of weapons.

**Unrest:**

This is the period, sometimes prolonged, when the rebuilding of relationships takes place. Sensitivity and trust are key factors in this process. Police and partners should focus on a structured return to a state of normality, and should be

aware that it is possible to cause a return to disorder/serious disorder through excessive or inappropriate action (KtP 2007 p27).

The model can also assist in recording such decisions and the manual reinforces the main intention of returning to 'normality' as soon as possible. The draft of the latest KtP changed this model and the 'State of Normality' has been replaced with 'Steady State', which when one considers that any return to 'normality' would in fact be to a changed version of it, 'steady state' is a more realistic description. The final version of KtP 2010 omitted the model entirely but it has been replaced in the new guidance manual 'Public Order - Authorised Professional Practice' (NPIA source 2012). This amounts to a fairly comprehensive corpus of national doctrine, which attempts to ensure some degree of corporacy in an institution that allows up to forty three (or more) interpretations across England and Wales.

This chapter has sought to contextualise the British model of public order policing and has outlined the historical, cultural and social development of this discipline. It has shown that policing in Britain has a local basis, with officers being appointed presently in over sixty geographical or functional areas, but also that a degree of centralisation has taken place and this process would seem to be an ongoing one. Public Order policing has grown into a specialist role but is still generally carried out on an ad hoc basis by normal police officers drawn together for specific incidents or events. It is around these structures, policies and traditions that the analysis will take place and the comparison with the French model be made.

# Chapter Five

## Case Study: Disorder in France

### Introduction

The policing of public disorder incidents in France is analysed in this chapter. In order to facilitate this analysis background information from a number of violent disorder situations that have taken place in France over the last four decades will be used to illustrate and contextualise the issues. Largely unreported by British media, France has experienced several serious violent disorders in a number of its cities. These disturbances occurred predominantly in the *banlieues* or suburbs that are found on the outskirts of most big French towns or cities. These areas house the troubled suburban minority group communities that are dogged by rampant unemployment and high crime rates. Incidents have most frequently taken place in the *quartiers difficiles* or *cités* (public housing estates) such as: Les Minguettes, Lyon 1981; Mas-de-Taureau, Lyon 1990; Mantes-la-Jolie 1991; Sartrouville 1992; Melun 1993; Dammarie-les-Lys 1997; Toulouse 1998; Lille 2000; Seine Saint Denis 2005; Villiers le Bel 2007; Bagnolet 2009; St Etienne 2009; Grenoble 2010. Nearly all of these violent urban disorders were triggered by police involvement in the deaths of local youths of Arab or African origin (BBC News 2010; Chrisafis 2009; Finn 1998; Jobard 2009 p29; Kchhor 2009; Lichfield 2000). The above is not a definitive list but it does serve to highlight the relative frequency of such incidents in France. This chapter begins by providing a description of the Minguettes disorder, which is meaningful in that it led to the significant and conflictual French urban policy (Epstein 2009). It then considers

two other notable events that occurred in Paris, Seine Saint Denis (more precisely Clichy sous Bois) 2005 and Villiers le Bel 2007. These were more widely broadcast and analysed and are used here in a joint case study as the vehicle for a 'Flashpoints' analysis that relies upon published academic studies and media sources that have analysed or reported on those events. Importantly, it will also draw upon the participant observations and informal interviews carried out with the Police National at Cergy Pontoise, the CRS at Vélizy Villacoublay in Paris and the Gendarmerie Mobile at the Centre National d'Entraînement des Forces de Gendarmerie (CNEFG) at St Astier. Whilst there the researcher was given privileged access by virtue of his status as a serving police officer, which amounted to a hybrid of 'inside insider' and 'outside insider'. The experiences of officers involved in the disturbances are also used. Also, adding extra meaning to this study, are the experiences and knowledge of a number of highly qualified public order policing practitioners who are, or have been, instrumental in the development and delivery of present policy and practice.

***Les Minguettes, Lyon 1981 : the birth of 'Politique de la Ville' (Urban policy)***

Politique de la ville does not mean... urban policy for a city as a whole, but... for 'disadvantaged neighbourhoods' ... in the areas of housing and urban environment and in the socio-political fields of employment, academic success, health, public order and security and urban services... *cites...* provided homes after the Second World War for the population arising through demographic growth (Epstein 2009 p134).

This urban policy was initiated by the newly elected socialist President François Mitterrand after the 'disorders that set ablaze the mega-housing complex of the Minguettes... in 1981' (Epstein 2009 p135).

There was no specific trigger to these disorders but they were an expression of frustration by local disenfranchised youths. Nor was the form of the disorders anything new, but they were far more spectacular than those previously

seen. In what became known as 'rodeos' youths stole cars from the town centre and burned them out. There were consequent police chases and violent confrontations (Dikeç 2007 p43).

'Les Minguettes', an estate of large blocks of rented social housing, was constructed at Venissieux between 1961 and 1971 as a ZUP (urban priority zone) and like many new towns in France, and the UK, was seen as the way forward for urbanism. Isolated from the centre of Lyon it suffered all the problems of poverty, unemployment, youth delinquency, racism and exclusion (both political and geographical). In the latter half of the 1970s economic restructuring caused many businesses to move out of the locality and unemployment doubled and its population dropped by 10,000 in a ten year period. These problems were apparent but had not been explicitly articulated in a political sense. The disorders, that came as such a surprise to the general public, highlighted the underlying causal conditions that were already well known to both the authorities and the media. The 1981 incidents put the banlieues on the political map by giving them a special form (Dikeç 2007). They also gave 'Les Minguettes' a symbolic place in French urban history as being the start point for contemporary French urban policy (Restate 2005).

However, this policy did not succeed in resolving the problems and in spite of significant sums of money being allocated for improvement of conditions in the banlieues, a lack of consultation on the part of the authorities appears to have been responsible for further marginalising the populations (Epstein 2009). The communication processes were flawed and residents were not kept informed of simple but important facts such as when and where they would be re-housed and under what conditions. Public decision makers 'convinced of the validity of their actions and the inability of the residents to grasp a complex project' have left

them outside the process (Epstein 2009 p131) which was perceived as arrogant, demeaning and as yet another representation of the residents' lack of political 'voice'. Such frustrations continue to be represented in the form of disorder and violence and confrontation with the police (Dikeç 2007; Epstein 2009).

### ***Clichy sous Bois - Seine Saint Denis 2005***

The following events that occurred at Clichy sous Bois in 2005 sparked violent disorders that lasted for nearly three weeks, spreading to 300 French towns and cities. 4,000 offenders were arrested, many thousands of vehicles were burned and more than 125 police officers were injured (Goris et al 2009).

In 2005 Clichy sous Bois was a selection of run-down, graffiti covered tower-blocks, with many broken and boarded-up windows that stretched for miles. It had a large population of young men of North and West African origin, many of whom were unemployed and felt discontented with and alienated from the state (Winter 2005). There were no job centres, and transport links to the centre of Paris were poor (there was neither suburban train station nor police station in the area).

Not long before the events of October and November 2005 Nicolas Sarkozy had made his now [in] famous 'nettoyage au Kärcher' comment referring to the use of a 'Kärcher' pressure washer to clean the scum out of the banlieues after a young boy had been shot dead in a criminal shoot out on the 19<sup>th</sup> June 2005 at La Corneuve, another *cit * in Bobigny, Seine Saint Denis (Louis 2008; Mathieu 2008).

On Thursday 27<sup>th</sup> October 2005 several young boys were making their way home after playing football at a local field in Clichy sous Bois. On seeing a police vehicle of the Anti-Crime Brigade (BAC), they scattered, running off in order to avoid being stopped and questioned by the police, who had been called there to investigate a nearby break in. The boys were not carrying any identification and

knew they would be taken to a police station if they were stopped. Three of them climbed into an electrical sub-station to hide. Two of them, Zyed Benna and Bouna Traoré were electrocuted and died. The other, Muhittin Altun, was badly burned (Canet et al 2008; Lagrange 2009; Roché 2006; Schneider 2008; Waddington D 2007).

At the time the police said that they were investigating a burglary and that the youths had not been pursued. They also stated that they were unaware that the three youngsters had entered the electricity sub-station. However police communication logs later revealed that a chase did take place and it was known that the boys were at risk (Lichfield 2006). Two of the police officers concerned were prosecuted for ‘non-assistance to a person in danger’ (BBC News 2010).

This tragedy was the spark that ignited some three weeks of rioting that spread to hundreds of ‘quartiers difficiles’ across the whole of France. During the worst night of that period as many as 274 towns and cities were affected. Many thousands of cars were burned and public buildings such as schools, sports centres and training offices were attacked. Some 3,200 arrests were made and 400 people received custodial sentences (Lichfield 2006). On 8th of November the State was so concerned that emergency powers including the use of curfews were activated, using a law dating from 3<sup>rd</sup> April 1955, in order to expand police powers (PN ppt. 2008).

Considering the nature and scope of these events very few people were injured although one man, Jean-Jacques Le Chenadec, died in Paris after being assaulted (Button 2005) and another, Salah Gaham, died whilst trying to extinguish a car fire in a basement car park of student accommodation in Besançon (Le Parisien 2005). There were many confrontations with the police (Cepol 2006) but the main targets were cars and buildings. There is evidence that

firearms were used by rioters on a few occasions, but not by the police who were reported as having shown a great deal of restraint throughout, despite over a hundred of them being injured (Lichfield 2006). The use of firearms against the police in a public disorder situation is not unknown and at Villiers le Bel, two years later, firearms were used in a more directed fashion against the police lines.

### **Villiers le Bel 2007**

‘Two years on and the children and grandchildren of immigrants are in the streets again, attacking police with paving stones, Molotov cocktails and, in one case, a high calibre rifle’ (M+C News 2007). Villiers le Bel is a typical Parisian suburb; it has a ‘village’ centre of old stone houses, which are bordered by a number of dilapidated tower blocks that were constructed in the 1970s. These now form part of a *zone d’aménagement concentré* (ZAC - urban development zone) which is intended to facilitate the development of public space by private enterprise. The resident population of a ZAC tends to be largely of immigrant origin consisting of more than thirty nationalities (Lichfield 2007); beset by the same problems of discrimination, unemployment and urban decay as other French suburbs.

Villiers le Bel is situated seventeen and a half kilometres to the north of Paris in the Val D’Oise department and links with central Paris are via the ‘creaky train line’ (Riddell 2007) or a potentially very time consuming road journey. During the afternoon of Sunday 25<sup>th</sup> November 2007 two teenagers, Moushin Sehhouli (15) and Lakamy Samouri (16) were killed when the mini motorcycle they were riding collided with a police car. Subsequent accident investigation suggested that the two boys were travelling at high speed, were not wearing helmets and that the motorcycle was not road legal. There were conflicting accounts of exactly what had happened, with local youths claiming that the police



had deliberately rammed the bike. However, a number of independent witnesses did confirm the police account of the accident (Lichfield 2007). Again police involvement, however limited, in the death of young men of North African descent was the flashpoint for serious disorder. On this occasion the level of violence used by the crowd was far more extreme than previously experienced, with stones, bottles, petrol bombs and firearms being used against their perceived enemy, the police (Jobard et al 2009; Lichfield 2007(a); Mott Austin 2007; PN sources 1, 3 + 4; Zahra 2007).

Reporting of the incident suggested that the police simply left the scene (Samuel 2007). However, the reality was that within thirty to forty minutes of the collision the situation had become extremely tense with the police officers being sufficiently attacked by members of the victims' families that they were forced to retire from the scene (PN ppt. 2008; PN source 3). When one considers that they had just been involved in a fatal road accident, and would have been under severe physical and emotional stress their perceived lack of action does not seem as callous as first reported. The disturbances in Villiers le Bel involved over five hundred youths on the first night and took the police by surprise. By 18.30hrs that day police reinforcements started to arrive and by 1900hrs the first CRS Company arrived. The disorder continued for three days with extremely high levels of violence aimed at the police (PN source 1). The railway station was damaged, a nursery school and the police station were burned out and a number of cars torched. By the end one hundred and thirty police officers had been injured, many by shotgun pellets and one by a round fired from a hunting rifle (PN source 3).

## Applying the adapted 'Flashpoints' framework

### *Structural*

According to Pierre Willen of the French National Police the 2005 riots did not come as that much of a surprise to the police, who were well aware of the 'latent unrest' in the suburbs that had been present over the preceding twenty years and that the many apparent social problems had not been addressed (Willen 2007). The issues in the suburbs were seen by the police as socio-political problems; the causes of this ambient level of unrest being cited as simply a product of people's inability to get a job and because they did not feel safe. Lagrange (2009) came to a similar conclusion, saying that the inaccessibility of social positions to local youths was linked to the ethnic segregation in these poorest of areas.

Large public housing blocks, now often ugly and run down, were built over the previous forty years, as part of a government policy that effectively concentrated the poorest, often the most recent, immigrant populations in a series of 'new towns' built on the outskirts of large French cities and towns. These areas have become nightly battlefields between resident youths and the authorities (Ford 2005). The 2005 disturbances that spread across France were observed to mostly have started in, and spread across, these public housing estates now known as ZUSs or sensitive urban zones (Lagrange 2009). The inhabitants of these *Cités*, mainly people of Arabian/Maghrebian or sub-Saharan African origin, share the economic and social characteristics of poverty, disenfranchisement and insecurity. Many were trapped in tenement blocks such as *Chêne Pointu*, inhabiting rented accommodation in now privately owned properties that 'slumlords' rent[ed] out room by room at inflated prices making 'big money... fast and easy on the backs of those with the most insecure lives: those without legal papers like residency permits, people who work[ed] on the

black [market], single mothers' (Zambeau 2011). These tenants were people who had little hope and nothing to lose.

The police are obliged to intervene when other systems such as welfare and housing fail, finding themselves in a dilemma, caught between their duty to citizens and the State (Willen 2007). This is similar in some ways to the dilemma faced by the disenfranchised residents of these estates. The perception that they lack loyalty to the French republic is not necessarily correct; the frustration felt by many of the people living in these areas occurs because most are French born and believe themselves to be theoretically rightful citizens of France. They have been taught to respect French republican ideals of liberty, fraternity and equality. They grow up to find that in reality there is a huge gulf between theory and practice (Ford 2005). France does not have a state religion as such and secularism has been the basic tenet of French progressive thought since the revolution (Astier 2004). 'In France, there is but one abstract community, that of its citizens' (Canet et al 2008 p15).

Commentators said, after the disturbances at Villiers le Bel, that the underlying causes of frustration and anger for unemployed, poorly educated youth have not been improved since the disturbances of 2005, in the aftermath of which promises were made by politicians that millions of euros would be invested in the banlieues (M+C News 2007; Sciolino 2007). France has one of the highest rates of youth unemployment in Europe and young people from ethnic minority backgrounds also face the added obstacle of racism (Ash 2007). Schneider (2008) puts the unemployment rate for fifteen to twenty four year olds in France, particularly the black and Arab youth of non-European parents, as high as 47%. This is over double the rate of French youth of European origin. Other commentators put the rate as anywhere between 20% and 40% (Ford 2005; Lichfield 2006).

This level of analysis has focused on the macro-sociological factors, material inequalities, political powerlessness and social exclusion (Waddington D 2010 p344) and shows that forty years of *banlieue* decay and growing socio-political problems have made their mark. Ethnic segregation underscored by poverty, unemployment and insecurity means that the residents of these areas feel politically and socially excluded and powerless. Poor lines of communication with city centres and other potential sources of work worsen employment chances. Government policies such as ZUS' have not succeeded and at least twenty years of latent unrest and growing tensions exploded in 2005 as a result. Both the residents and the police continue to wrestle with the duality of the republican ideal.

### ***Political/Ideological***

During the 1980s the increasing tensions in the banlieues were exploited politically by the National Front, which gained a significant percentage (14.38%) of the vote in the 1988 elections. The outcomes were that France had a socialist President in François Mitterrand, a socialist Prime Minister in Michel Rocard and a right wing mayor of Paris in Jacques Chirac. In 1990, Chirac, having resigned as Prime Minister on Mitterrand's election 'launched a new attack on immigration, suggesting that the problems of French workers were a consequence of lax immigration controls' (Schneider 2008 p144). The political trend in France since then has been towards a more *zero tolerance* style of policing, in response to the public's increasing concerns about crime. M. Sarkozy's government used 'the image of banlieue youths as society's 'enemies within' to designate them as the primary target of police action' (Mouhanna 2009 p180) and the police employed increased patrols in the sensitive areas to maintain control with greater use of stop and search interventions, that resulted in increased levels of tension

(Mouhanna 2009 p174). These police patrols were routinely subjected to abuse, missiles and intimidation, making the banlieues fearsome places in which to work (Mouhanna 2009), a factor that perpetuated the need for the increased police presence.

This climate, when considered alongside the then administration's hard line on immigration and criminality as well as the insistence on a performance culture in public bodies, was bound to impact upon the policing style adopted by officers on the ground (Roché 2005; Willen 2007). This 'enhanced centralisation and politicisation of national level security issues' (Mouhanna 2009 p181) has translated to a local level obedience to national directives rather than a locally negotiated problem solving approach that would better satisfy public needs.

The police are seen as agents of state repression, in essence they are the state (Riddell 2007). They have become a 'metonymical symbol for a hostile society in the eyes of the youths who felt more and more justified in considering [them] as their sole enemy' (Jobard 2009 p34). Shortly after Villiers le Bel a CRS respondent said '...when we go in there they are trying to kill us', a statement which is not difficult to understand when he added that eighty of his company were injured in those disturbances, eight of them with gunshot wounds (PN source 1).

The 2005 disturbances were in effect an uprising of the disaffected youths as a result of pent up frustrations, or as Michael Moran put it:

The riots thus expressed the profound dissatisfaction that prevails ... for the young people of the suburbs, despair and hopelessness overshadow many dreams of upward social mobility. This despair is compounded by a loss of faith in the justice system as a result of continued police discrimination and repression (2006 p5).

So whilst the interactions between the young of the *banlieues* and the police at an individual level may be perceived as racist or even sadistic, this is not the crux of

the matter. It is more the perception, rightly or wrongly held, that when the police do breach human rights standards or the law, they are never held to account; it is the protection given to them by the institutions and the justice system that causes most frustration (Roché 2007; Schneider 2008). Nicolas Sarkozy, first as Minister of the Interior and then as President of the Republic, became the central object of hatred, due to his general and unashamed labelling of *banlieue* youth as ‘racailles’ (scum). This was allied with the fact that the most noticeable aspect of his administration’s youth justice initiative was its punitiveness (Sciolino 2007). The result of this was that many young people of Arab or African origin felt like foreigners in their own country (Mott Austin 2007) though it is somewhat surprising, paradoxical even, that throughout these disturbances there was no real revolutionary sentiment:

Throughout the violence there were no formal calls for the end of the Republic, for this is not the desire of those involved in the riots. It would appear that the youth of the suburbs were simply asking to be recognised for what they are: citizens of France, and to be incorporated into mainstream French society... The government must recognise the potential of these areas to positively contribute to French social and economic progression, and invest in the development of the suburbs. The trend of exclusion must be reversed or the French Republic will move divided into the future. In light of these issues, the ‘quartiers sensibles’ would appear to be the testing ground for the Republic of the future (Moran 2008 p6).

Moran makes some salient points here that do add weight to the view that the police in France are caught in the middle of a political conflict within the state of which they are a part but are powerless to change.

Police knowledge and understanding of the residents of the *banlieues* is limited by a lack of community engagement and structure. Police agency is restricted to reaction to incidents by ‘distant’ officers who are primarily concerned with their own safety, their perception that everyone is a threat is perhaps a significant factor in their use of higher levels of force. Consequently the

response to community needs by key political and ideological institutions, in this case the police, amounts to:

a kind of authoritarian powerlessness... incorporating an insistence on militarised forms of policing (at the expense of neighbourhood policing and other forms of citizen-orientated policing)... and a policy path dependence that maintains the 'politique de la ville' as a political slogan, even though it has been reduced from 2002 onwards to a mere urban destruction/reconstruction programme (Jobard 2009 p36)

This authoritarian powerlessness was exemplified on 11<sup>th</sup> April 2011 when France became the first country in Europe to enforce a ban on the public wearing of full face coverings such as the Islamic niqab/burkha. A young woman was fined 150 euros for offending in a shopping centre in Paris. The police in France have articulated fears that this policy will increase tensions in the already fraught banlieues (Allen 2011) but as agents of the state they have a duty to enforce the law, without the discretion enjoyed by their British counterparts. The former Minister of the Interior, Claude Gueant, a strong supporter of Nicolas Sarkozy took a typically hard line on this subject saying 'secularism and equality between men and women... two principles upon which we cannot compromise... the police and the gendarmerie are there to apply the law and they will apply the law' (France 24 2011).

This level of analysis has considered how 'key political and ideological institutions, including the police' (Waddington D 2010 p 344) respond to community needs and provides an understanding of the following key points: The residents, particularly the youth, of the banlieues have very little social or educational support and are victims of employment discrimination. The *politique de la ville* that is imposed from above by the State means that residents have little or no influence over their own lives. Recent hard line immigration policies and the political currency of being tough on crime have resulted in a hardening of police attitudes with the youth of the banlieues being seen as social enemies of

the State. There is no community policing and the police themselves are seen as agents of state repression, the policing style reflects the state. Monsieur Sarkozy's performance culture for public employees has ensured that the police concentrate on enforcement rather than problem solving and ultimately have little influence on the policies that they must enforce. The marginalised populations of the *banlieues* have no faith in the justice system.

### ***Cultural***

The shared experiences of young people living in the *banlieues* included educational failure and unemployment (France 24 2010; Mucchielli 2011). The youth culture of the *banlieue* is thought to have developed as a result of a lack of social identity and residents having too much idle time on their hands through lack of work or other diversions. Young people with nothing to do hung around in their neighbourhoods and a territorial group identity developed in the absence of any other. Lack of parental control was a major factor, particularly with regard to young males. Young females were more likely to remain apart from these groups and did rather better educationally (France 24 2010). Large numbers of young people in similar circumstances resulted in a sharing and reinforcement of a mentality of exclusion, with the rejection of usual norms, and a development of their own value systems which often rejected anything symbolising the institutions. These new norms or standards often mean involvement in criminal activity as a means of survival and are then imposed on their public life by taking pride in a counter culture of deviance and violence against the racism and stigma they feel (Mucchielli 2011). Parallel economies thrived, 'oiled' by the drug trafficking (Bronner 2010) that was a common 'business opportunity' for some gang members as they slipped into criminality. Research has identified that these groups were defined by age with the 'elders' being those older than twenty years



and who had 'had their hopes dashed by discrimination and unemployment' (Hamidi 2009 p135) and those between 13 years and 20 years old who had witnessed their older brother's disillusionment and therefore harboured no such illusions (Hamidi 2009; Korkoref 2009 p151; PN Source 2009). These groups or gangs were predominantly male and 'represent[ed] a major form of juvenile sociability within poor housing estates. What [made] them particularly distinctive as social entities [was] the importance they attach to masculine and transgressive values and their permanent state of conflict with the remainder of society' (Mohammed 2009 p160). They were stable and enduring formations with their own dynamics: their cohesion and peculiar sense of social identity [did] not vanish during a riotous event (Mohammed 2009 p157). Violence is often a product of inter-group rivalry and there are local traditions of fighting with neighbouring groups (Mucchielli 2011). Inter-group rivalry can occur anywhere but is probably exacerbated by proximity and opportunity in urban areas such as the banlieues. The gangs are very territorial and fights with other gangs take place and have become more and more violent resulting in deaths and increased police attention. Typically when the police arrived at the scene of inter group violence they are seen as the common enemy. Gang involvement in the disturbances of 2005 has been viewed as a form of political agency but the reality of gang involvement at a political level in such events is limited, being 'reactive and situational, carried out by vulnerable people who lack political leverage and enjoy little access to national political structures' (Mohammed 2009 p171).

At this 'cultural' level the factors that predominate in most media reporting and in the views expressed in many relevant academic publications are the common themes of hatred, racism and violence (Riddell 2007). This is also reflected in the police view that cites the emergence of ghettos, suburban culture, suburban nationalism and religious fundamentalism as well as criminal

activity and a flourishing black market as major causal factors of deviance (GN source 2; Cepol 2006).

Nevertheless, any comment to the effect that the violent disorders discussed above were purely race riots or the result of Islamist activism (Schneider 2008) does not bear scrutiny. The people in question were youths from a number of ethnic groups, white, black and brown, reflecting the racial mix of the banlieues, which are social rather than racial ghettos, a fact often ignored in media reporting (Heneghan 2007; Lichfield 2006). The religious aspect of cultural identity is also present in that many of Arab and African ethnicity have Muslim roots, but it is not a defining factor and is viewed by some as being more likely to restrain violence than inflame it (Bronner 2010).

There has been a change in how the police are perceived by the French public with taxpayers feeling that they have some right of control over the police (Samuel 2007), to the extent that they have felt on occasion to be justified in intervening in arrests, e.g. at the Gare du Nord in Paris where serious violent disorder followed public intervention in an arrest that involved the use of what was seen as excessive force by the police involved (Samuel 2007). Police officers see this kind of activity as 'tantamount to privatisation' (Willen 2007), and the antithesis of the centralist structure and doctrine of French policing.

In summary, this cultural level of analysis concerned with the 'shared ways of life and patterns of thought that different sections of society subscribe to on the basis of mutual experience' (Waddington D 2010 p345) suggests that educational failure and unemployment are major factors and are in the main responsible for the development of the youth gang culture (Cepol 2006; GN source 2; Mucchielli 2011). Gang membership gives them a form of social standing and self esteem. Lack of work and poverty has encouraged many young males to obtain a means of survival through drug trafficking and other forms of crime and

parallel economies have developed. Parental weakness in influencing the attitudes and behaviour has allowed their male offspring to become involved in gang culture, inter gang violence and criminality. The spectre of Islamic extremism does not appear to be the problem that some perceive it to be as Islamic teaching is probably more of a moderating influence. However, it is clear that the police are despised by the *banlieue* youth and become the common enemy when attending incidents (GN source 7; PN sources 1 + 3). All involved are bound up in a spiral of hatred, racism and violence.

### ***Contextual***

We have already seen that frequent conflict between the police and banlieue youth has become the norm in the *Cités* of France and this continues to be the case in spite of significant investment. There has been a repeating pattern of poverty and marginalisation, followed by disorder, then investment and support followed by more poverty and marginalisation and so on. The two disorders in consideration were globally reported by the media with much discussion of likely root causes as well as trigger events. The two cases were similar in that two youths died and the police were blamed by local youths who took on the police despite appeals for calm from the dead boys' families (Lichfield 2007). After the 2005 disturbances police and gendarmerie sources were of the opinion that tensions had been raised by media exploitation of political, religious, economic and social frustrations (Cepol 2006; GN source 2). The police view of the media reporting of the Villiers le Bel disorder was that it had improved since the 2005 Seine St. Denis incident in that whilst fear did spread beyond the boundaries of the area, a nationwide 'contagion' was not a feature. The media had developed a better understanding of its potential to raise tension (GN source 5). Nevertheless broad reporting of the 2007 events did include such statements as 'the suburbs

are like tinderboxes. You have people in terrible social circumstances, plus all the rage, plus all the hate, plus all the rumours and all you need is one spark to set them on fire' (Sciolino in NY Times 2007). Historically, in all cases that spark has been provided by some form of police intervention, whether intentional or accidental.

The lack of effective communication structures between the public and the police was critical in both Clichy sous Bois and Villiers le Bel. It allowed the cloud of rumour to obscure the facts surrounding the deaths of both pairs of boys. A clearer, more transparent two way flow of accurate information would have given many of those involved less of a reason for protest. As it was any attempt by the authorities to engage the local populations in some form of negotiated settlement would have been frustrated by the lack of contact with potential community mediators (GN source 7; PN source 3). This also meant that the police lacked certain community information and intelligence that would have been essential in formulation or review of strategy and the tactical decision making process.

Prior to the disturbances of 2005, when he was the Minister of the Interior, Nicolas Sarkozy had introduced a system where state employees had to demonstrate their efficiency and activity with figures. Any police officer trying to improve relationships with the residents of sensitive areas by adopting a proactive and communitarian approach, rather than a purely reactive one, might not generate the organisationally required evidence of performance. For these officers it generated a need to justify their proficiency through improved arrest and process figures, which encouraged a punitive style, which was a factor in perceptions of a repressive style of policing (Roché 2005 p259; Willen 2007).

Interestingly the police perspective regarding the lack of personal contact between them and the public was due, at least in part, to lack of resources which necessitated patrolling in vehicles rather than on foot. They also bemoaned the lack of police stations in the suburbs arguing that whilst there was a large ethnic population within the city centres of Marseille and Paris no rioting occurred there because they did have police stations and this ensured an understanding of local issues (Willen 2007). This suggests that a fixed point of contact is a positive factor in engendering a feeling of community involvement in their perceived security issues. However, it is apparent that in France generally, citizens do not have a 'friendly' regard for the police and in the banlieues policing is purely reactive; the police simply deal with incidents. There does not appear to be any formal or informal fora for communication, such as community police meetings, neighbourhood watch schemes or surgeries. As a result community information is sparse and has to come from patrolling police units, informants, or from the 'Sous-Direction de l'Information Générale' (SDIG - the intelligence of the departmental police). One police officer put it this way: 'prevention is difficult because the population does not like speaking to the police' (PN source 3). So, as already discussed, the lack of community policing in its normal conception does have consequences.

The Unités Territoriales de Quartiers (UTeQ), founded by Michelle Alliot Marie, were a more robust but community based replacement for the Police de Proximité (community police) that had been established as part of the national police in 1998 by the Jospin government. The main aim of the Police de Proximité was to promote improved relations with communities and was seen by many as a step in the right direction (Roché 2005 p220), but was seen by Nicolas Sarkozy, when he became Minister of the Interior in the Raffarin administration, as too soft an option. He criticised the concept in a speech made in Toulouse in February

2003 saying that police officers were not social workers (Mairie-Info. 2003). So a more directed police force became focused on building local links in sensitive areas but at the same time trained in public order tactics. UTeQ units were directed towards developing close links with communities at the same time as combating street drug offences. However their effect was limited and they were often subject to ambush (RFI 2009).

No doubt linked to M. Sarkozy's 'national war against thugs' (Le Matin 2010), in August 2010 Brice Hortefeux, Interior Minister, effectively disbanded UTeQ at the same time as replacing them with Brigades Spéciales de Terrain (BST), which translates as Territorial Special Brigades. Adopting a more 'muscular' approach, these teams were staffed by experienced officers wearing intervention uniform, whose byword was 'the ground, the ground and yet the ground' (Libération France, 2010). They were aimed at restoring public confidence by stopping crime using a targeted approach in sensitive areas, intending that in time conditions in the area in question would improve and the BST could then move on to another more sensitive location. M. Hortefeux also said that they would be targeted against urban violence and drug trafficking and would not give an inch in that regard, thus ensuring a very robust approach to community policing (Libération France, 2010).

The 'contextual' or communication processes level of structuration highlights several key issues. The history of negative experiences between the police and residents has produced a steady worsening of relations between them and President Sarkozy's 'war on thugs' saw the removal of the only official form of community policing 'Police de Proximité' and its replacement by UTeQ and then BSTs, which were tasked with targeting urban violence in a 'muscular' fashion. There were no apparent communication structures to assist in police community relations and the police suffered because of the consequent lack of

community intelligence. A number of youths have died during incidents involving the police with rumour and blame resulting in violent disturbances. In the past, media exploitation of political, religious, economic and social frustrations has increased tension in the *banlieues* but more informed and restrained reporting has been evident since 2005.

### ***Situational***

In the 1960s the French built 'habitations à loyer modéré' (HLMs - cheap rent council blocks) for the working classes who, as their standard of living improved, vacated them. Local administrations replaced these tenants with those who were forced out by state slum clearance programmes 'along with new immigrants and large families, thus encouraging spatial and social segregation' (Zauberman and Levy 2003 p1071). As in Britain such segregation created separate communities living parallel lives 'à la Cante' (2001) and a consequent lack of understanding. Whilst neighbourhoods can change markedly over relatively short timescales people do take pride in their home neighbourhoods, they are bound together by the social constructs of their locality and scale and rate others based on the neighbourhoods that they come from (Sampson 2010).

Both Clichy sous Bois and Villiers le Bel have a number of high rise blocks of flats that are constructed fairly close to one another but in their own grounds so that each one has its own communal grassed area and access road with nearby car parking (PN source 2009). Numerous footpaths connect the blocks, making it easy for bands of youths to confront the authorities and make their escape afterwards. In these run down areas of French cities confrontation with the police is a frequent, even normal, occurrence (Lichfield 2007) and the banlieues remain difficult areas. The 'state of normality' or 'steady state' (KtP 2007/10) features subjacent levels of violence and the ground is seen by residents as their 'turf' in a

nationalistic sense. This dangerous status quo could be an example of what Robert Sampson would call an enduring neighbourhood effect (Sampson 2011).

Confrontation with the forces of law and order is often sought after by local youths, who band together in a tribal manner (Cepol 2006). There is nothing new in inter-group violence though, nor is it restricted to youths in urban areas, as evidenced by the communal rural violence experienced at village fetes in the Gard region (Mucchielli 2011).

The geography of these areas does not generally lend itself to straightforward crowd management in that the people to be dispersed are likely to live in the area they are to be dispersed from. This is clear to see in the following figures (22 + 23), which show the nature of the ground that the CRS units had to operate in at Villiers le Bel. When dispersing a crowd it is necessary to have somewhere to push it towards, away from the problem area. When disorder occurs and escalates police from outside the area are usually brought in to deal with the situation. Normally, certainly in Paris, these would be units of CRS or GM who are well versed in public order tactics but may well not have a high level of local knowledge or understanding of local issues. Indeed when the CRS and GM entered the estates in both 2005 and 2007 they were confronted, stoned, petrol bombed or fired at and then their assailants would disappear into the estate to regroup.



## ZAC VILLIERS LE BEL

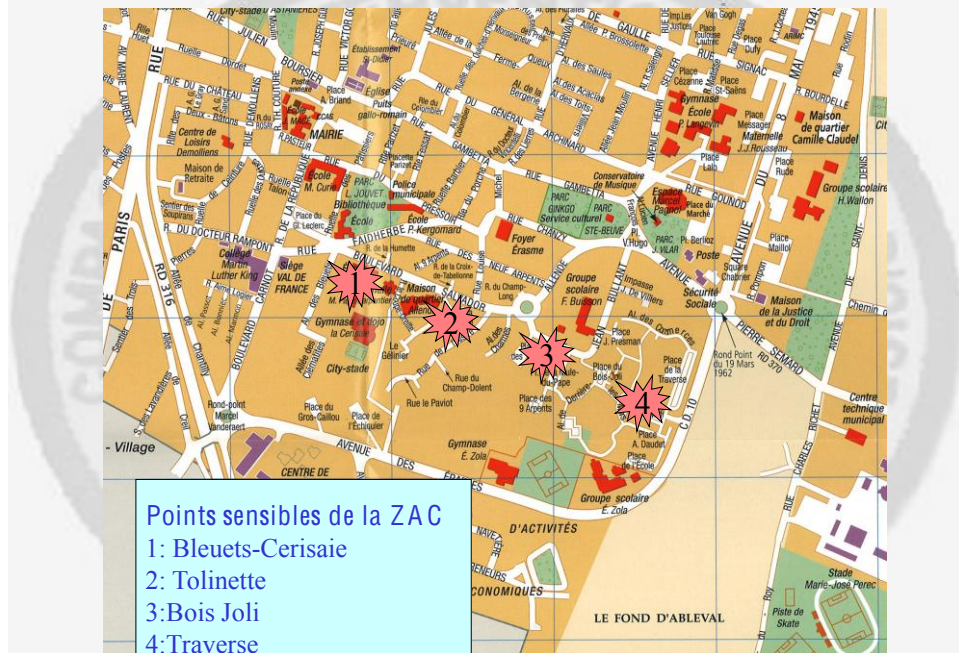


Figure 22 Villiers le Bel 2007 (PN ppt)



Figure 23. Le secteur Bois-Joli de Villiers le Bel (PN ppt)

Any containment, arrest or dispersal operations were therefore tactically challenging, if not impossible (Cepol 2006; PN and GM sources). It also requires significant numbers of police to effect a successful operation of this type. It is

equally probable that such operations would have achieved only short term tactical gains.

This level of structuration explains ‘situationally specific spatial or social determinants of disorder’ and includes such ingredients as how the area lends itself to dispersal of crowds, police surveillance and the symbolic nature of the ground or ‘turf’ that may need to be defended (Waddington D 2010 p345). The spatial and social segregation of the people who live in the banlieues has been achieved unintentionally as a consequence of government policy and the architecture of the housing blocks. They are usually situated on the edge of towns and cities in clusters of several blocks with access roads and linking footpaths that make for good local gang territories or ‘turfs’. The large number of police officers required for crowd control in this environment often necessitates the drafting in of EGM or CRS units from elsewhere, whose agents may lack detailed knowledge of local geography and issues. This favours the resident youths when they engage the police using hit and run tactics, before disappearing into the *Cité’s*.

### ***Institutional/Organisational***

This level adds depth to the model because it focuses ‘on such recognised influences on police behaviour as national traditions of policing’ (Waddington D 2010 p346). It also ensures consideration of the ‘circumstances in which they act’ (Waddington P.A.J. 1999a).

When considering this level of structuration it is important to remember that ‘it is the Préfet and not the local authorities, who directs police operations’ (Mouhanna 2009 p 102). The Préfet has access to expert police advice and a direct relationship with the police commissioner, but is ultimately the state’s representative in a Département and therefore police strategy is in effect dictated by the state. ‘Any notions of the police being in the service of or

accountable to, the public are largely incompatible with the French model of policing' (Mouhanna 2009 p179).

The departmental police forces are structured so that individual patrols are unusual; public safety and order maintenance operations in the banlieues tend to be carried out by departmental teams such as the BAC D (plain clothes) and CDI (department public order teams). CDIs are trained in public order tactics, which are thought by some to be used in 'preference to talking to or negotiating with their civilian adversaries' (Mouhanna 2009 p175), as part of the national policy that considers public order maintenance to be a major priority (Mouhanna 2009). After the widespread urban violence of 2005 an analysis of the police response to the increasing threat levels found it necessary to improve police capacity in less than lethal response options (PN source 3; GN source 5). The Val D'Oise commissariat had a total of ninety CDI members who were able to deal with the regular outbreaks of disorder that occurred. In addition to their normal sidearm they were equipped with double barrelled 'flashball' guns designed to be non-lethal, discharging only a soft rubber ball. They were also equipped with Calibre 40 (a gun with a range of up to fifty metres that fires paint or baton rounds), 'Cougar' tear gas guns and stinger grenades (grenades de désencerclement) that are used to get out of trouble if surrounded (PN source 3).

If an incident required more police the mobile public order forces of EGM and CRS would be brought in. As outlined in an earlier chapter, these were distinct from the locally based units and their assistance to local police in public order maintenance was requested through the Unité Coordination des Forces Mobiles (UCFM). In response to the new forms of crime and urban violence the CRS have revised their role to one that is presently threefold aimed at protection of personnel, conducting enquiries in hostile environments and identification of

perpetrators of attacks against the police for judicial process (PN source 4; CRS ppt 2010).

When it comes to actually stopping disorder situations the French police adopt a strategy 'based above all on the logic of space saturation' (Mouhanna 2009 p175), which amounts to the deployment of sufficient numbers of police to make an immediate impact using stop and search, containment or dispersal as appropriate (Mouhanna 2009; CRS/EGM sources). This is possible because of the number of such specialist officers that are available due to their national structure and regional bases.

If a disorderly crowd is present the legal remedy of *atroupement* may be used in line with human rights considerations and the use of force continuum. *Atroupement* (Article 431-3 of the 'Code Penal') gives the police the power to disperse, by force if necessary, 'an unlawful assembly... on the streets or in public places that is likely to disturb public order' after two warnings have been issued by the 'prefect, the sub-prefect, the mayor or one of his deputies, any police officer responsible for public safety, or any other police officer, bearing the insignia of their office'. Anyone not complying with the requirement to disperse can be arrested for the offence of *atroupement*. Normally, where possible, the police give more than the required two warnings to allow more time for people to leave the area. A red flare is also fired into the air as a visible warning that force may be used (PN source 3). *Atroupement* is a regularly used piece of legislation and CRS/EGM units are permanent teams who are highly trained and very experienced in public order techniques. The tactical use of tear gas is quite usual, often with many hundreds of grenades being fired with little or no complaint from the wider public. Tear gas makes an area uncomfortable to remain in and people are kept moving using this deterrent until the threat is no

longer apparent. More than 700 grenades were fired at one protest in 2009 (GN source 5). Tear gas launchers such as the *Cougar* fire grenades in an arc into a crowd but are not pinpoint accurate. Grenades may bounce about on hitting the ground, which can be contentious, as it was in 2005 at Clichy sous Bois when a grenade landed outside a mosque causing further protest (BBC News 2005).

With the aim of reducing such errors, and indeed the reliance on tear gas as the main means of dealing with violent crowds, the French police have concentrated on the research and development of better technical methods of achieving strategic and tactical advantage. Obtaining improved levels of information and intelligence and the availability of more effective operational communication systems and better tactical equipment gives them better reactivity. To this end modern surveillance equipment and methods have been identified in order to enhance police operational control of situations. CCTV and video enhancement are being used more and more as is night vision equipment. Evidence gathering as a police discipline has been put into practice, as have lightweight aerial surveillance devices (ELSA) or drones. Artificial lighting systems and electronic jamming equipment that will block all mobile phone communications have also been procured (PN ppt. 2008). It is evident that much has been invested in acquiring the best means of achieving success on the ground and it is reasonable to assume that the funding for these has been provided by a government intent on pursuing strong law and order policies.

The key points from this level of analysis centre on the fact that the French model of policing is a state function, which gives some substance to the view that they are not at all accountable to the public. The police then are agents of the republic and police operations are directed by the Préfet. Community policing in its usual conception is not a priority; public safety and the maintenance of order are paramount. CDI and BAC D officers appear to have the

most contact with banlieue youths through stop and search or arrest. Recent escalation in the levels of violence aimed at patrolling police officers has necessitated research and development of better defensive and offensive police equipment and improved methods of electronic communication, much of which has been provided and had a strategic fit with President Sarkozy's tougher policies. These developments also mean that police officers have even less reason to speak to members of the public. The national structure of the PN and GN provides for ready availability of mobile public order forces, which means that when necessary large numbers of police can flood an area. The offence of *attroupelement* means the police have a legal remedy for 'unlawful assemblies' and tactical options such as tear gas are used frequently.

### ***Interactional***

The main issue in the banlieues of France is widely reported as being the relationship between the youth and the police, which has become one of constant conflict. The young residents and the police see each other as enemies (Cepol 2006; CRS source 2008; Ford 2005; GM source 2009; Heneghan 2007; Mott Austin 2007; PN source 2009; Samuel 2007).

In the 'quartiers sensibles', the deterioration of relations between the police and the public over a prolonged period has resulted in a relationship characterized by conflict and tension with the representatives of justice viewed as an enemy, symbolizing a justice system that appears corrupt to the inhabitants of these areas, rather than a positive social element (Moran 2008 p5).

Communication between the police and the youth of the banlieues appears to be limited to the words necessary for carrying out a stop and search intervention. Issue has been raised with regard to the use of the 'tu' form of 'you' because of its informality and implied disrespect and which has become habitual for police when addressing both young and older residents. It also contradicts the

police code of ethics (Mouhanna 2009; GN source 2). The use of modern technologies such as the internet, intranet and police digital radios has also been cited as a factor in reducing police/public contact (Mouhanna 2009). These advances have reduced the need for officers to engage the public in conversation or to ask them questions in an informal context as to their wellbeing or current situation. Such action, requiring little conscious effort or expense, might establish at least some degree of interaction or even understanding. Police officers complain that the public do not like speaking to the police (Mouhanna 2009; PN source 3) but it may be that the police are no longer in a position to listen. The main learning points from the 2005 operations were outlined in a European Police College presentation and one of the points made was that the Gendarmerie were at least aware of the importance of interpersonal skills and that the 'vous' form of 'you' should be used (Cepol 2006; GN source 2).

The experience of the 2005 disturbances was that most of the youngsters involved were aged between 13 and 15 years and many were of African origin. Wearing light clothing, reversible jackets, hoods and face coverings and numbering ten to thirty in strength they engaged the police in nocturnal group actions. They were loosely structured, very mobile and had an intimate knowledge of their ground and had planned escape routes. They threw missiles including petrol bombs, bottles of acid and petanque boules (effectively a half kilo plus cannon ball). For communication they used mobile phones adroitly sometimes recording incidents with cameras and videos (Cepol 2006). They worked in an organised manner using dynamic and decentralised tactics such as harassment, multidirectional assaults and ambushes. Public lighting was neutralised and both public and private property damaged or destroyed. Acting as bands of 'guerrillas' they would regroup after actions to target further opportunities (Cepol 2006; GN source 2).

At Villiers le Bel the levels of organisation were even more evident. The degree of preparedness shown by the youths was surprising. At very short notice, some wearing their own versions of protective equipment (sports padding), they went to rendezvous points, armed themselves with missiles, petrol bombs, blunt instruments and even samurai swords, meat cleavers, kitchen knives, sharpened screwdrivers and files and used them to attack 'government staff' including firemen, paramedics and police (PN source 4; PN ppt. 2008). Some had tanks of petrol ready and 'pouring gasoline (onto the road surfaces) was standard operating procedure to prevent the use of tear gas grenades' (PN ppt. 2008) in the knowledge that the police could not fire them in that situation because of the potential for the canisters to ignite the petrol vapours (PN source 4; PN ppt. 2008). Even allowing that all of this was true it needs to be remembered that the hard core of criminally intent youths amounted to only a small percentage of the crowds. Most were there for the thrill of it or had simply become caught up in the moment (Bronner 2006b).

The experiences of the youth living in these areas was that they were subject to stop and search by the police regularly, frequently and unnecessarily with these interactions often taking a long time. Also these interventions had been getting 'rougher and rougher' over time and the perceived unfairness discredited the police, and hence the state legitimacy, in their eyes (Ford 2005). Recent figures released in an Open Society Institute study show that in Paris, black people are overall six times more likely than whites to be stopped by the police, with Arabs generally over seven times more likely to be apprehended (Goris et al 2009). This study also showed that there is a strong relationship between a youth's ethnic appearance and style of dress, and the likelihood of being stop checked, suggesting that police officers make ready links between a



person's appearance and their potential to be criminals (Goris et al 2009), rather than basing such judgements on behaviour.

Youths in Villiers le Bel were quoted as saying 'the police treat us like animals each day. Now they have declared war. Well, they can have a war' (Lichfield 2007). This hatred of the police seems to have been borne out by the extreme nature of the violence experienced at Villiers le Bel, which included the deliberate use of firearms. This in turn drew a cautionary response from a police union spokesperson who asserted that a line had been crossed and a guerrilla war was taking place, and that whilst police officers have worked hard to avoid using excessive force they would not be able to avoid responding if people shoot at them (Sciolino 2007). The police did discharge firearms in self-defence at Villiers le Bel and at Grigny the following year (Bronner 2008; Jobard et al 2009 p242), which suggests that criminal use of firearms within a public disorder situation is not such a rare event nowadays, a worrying development and one that will doubtless eventually result in the serious injury or death of both police officers and members of the public. In an international symposium presentation on urban violence a French magistrate concerned about this escalation of violence was quoted:

Torching a school, a library, a police station or other buildings is now almost considered as routine. However, the second night at Villiers le Bel showed an escalation in violence, that media and government will be reluctant to publicize, but which might be a new step, the use of firearms... Apparently, from riot to riot, tactics are getting harder, methods are becoming increasingly professional and police and gendarmerie will probably face urban guerrilla experts, ruthlessly willing to use firearms (PN ppt. 2008)

Murderous intent was also evidenced by other means:

Offenders even used improvised explosives and handmade grenade launchers (fireworks, agricultural hail bombs), in an attempt to cumulate blast and fragments effects in this anti- personnel role. Some domestic gas canisters or fire extinguishers were loaded with nails... an improvised blasting device (PN ppt. 2008)

On the 8<sup>th</sup> May 2007 police were engaged by a gang of thirty to forty youths in the 'Grande Borne' estate in the suburb of Grigny, Essonne, south of Paris, in what was described as a 'particularly tough' confrontation. Stones and petrol bombs were thrown at the police and they opened fire discharging between seven and nine .357 calibre magnum rounds at the youths (Bronner 2008). The rules of engagement are well defined and levels of justification for use of what amounts to lethal force are the highest. Even where the police perception of threat is such that they think it necessary to open fire to protect their own lives in such situations, when they do, no matter how well aimed a shot might be the nature of violent disorder is such that targets move very quickly and there is potential for innocent people to be hurt. Developments such as these are bound to impact upon both the political and operational dimensions of policing public order and police tactics are constantly evolving to meet such new threats.

The strategy of space saturation employed when units of EGM or CRS are deployed minimises the potential for this kind of incident and, as Mouhanna points out, the broad aim of the French riot police includes preventing:

... deaths occurring as a result of police actions. This objective is partly humanitarian but is also political in orientation: public authorities have long appreciated that the violent deaths of demonstrators are capable of bestowing added legitimacy on the cause for which they have 'sacrificed' their lives. The prime goal of the riot police is therefore always to arrest the rioters without ever killing or seriously wounding them... [they] have generally succeeded... (2009 p175)

At this interactional level it is clear that the relationship between the police and banlieue youth is one of mutual fear and hatred. The police are targeted by the youths and they in turn are seen as enemies of society. Consideration of the 'quality of interaction between the police and relevant civilians' (Waddington D 2010 p 346) shows that the only contact between the two groups is conflictual and usually to do with stop and search or arrest.

## Summary

This analysis has followed a revised 'Flashpoints' analysis of the policing of public disorder in France, concentrating on the disorders of 2005 and 2007. Adherence to the structure of the model has ensured consideration at each level. The interdependence of the seven levels is very apparent and the inevitable overlap was anticipated. Globalisation of world markets saw a vast reduction in manufacturing jobs in post industrial France, leaving huge numbers of the unskilled immigrant workforce without gainful employment. Subsequent years of suburban decay and growing socio-political problems have made their mark. Ethnic segregation underscored by poverty, unemployment and insecurity has left the residents feeling politically and socially excluded and powerless. This geographic and social distance is exacerbated by poor lines of communication with city centres and potential sources of employment. Social and educational support is scant and people are victims of employment discrimination. Government policies have not worked; the *politique de la ville* that is imposed from above means that residents have little or no influence over their own lives.

Recent hard line immigration policies and the political currency of being tough on crime have resulted in a hardening of police attitudes and the youth of the banlieues are seen by the police as social enemies of the state. There is no community policing and the police are seen as agents of state repression. Former president Sarkozy's performance culture for public employees has ensured that the police concentrate on enforcement rather than problem solving. The police ultimately have little influence on the policies that they must enforce. They and the people that they police both wrestle with the duality of the republican ideal. The marginalised populations of the banlieues have no faith in the justice system.

Educational failure and unemployment and parental weakness are responsible for the development of the youth gang culture. Gang membership

gives young males a form of social standing and self esteem in the absence of any other respectability. Many of them resort to criminality and drug trafficking in the parallel economies that have developed. Gang culture, inter gang violence and criminality are rife in the banlieues.

Islamic extremism is doubtless present in these areas but is not a major factor. Islamic culture is probably more of a moderating influence than a problem. The police are despised by the banlieue youth and become the common enemy when attending incidents. All involved are bound up in a spiral of hatred, racism and violence.

The history of negative experiences between the police and residents has seen a steady worsening of community relations and government policy has stepped further away from community policing preferring a more 'muscular' approach to urban violence. An apparent lack of formal and informal communication further restricts community relations and the police suffer because of the consequent lack of community intelligence. Past media exploitation of political, religious, economic and social frustrations has increased tensions and this was a significant factor leading up to the 2005 disturbances, since when a greater understanding of media effect has developed. The spatial and social segregation of the banlieue populations might have been achieved unintentionally by government policy and an architecture that was of its time, but the locations and geography of the banlieues makes them ideal gang territories or 'turfs'.

The police are agents of the republic and operations are directed by the Préfet. The police are not accountable to the public. Community policing in its usual conception is not a priority the emphasis being on public safety and the maintenance of order. Police contact with local youths is largely only through stop and search or arrest interventions and there has been a significant escalation in

levels of violence aimed at patrolling police officers. The police have deemed it necessary to invest in better defensive and offensive police equipment and methods of electronic communication rather than in community relations, which has a strategic fit with tougher state policies aimed at urban violence. These developments also mean that police officers have even less reason to speak to members of the public.

The national structure of the PN and GN provides for ready availability of mobile public order forces, which means that when necessary large numbers of police can flood an area. The offence of *attroupement* provides the police with a legal remedy for unlawful assemblies and tactical options such as tear gas are used frequently.

Black and Arab youths have been shown to be far more likely to be stopped by the police than white youths on the basis of their appearance rather than their behaviour. It is clear that the relationship between the police and suburban youth is one of mutual fear and hatred. The police are targeted by the youths and they in turn are seen as enemies of society. Contact between the two groups is usually conflictual and the deaths of youths resulting from any kind of police presence results in violent disturbances, such as those at Clichy sous Bois and Villiers le Bel that have clearly shown that banlieue youths did target the police and that there had been an escalation in the levels of violence used. The deliberate use of high powered firearms against the police lines at Villiers le Bel evidences an intent that has been likened to a guerrilla war; the potential for serious injury or death on both sides is of public concern.

The recent political trend in France has been towards a more zero tolerance style of policing, in response to the public's increasing concerns about crime and urban violence. This, when considered alongside the previous administration's insistence on a performance culture in public bodies, was bound

to impact upon the policing style adopted by officers on the ground. Community policing as a concept seems to have been briefly attempted, seen to 'fail', and been ditched in favour of a more politically advantageous, punitive but less socially aware, structure and agency. It remains to be seen how the residents of sensitive areas will respond to the 'special' and more 'muscular' approach of the BST.

The central and critical theme of this analysis is the effect of the state's centralised control of the police and the lack of structural links with the communities of the banlieues. There is no meaningful ideology of consensual policing. Policing is part of a policy of state control that is well established, but fallacious and unsatisfactory to those on the margins of society. The police in France appear to be purely reactive and in a general sense remote and distant from the citizens. Consequently there are few, if any, lines of communication between them. For the residents of the banlieues this, ultimately failed relationship, does not bode well for the future.

Whilst the forces of law and order are well structured and situated to be able to react and deal with outbreaks of disorder, there seems to be little in the way of preventative measures. Such measures as exist amount to no more than the threat of significant and sometimes lengthy but not permanent police occupation of the territories in question, and are focused upon law enforcement rather than problem solving. It seems evident that if the police in France are to be successful in improving public confidence and lowering crime rates, they need to be allowed to develop working relationships with the people they police. Somewhat paradoxically, this seems to be more the case in rural, rather than urban areas, where gendarmes appear to be in harmony with the residents of smaller towns and villages and can be seen buying their baguettes and drinking coffee with the locals. Such a relationship with the communities of the banlieues

seems impossible without a sea change in state policy, which would allow those communities a political voice, and the police to formulate their own strategies, based upon community intelligence and needs.

# Chapter Six

## Case Study: Disorder in Britain

From April to July 2001, the northern English towns of Oldham, Burnley and Bradford saw violent confrontations between young Asians and the police, culminating in the clashes of 7-9 July in Bradford in which 200 police officers were injured (Kundnani 2001).

### Introduction

In order to analyse public order policing in Britain, this chapter considers the urban violence that took place in Bradford on the 7<sup>th</sup> July 2001. Whilst public disorder incidents have occurred in Britain since that date, at the time of the empirical research, that weekend's events in Bradford were the most recent, significant and sustained urban disorder occurring on mainland Britain to have been widely reported. It was also the catalyst for changes to police public order command doctrine. This chapter examines those disturbances, applying an analytical framework, an adapted form of David Waddington's Flashpoints model, described earlier in this thesis. It draws upon published academic studies and media sources which have analysed, or reported on, the events of that day. Importantly for this study, it also includes the experiences of police officers who were involved in the disturbances in a number of strategic, tactical and operational roles. At the time of the research the author was still a serving police officer and a public order specialist; as such he was an 'inside insider' and had privileged access to sources. Consequently, this study also draws upon the experience and knowledge of several highly qualified public order policing practitioners who have been instrumental in dictating present policy and practice.

The popular press often use the term *riot* to describe inner city or other disturbances, and there has been some debate as to whether or not such terminology is fair or accurate. It is suggested that the term *violent urban protest*



is a better framing concept for the interpretation of such incidents (Farrar 2002), and this study will resist the use of *riot* as a general descriptor in deference to the legal definition of riot as being ‘twelve or more persons present together...for a common purpose’ (Blackstones 2009 4.6.4 p222) which is used as the national charging standard in any criminal case of *riot*. In the following, the terms *disorder*, *disturbance*, *violence*, *protest* or other descriptors will be used interchangeably as appropriate.

In order to supply the data required for a Flashpoints analysis some history, and contextual description is necessary. To this end a summary of significant events leading up to the Bradford disorder will be provided, along with relevant social and demographic information. Some discussion of similar incidents that took place in Bradford, Oldham and Burnley prior to the 7<sup>th</sup> July will assist in this aim.

When discussing earlier disorders that took place in Bradford in 1995 (not covered in this paper) Bagguley and Hussain make the important point that ‘one of the distinctive features of Bradford in comparison to Burnley and Oldham is that it has a more widely known history of troubled political conflict involving the mobilisation of South Asian Muslims’ (2008 p50) and their research rightly includes the views of Muslims of Pakistani origin because religion is an important factor ‘when considered in conjunction with a person’s ethnic background, it provides a sense of cultural identity’ (Waddington D et al 2009 p74). This assists with understanding at the *cultural*, *situational* and *contextual* levels of analysis.

The series of disorders that took place later in 2001, sometimes called the *Milltown Riots* (Kaufman 2008 p13; Waddington D 2001) occurred in northern towns with similar ‘post industrial ethnoscapes’ (Bagguley and Hussain 2008 p39) and ‘cannot be divorced from a context in which minority ethnic communities were alarmed by the mobilisation of neo-fascists such as the BNP and the National

Front (NF)' (Bagguley and Hussain 2008 p2). Bagguley and Hussain go on to say that 'perhaps the most important features of the events prior to the riots were the role of the mobilisation of the far right and the South Asian communities' perceptions of the *failure of the police* to deal with this. In each case the details differ but these two common threads run throughout' (Bagguley and Hussain 2008 - emphasis added).

### **Bradford April 2001**

On Sunday, 15<sup>th</sup> April 2001, disturbances occurred in the Lidget Green area of Bradford. These were reported to have started as a result of insults directed at some Asian (Hindu) men in a public house by a number of white football supporters. Also in that public house were a number of guests, celebrating the engagement of a Hindu woman to a white man, who became caught up in the incident (Bagguley and Hussain 2008). There has been some criticism of the slowness of the police response to this incident (Bagguley and Hussain 2008) but what ensued was a somewhat drawn out policing operation that involved up to 200 citizens, and attended by 130 police officers dressed in protective equipment. Police reports confirm that a number of incidents took place between 7.30pm and 11pm that evening, involving damage to four public houses, a pizza parlour, a hairdresser's and a chemist's shop. A total of ninety six crimes were reported in the locality for that period, including injury to a thirty eight year old nurse who was passing the scene in her car, plus numerous other assaults, and damage to fifty four cars with eight being set on fire (West Yorkshire Police source). These incidents are not generally seen as a precursor or causal to the later disorders but, as Bagguley and Hussain suggest, they may have drawn Bradford to the attention of the British National Party (BNP) 'and others looking for local political opportunities' (2008 p55). Press reporting of the incidents such as 'Eight injured in Bradford Riots' (Guardian 2001) and 'Hindu wedding clash

sparks night of riots' (Telegraph 2001) may well have achieved this. The similarity and timing of the disorders that took place at Oldham and Burnley that year make them both contextual and potentially causal of the July disturbances at Bradford, and necessitates some consideration of their effect in this thesis.

### **Oldham April 2001**

A number of factors have been identified as causal in relation to the Oldham and Burnley disturbances (Kalra and Rhodes (2009). These are: socio-economic deprivation; the presence of far right organisations; poor police-community relations; competition for scarce resources; white victimisation; young male alienation/frustration; criminal gangs (Kalra and Rhodes 2009 p43). So these disturbances were more, or as much, to do with the wider social issues than simply the issue of race (Kalra and Rhodes 2009 p44).

At that time Oldham was the thirty eighth most deprived district in England (Ahmed et al 2001). The unemployment rate for white people stood at four per cent. The rate amongst Pakistanis was 16 per cent and amongst Bangladeshis it was twenty five per cent (Vasagar and Ward 2001). The estimated unemployment rate for young Asian males overall was as high as forty per cent (Ahmed et al 2001). These high rates of unemployment were caused by the rapid economic changes of global capitalism, where unskilled migrant workers who had been recruited for the textile industry, primarily from Pakistan and Bangladesh, found themselves out of work because it was cheaper to employ workers in their own countries (Kundnani 2001). Consequently a low paid, but working community was 'transformed at a stroke into a severely impoverished' one (Waddington D 2007 p91). Also Oldham had become 'synonymous with all that is seen... to be wrong in terms of ethnic relations' (Bagguley and Hussain 2008 p46) and racially motivated crime against white people was higher there than anywhere else in the Greater Manchester police area. These statistics were released to the press in

January 2001, figures which according to the Campaign against Racism and Fascism (CARF) were 'highly suspect' (CARF 2001). Not surprisingly the sensationalist reporting of these statistics raised existing tensions between white and South Asian communities in the town (Bagguley and Hussain 2008; Waddington D 2007). Media interest also increased the climate of recrimination and hostility, encouraging a stronger interest in Oldham as a potential area for recruitment and possible electoral success for the far right, notably the BNP (Bagguley and Hussain 2008). On March 3<sup>rd</sup> 2001 Oldham was the venue for the BNP's annual northern rally after which approximately 150 members of the audience protested, outside Oldham Police Station, against Asian attacks on white people. Also that month, gaining opposition from local trade unions, religious groups, politicians and community leaders, the NF announced that it intended to march through Oldham on the 31<sup>st</sup> March. The media response to this should not be underestimated in its effect on local and national tensions (Waddington D 2007). This march was subsequently banned by the Home Office and did not take place.

Press reporting of an incident that took place on 21<sup>st</sup> April further raised tensions locally and nationally, when a seventy six year old white Second World War veteran, Walter Chamberlain, was assaulted by three Asian youths whilst returning home from watching a rugby league match (BBC News 2001). This occurred three days after a radio broadcast had reported that there were 'no go' areas for whites in Oldham, and this assault 'crystallised all the fears that report invoked' (CARF 2001). Pictures of Walter Chamberlain's badly bruised and bloodied face appeared on the front pages of local newspapers under inflammatory headlines. Whether or not it was a racially motivated attack, or simply a robbery, was not explicitly decided at the time, but the damage caused to local race relations was a reality. Right wing groups seized the opportunity to occupy, and fully exploit, the moral high ground. On the 24<sup>th</sup> April the BNP

announced that it would contest the Oldham West seat in the next General Election.

A football match played between Stoke City and Oldham Athletic on the 28<sup>th</sup> April further heightened tension. Asian shop owners had received threats of violence and, just prior to the match, racist chants were made by football hooligans towards non whites in the town centre. These supporters were then escorted towards the football ground by the police, who took them through the Asian part of town. Some managed to break away and cause damage to Asian shops and houses. Some locals even had to barricade themselves inside their home to avoid being attacked (Waddington D 2007; CARF 2001). After the game, against advice from community leaders, the police again escorted the supporters back through the Asian area. Many Asian youths came onto the streets to defend their area, and stones and petrol bombs were thrown. Once the football supporters had been removed from the area the police employed dispersal tactics, dogs and batons, to clear the Asian youths from the streets. Hatred of the police reached 'a new pitch' amongst young Asians (CARF 2001). It was widely perceived that the NF and racist groups had achieved their aim of marching through an Asian area using the football match as the pretext (CARF 2001).

On May 5<sup>th</sup> approximately fifty supporters of the NF journeyed to Oldham, arriving from the Midlands and London (CARF 2001). On this occasion the police prevented them from entering the Asian areas of the town, and were criticised for containing a rival group of demonstrators (Waddington D 2007). A number of racially motivated incidents occurred that bank holiday weekend and, for the rest of the month, right wing groups held meetings in a number of Oldham public houses (CARF 2001).

It is fair to say that the Oldham riots of the weekend of the 26<sup>th</sup> May 2001 took place as a result of a number of factors, and were a 'manifestation of deep

and long-standing social problems related to racism and deprivation within communities of all ethnic backgrounds' (Ahmed et al 2001) and 'must be seen within a context of repeated incursions instigated by the BNP, NF and C18' (Kalra and Rhodes 2009 p48). That these conditions existed prior to that weekend is not an issue for this study, suffice it to say that many commentators on the subject have analysed and evidenced this to be the case (Ahmed et al 2001; Bagguley and Hussain 2008; Kalra and Rhodes 2009; Waddington D 2007).

The flashpoint for the disorders that occurred that weekend was an incident involving two Asian brothers aged eleven and fourteen years (Ahmed et al 2001; Kundnani 2003; Waddington D 2007). They were walking past a chip shop situated on the border of two districts of the town, Roundthorn and Glodwick, when one of them was hit on the leg by a brick deliberately thrown at them by a white youth. When the injured party, accompanied by his nineteen year old brother, went to the house the assailant had entered, a woman living there became racially abusive towards them. This was aggravated by the appearance of a number of other Asian youths resulting in the police being called. A telephone call was made by the woman to her brother who was drinking in The Britannia public house in the town centre with a number of right wing BNP and Combat 18 members, who were also involved with the Oldham Athletic football hooligan element. This group arrived in Glodwick shortly after her call, and started smashing the windows of Asian homes and business premises. When the police arrived the majority of the white offenders were arrested, but this did not stop numerous Asian youths coming into the area, as a result of rumours that the police were not stopping the white attacks. During that evening and night around five hundred South Asian men were involved in disorder that included building barricades and throwing missiles and petrol bombs at the police (Bagguley and Hussain 2008 p48; CARF 2001; Waddington D 2007).

## Burnley June 2001

Burnley, population <90,000 inhabitants (Census 2001) was once one of Lancashire's most important mill towns. The disturbances in question 'centred on three adjoining districts Stoneyholme, Daneshouse and Duke Bar' (King and Waddington 2004). Daneshouse, was the second most deprived ward in Lancashire and the 62nd most deprived of over 8,100 wards in England (Tyler 2001). The racial composition of the borough was 91.77% white and 7.16% South Asian or South Asian/British, predominantly of Pakistani origin. The largest religious groups were Christian - 74.5% and Muslim 6.6% (Census 2001). The chair of the Burnley Task Force stated that 'increasing unemployment, derelict and outdated buildings and infrastructure, significant in work poverty... and an under-skilled workforce, combined with under-attainment at school remain key features of the local economy' (Clarke 2001 p8). The Asian population of Burnley was segregated along ethnic and cultural lines, living mainly in the Daneshouse (Pakistani) and Stoneyholme (Bangladeshi) areas to the north of the town centre (Bagguley and Hussain 2008 p48). Duke Bar situated to the east of Daneshouse, 'is more racially integrated than either of its neighbours' (King and Waddington 2004).

Segregation in housing led to segregation in education...a generation of whites and Asians was now growing up whose only contact with each other was through uncertain glances on the street or through the pages of local newspapers. Mutual distrust festered (Kundnani 2001).

The police are reported to have estimated the *State of Normality* (KtP 2007) in these areas before the disturbances as 'one in which racism was not a problem and was certainly less apparent than in nearby Oldham' (Waddington D 2007 p103). The 'civil disturbance' incidents that occurred 22<sup>nd</sup> - 25<sup>th</sup> June were initiated by non racist criminal acts but were aggravated by 'deliberate attempts to turn the violent acts into racial confrontation' (Clarke 2001 p37). The Daily Telegraph reported that 'the troubles in the Lancashire town were subsequently exploited by organised racists and fuelled by the tensions arising from grinding

poverty' (2001). The task force report also emphasised that the events of that weekend were not wholly spontaneous, and a number of people had heard that something was going to happen. Previous disturbances in Bradford and Oldham had already raised tensions, as had the BNP gaining 11% of the General Election vote in Burnley on 7<sup>th</sup> June. Consequently there had been a 'growing political disaffection within a context of high socio-economic deprivation; the weakness of the mainstream political parties and the politicization of race' (Rhodes 2006 p1), aggravated by the activities of the BNP and other right wing groups.

Key events leading to the disturbances included a dispute between white and Asian neighbours, where damage was caused to property (Bagguley and Hussain 2008; Waddington D 2007) and an attack on an Asian taxi driver whose cab was vandalised by white males. He was then struck on the head with a hammer by one of the group when he alighted his vehicle to inspect the damage, sustaining a fractured cheekbone requiring hospital treatment (Bagguley and Hussain 2008 ; Tyler 2001; Waddington D 2007). Unfounded rumours that the taxi driver died in hospital further increased tension. Attempts to defuse the situation failed, and later that Saturday evening a gang of white men attacked several Asian food takeaways. The landlord of the Duke of York Public house had closed the pub early because of rumours that it would be subject of an attack, and around 11pm, possibly as an act of revenge, approximately seventy Asian men broke windows and firebombed the pub.

The Burnley disorders seem to have been detailed by very few commentators, and it is difficult to find precise reporting of police activity during the Saturday evening. There seems to have been a lapse in policing with a significant time lag between strategic developments and practices on the ground (King and Waddington D 2004). This intermittent policing may have affected the



perceptions of residents. If the police are not in evidence it can give the impression that they are unable to cope, or that they do not care, or both.

The next day, Sunday the 24<sup>th</sup> June, the disorder continued. As a consequence of the closure of the Duke of York its youthful white clients moved to another pub, The Baltic Fleet. There they were allowed to remain outside and proceeded to racially abuse Asian passers-by. The police strategy seems to have been one of high profile reassurance, an objective that was not achieved (Waddington D 2007). The police were probably deployed in sufficient numbers to deal with this disruptive group but failed to deal with the situation expediently. The *Bronze* commander withdrew officers and redeployed them to other areas in the hoping to de-escalate the situation. Contrarily this 'signalled to the Asian communities that, since the police were apparently unwilling or ill-prepared to defend them, they would have to take their safety into their own hands' (King and Waddington D 2004 p134). This 'inadequate resolution' (Waddington D 2007 p109) also undermined police credibility in the eyes of the white youths. The lack of physical and moral restriction allowed them to go into the Asian areas and disorder occurred.

The following day the police took a much more assertive approach and moved the abusive crowd from outside the pub, and then dispersed the opposing Asian youths whilst reassuring the residents that the white racists were no longer a threat (Waddington D 2007). The high levels of tension continued into the next day when further disorder occurred during which Shahid Malik, a well known local Labour Party member and son of the deputy mayor, tried to stop the violence. He was injured by the edge of a riot shield wielded by a 'very hyped-up' police officer dressed in riot gear, and was then arrested (BBC News 2001b).

The Burnley Task Force concluded that the disturbances that took place over the weekend of the 23<sup>rd</sup> - 26<sup>th</sup> June 2001 were 'caused originally by criminal

acts followed by deliberate attempts to turn the violent acts into racial confrontation', and that elements from within both white and Asian communities were not unprepared for the confrontations that occurred (Clarke 2001 p37). The BNP had established a foothold for further electoral successes in the region that 'can be viewed as a typical case of far right breakthrough' (Rhodes 2006 p14). The outcomes at Oldham and Burnley had favoured right wing groups and this was a factor leading up to the disturbances the following month in Bradford.

### **Bradford 7<sup>th</sup> July 2001**

For ease of analysis the following description of the Bradford disorder follows the chronology of events. It is aligned and sub headed in accordance with David Waddington's Flashpoints model's six levels of structuration (Waddington D 1989), plus an additional level that takes into account police traditions, policies and organisational/operational doctrine. It is not intended to provide a new detailed analysis of the causal, or contributory factors relating to the events of that weekend, but to use existing data to contextualise the policing of them. It uses primary data gathered in the form of semi-structured qualitative interviews with police officers who were involved. This is entirely appropriate, as the Flashpoints model relies upon subjective interpretations for its analysis. Nor is it intended, some ten years after the date, that this study will provide a definitive analysis of those events, particularly as other commentators have already shown it to be impossible to achieve (Bagguley and Hussain 2008 ; Pearce and Bujra 2006; Waddington D 2010). The Flashpoints model's levels of structuration are both interrelated and interdependent, thus some blurring of the boundaries will be apparent and indeed essential.

## Applying the adapted 'Flashpoints' model

### *Structural*

Bradford today is a metropolitan city and district in West Yorkshire. The 2001 census gave its population as 467,665. The industrial revolution transformed a number of northern towns and Bradford, like Oldham and Burnley had benefited from the boom of the textile industry. From the end of World War Two in 1945 the textile industry began to shrink, although other industries ensured that Bradford's economy continued to grow throughout the following two decades. The success of the other manufacturing industries necessitated the employment, immigration and settlement of largely unskilled migrant workers, many from Pakistan and Bangladesh. The recession of the 1970s and 80s, and the globalising of markets brought mass unemployment to these workers who remained unemployable due to their unskilled status (Kundnani 2001).

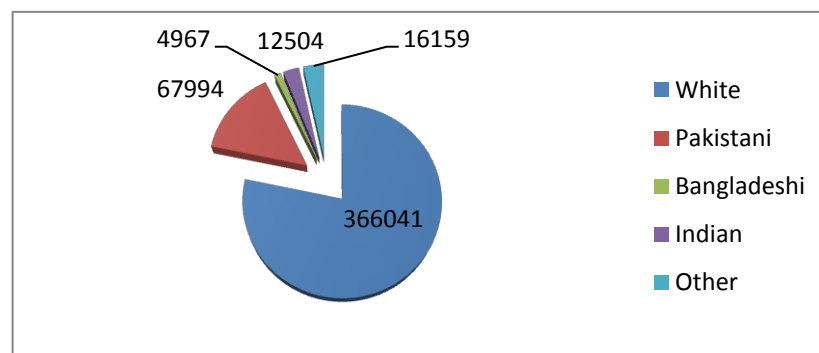


Figure 24. Bradford 2001 Ethnicity (Census 2001)

It is a fact that Bradford shared many 'economic and social characteristics' with Oldham and Burnley (Bagguley and Hussain 2008 p63) and indeed many other towns and cities in the UK. Many of Bradford's Asian population lived in or around Manningham the 'heart of Bradford's Pakistani community' (Kundnani 2003), which is an area of the city situated just to the north of its centre. As the above graph shows, the largest percentage of non - white citizens of Bradford were of

Pakistani origin, and Bradford was indeed seen by them as their heartland in Britain, often referred to as *Bradistan* (Shackle 2010).

The earlier disorders at Oldham and Burnley had resulted from significant right wing activity in those areas, and the reporting of these events had doubtless raised tension in Asian communities around the country (Bagguley and Hussain 2008 p107; Waddington D 2007 p18; 2010 p344) It was within this 'Matrix of Fear' (Kundnani 2003) that the events at Bradford between the 7<sup>th</sup> and the 9<sup>th</sup> July 2001 took place.

As a consequence of this diversity, and the recent history of troubled political conflict, the policing of the communities of Bradford required an understanding of a variety of issues and was extremely challenging:

Yes, disengagement and exclusion is not just down to the police and you can see that from Scarman... we don't seem to learn in some respects. However... we're not responsible for issuing people with decent housing that have got jobs, that it's a comfy environment, that there's places to go, that there's adequate public transport, that people have money (Interview 3).

It was also recognised by senior officers that policing areas such as Manningham was very much linked to global events in a globalising world:

Actually that really came home to me when I started to work in Bradford... world events were triggering local responses... for example, flooding that happens in a coastal village in Bangladesh has an impact on local communities. You realise how interconnected everything is in that sense as shock waves run through the community (Interview 4).

Such connectedness also shows how the macro levels of analysis are closely linked to the micro levels, and this is reflected in a necessary degree of flexibility between the levels in this thesis.

West Yorkshire Police had invested a great deal of time and resources into the policing of Bradford, and there were a number of police and community initiatives already running prior to the disorders of 2001. It is apparent that these were not as well developed, or as well understood as part of the policing function as they are today; nor, in fairness, had the decision makers of that time benefited

from the results of enquiry and research carried out by the Burnley Task Force, Herman Ouseley or Ted Cattle that were initiated by that series of disturbances:

I think the context community intelligence was being kicked around then. The word cohesion hadn't invented so we didn't have all of that stuff ongoing which came on the back of it, of course, which we now take for granted I guess (Interview 4).

[regarding tension indicators] I'm not sure it was very sophisticated to be honest. I had been out of Bradford for a couple of years because I was on the Operational Support Unit at the time so whether things had developed I never really recall any great play being made on signal crimes. I don't think we were very sophisticated around the intelligence model (Interview 8).

Another interviewee, a senior police commander, noted the importance of recording and reacting to community issues saying that, whilst there is still some way to go in this regard, the police are reliant upon the interpretation of community information if they are to be prepared, and that often what is viewed as 'tittle tattle' can be essential to that understanding. Events and issues can change the mood in a community very quickly and close contact between them and the police is important:

I think its key that we have neighbourhood policing... it's those officers that are going to tell us when the atmosphere changes and that's what you want to know... it's very important that commanders have an understanding of communities... at any given time. As things start to deteriorate, that's when you do actually need to put more officers, but more officers that are known to the community. It's no good just bringing in the tactical units, the support groups, bringing those into a community will alienate the community (Interview 2).

This section has focused on relevant macro-sociological factors, inequalities, political powerlessness, social exclusion and collective grievances (Waddington D 2010 p344). It can be seen that the factors surrounding the South Asian community living in the Manningham area of Bradford were distinct. There were evident material inequalities and relationships with the authorities, notably the police, were strained. Even though this had been recognised by the police and they had made genuine efforts to improve the relationship there were still

significant underlying grievances relating to lack of political influence, social exclusion and deprivation. Consideration of these structural factors is useful, overlapping with and contextualising the following levels of analysis.

### ***Political/Ideological***

This level of structuration is concerned with the way key political and ideological institutions including the police, respond to groups or communities objectives and needs (Waddington D 2010 p 344); therefore the policing style operated by West Yorkshire Police in Bradford during the years, months and days leading up to and during the disturbances of July 2001 is an important factor. At that time police officers viewed a posting to Bradford, and in particular areas of it such as Manningham, as a form of punishment, a difficult and conflictual area to police, and one to be avoided if at all possible; this would seem to have resulted in a definite 'us and them' mindset:

It was seen as a bit of a punishment post to be honest... If you don't want to be there and you see the community that you are policing as a problem then it's going to affect the mindset (Interview 8).

Nobody wants to work in Bradford in West Yorkshire so you get a pot for crap officers; you get posted there for punishment. ..If you have bad policing on top of all those social and economic issues it amplifies it out of all recognition and I think that's where you get all those trigger points (Interview 3).

These feelings were repeated in a number of other interviews which gave interesting insights into police styles on the ground. A posting to Bradford was often involuntary, thus creating a feeling of antipathy and conflict. There was little support amongst officers for community policing, which they described as the 'let's go and sit down with the old lady and have a chat' style. In everyday police community relations terms, it was yet another information and intelligence gathering opportunity that was ignored, which also showed how the 'them and us' relationship manifested itself generally. The result was that the policing style, at that time, did little to defuse tension in situations of disorder. Interviews

suggested that policing technique has moved on since then, but the policing style of that period was not conducive to negotiated solutions, or to defusing tension. The local community were well aware of this policing style and reacted accordingly. One commander described Bradford as ‘racially emotive and highly politicised’ (Confidential document). In sum, political and ideological factors helped to shape, in general terms, the style adopted by the West Yorkshire Police, which was generally of a reactive nature, with officers attending calls in vehicles, dealing with the incident and then leaving; it was enforcement of the law rather than relationship building and problem solving at the vital day to day level. This left them ill-equipped to deal with situations of public disorder of the magnitude that occurred at Bradford in 2001.

### ***Cultural***

The cultural level can be said to be different to the political/ideological level, in that it refers to local views and approaches born of shared experiences that amount to ingredients of a shared identity. Reference has been made to the local history of political conflict involving a community that had a South Asian, Muslim identity (Bagguley + Hussain 2008 p50; Waddington D et al 2009 p74).

The policing of public order is considered to be ‘singularly the most sensitive of issues’ (Jordan 2007) and this was reinforced more recently: ‘Public order is still absolutely critical... It certainly is our number one sensitivity... and remains so’ (Interview 5). As such, in multi-cultural Britain, sympathetic policing is necessary if the avoidance of increased tension in critical areas is to be achieved. How policing style can affect relationships has been touched on above, and it is very important that police strategists get this right if they are to police according to Peelian principles. The style of policing employed in any given area will stem from the strategic direction given by Chief Constables. When asked how

important an issue public order is for Chief Officers, another interviewee put it this way:

It varies, that's the reality. I think our eye was well and truly off the ball as an organisation as West Yorkshire Police because we hadn't had serious disorder for about 5 or 6 years. Inevitably the focus shifts on to other things... performance issues... the focus had shifted. I think if you want evidence of lack of commitment, you look at the attendance rates on West Yorkshire police on public order training... How important a focus was it for senior managers? I would say not very because it was not the thing that was grabbing our attention at the time (Interview 4).

Prime Minister Blair's government was dictating national policy at that time, shifting priorities towards a more performance driven style of policing. Investment in public order training, at least in West Yorkshire Police, had consequently waned. The necessity for deployment of units from out of force was seen as an embarrassment, and directly linked to the fact that public order policing had been low on the list of financial priorities. It is fair to assert that had greater investment in training and equipment been made, those local officers who were deployed on that day were likely to have been better equipped, commanded and more able to deal with the disorder that occurred.

Respondents talked of the media coverage of the issues in Bradford, which they felt had further marginalised those who lived there. The wider British population's perception of the South Asian community was affected, and Bradford was viewed very negatively because of its poverty and perceived hostile cultural environment. Reporting of right wing political activity, notably of the BNP, as well as the attitude of local football hooligans had amplified existing cultural tensions. Local (Manningham) Asian youths felt alienated by police attitudes and this disconnection resulted in an absence of dialogue, engendering a deeper lack of trust, the police being seen as the servants to right wing politics:

...the penny just had not dropped with these youths who saw the police and fascists as almost like a united body. That was really disappointing that we weren't seen as distinct, we would never allow people like that to march on the streets and it was that sort of representation and that



isolated incident of dislocation between that particular community and the police (Interview 3).

Local police officers adopted a 'fortress mentality' as a way of coping with being under constant threat of attack. Bradford was:

'a bit of a powder keg in relation to the approach of policing there... you had issues... police officers coming under attack or being threatened or going to places in larger numbers than you would normally do to deal with incidents' (Interview 3).

Officers coming in from outside the area were not aware of how 'out of kilter' this relationship has become and found that, even when policing celebratory events such as Mela, totally innocent interventions, such as a police officer holding the hand of a missing Asian toddler whilst en route to a place of safety, could be misinterpreted very quickly and volatile crowd control situations develop without warning (Interview 3).

Some officers were of the opinion that the Asian youths were caught between two cultures in that 'they don't really identify with their parents' values, they study Islam like they have got to do but they don't identify with their parents' lifestyle...' (Interview 8). Young Asians born and brought up in Britain were also acutely aware of their inequality of employment opportunity and how they were not the 'favoured people'. Local officers did not fully understand the depth of this disenfranchisement, the sensitivity of the police to these social factors being not as sophisticated as it has since become.

This was seen as a factor in the policing of the area, when officers from out of force were deployed without local command as part of mutual aid agreements. One interviewee linked this to his earlier experiences saying 'the concern would be, and it goes back to the miner's strike really... that people police without context... If you burn out your local staff you lose all your contexts' (Interview 6).

So from the perspective of officers that policed the disorders of July 2001 this *Cultural* level of analysis does seem important. The shared ways of life and attitudes that different groups subscribe to (Waddington D 2010) and their behaviour towards one another contributes to the creation of a climate for conflict. It is also clear that some of this level's considerations are integral to the next section.

### ***Contextual***

The 'active communication processes that are liable to intensify the emotional significance of a potentially disorderly encounter' such as a history of negative relations with the police, negative media reporting, inflammatory rumours and anticipation of violence (Waddington D 2010 p345) are considered in this section.

It has already been mentioned in the *Political/Ideological* and *Cultural* sections of this analysis that the media reporting of the events earlier in the year at Burnley, Oldham and Bradford, particularly regarding inter-racial incidents, had ensured that ethnic tensions had increased. The communication processes between the police and the Asian community of Bradford, particularly the residents of Manningham, were dysfunctional and this is corroborated by a number of sources. There was a 'community wide dissatisfaction with the police' linked to a perceived poor quality of service provided by them (Bagguley and Hussain 2008 p103). The role of the media in reporting the recent Burnley and Oldham disturbances as well as the Lidget Green incident in Bradford had resulted in a general distrust of police by Bradford Asians (Bagguley and Hussain 2008 p107). One police commander further confirmed this, expressing exasperation at the way even minor incidents were reported in the press as race riots: 'negatively, absolutely negatively!, race riots, immediately there are headlines when we have minor disorders' (Interview 4). The media were responsible for transmitting rumours regarding BNP and NF demonstrations that fuelled local suspicions and

fears (Interviews 3, 4, 6). Whereas all the hard work, successfully carried out by the police and the local council, getting the march banned by the Home Secretary and that was the subject of official media releases, went unnoticed in the 'excitement' of the incident. Rumour had trumped accurate information, which in Bagguley and Hussain's words, affected the actions of a group towards whom there was already considerable hostility and aggression (2008 p19).

Manningham was well known for high levels of criminality, a locality that accommodated drug dealing and prostitution. The police had made concerted efforts to eradicate these problems and had managed to reduce overt drug dealing. Due to its well known problems, Manningham was policed regularly, but the potential for improving working relationships between police officers and community contacts whilst fighting crime on their behalf was missed. It is probable that cooperative relationships could have made a difference at the time of the later disorder. The very formal nature of interactions that did take place militated against communication of a more informal and direct nature. This may have given police commanders a clearer understanding of the potential for community disorder, and the need to broaden their focus:

we assumed that we would be preventing a disorder between the far right and the far left and I don't think we saw the Asian community as being somebody we would end up fighting with but the far right came and went, the far left came and went and then the community ended up fighting the police and I do remember thinking, how has this happened, we were supposed to be here stopping the Anti-Nazi League having a go at the BNP and vice versa. I think we missed the obvious bit (Interview 8).

Bagguley and Hussain highlight the failed relationship between the community and the police and the controversial role of 'an unrepresentative self-perpetuating elite' performing the role of community leaders (2008 p110) as central to the problem. This was confirmed by a police interview source:

... I think there was a degree of community engagement by the police but whether we were engaging with the right people is a good question because quite often, and particularly in Asian communities, people put

themselves forward as being representatives of that community, they are not necessarily representative of anybody but themselves... (Interview 8).

Had better lines of communication been available more explicit messages could have been conveyed by the police about their intentions regarding the NF and the violence that took place may have been prevented (Bagguley and Hussain 2008 p68). There were a number of police initiatives in place that should have assisted in this regard, such as *neighbourhood renewal*, the council neighbourhood forums, and the Bradford Minority/Police Liaison Group. Whilst none of these prevented the disorder, they did perform an important role in the rebuilding process afterwards.

Other commentators recognised that the police had indeed 'made sincere efforts' to improve relationships in Bradford (Bujra and Pearce 2009 p62) and initiatives such as the Minorities Police Liaison Committee and an embedded projects officer in the Community Involvement Unit was in place, but had limited success 'particularly with regard to Muslim youth'. They also commented that links with the 'local state' had been built upon the existing traditional social stratifications that conferred power upon the upper caste elders (Bujra and Pearce 2009 p61).

From this analysis it is apparent that, during the build up to the serious disorder later in the day and as its momentum developed, the 'community mediators' (KtP 2007 p95) who were sought out and asked to assist by the police were unlikely to have been very productive when trying to negotiate a peaceful resolution with the younger members of their community. It can also be seen that the communication structures in place at that time were inadequate, and that this enabled the power of rumour to mislead all parties involved. The media reporting of previous disorders had heightened tensions, and the lack of workable communication processes had frustrated the flow of information and intelligence, which could have been crucial to the police decision making process.

It is becoming increasingly clear that, with the possible exception of the 'interactional', all the levels of the Flashpoints' analysis are ultimately contextual, and whether this level's title is entirely correct is open to debate. Perhaps a more appropriate descriptor would be one of 'communication processes'. This is a discussion that will be returned to later.

### ***Situational***

This level of structuration seeks to explain 'situationally specific spatial or social determinants of disorder' and includes such ingredients as how the area lends itself to dispersal of crowds, or police surveillance and the symbolic nature of the ground or 'turf' that may need to be defended (Waddington D 2010 p345). It has been observed that the 'local South Asian community's metonymic understanding of Manningham and Bradford as imaginary spaces of diasporic belonging has been found to be central to... accounts of how the riot developed' (Bagguley and Hussain 2008 p77). The idea of 'Bradistan' then is symbolically significant and might be cited as one of a 'family of neighbourhood effects' (Sampson 2012 p383).

It is also important to take account of the police view, or indeed sensitivities, with reference to the possibility that any given geographical area might be a 'No Go' zone. Only one respondent entertained the idea of their existence in police terms and equivocated with 'probably' (Interview 2). Others said things such as 'I would make it my business, irrespective of tensions, of getting in there and stamping that out' (Interview 1); 'wouldn't allow it' (Interview 15); 'we don't have any' (Interview 15) and 'none in London, [but] some areas are harder to go to than others' (Interview 12). The evidence then is that police officers are generally very keen to ensure that 'No Go' areas do not exist and the police service will work hard to ensure that they do not, even if that means employing a more robust policing style than usual or the use of specialist

officers and tactics. Personal decisions are significantly dependent upon ones social environment and cultural perceptions (Sampson 2010).

Other cultural but situationally-specific spatial factors around the policing of Manningham had also been recognised by the West Yorkshire Police, and most certainly by operational officers. One respondent described police stations as fortresses (Interview 3). Another how the police station in Manningham was a 'big ugly building' with a security wall around it, built on the top of a hill (Interview 8). In this respondents view, the community it served 'hated it' because symbolically it sat above them; a physical barrier between them and the police. Frequently missiles would be thrown over the walls and local delegations would often gather outside when an arrest had been made (Interview 8).

Existing structures within West Yorkshire Police regarding the identification and collation of tension indicators, or signal crimes that may have assisted in the development of strategies aimed at the prevention of disorder, or at least intervention at the earliest opportunity, were also under-developed at that time. It was felt by some respondents that whilst systems were in place that should have taken account of signal crimes and events, they were not very sophisticated. Also whilst officers seemed distinctly aware of tension indicators and the potential for flashpoints, at no point in the build up to the disorder on the 7<sup>th</sup> July 2001 was there any mention from within the Asian community of the potential for a riot. Which is a little surprising when weighed against Bagguley and Hussain's account of the significant rumour and expectation within the Asian community that Bradford would follow 'in the wake of events in Oldham' (2008 p66). Tension indicators were being recorded by WYP's 'Community Intelligence Cells' (Interview 4) which had already been set up, but it was a new initiative and not yet as fully developed or as sophisticated as it needed to be. It is probable that this lack of structure caused important information to be missed.

It seems evident that the main factor for the increased tension in Bradford was the intended National Front march through its streets. This came on a wave of increasing support for the NF in the region, after the well reported unrest and urban violence in Lidget Green, Oldham and Burnley. It can be argued that West Yorkshire Police should have been better prepared to deal with protest and disorder should it occur. Knowing the 'State of Normality' (KtP 2007) for the area is viewed as vital by police officers, and dictates the policing style. Whilst this was known in Bradford, it is possible that the knowledge was taken for granted, and hindsight suggests that a lot of significant happenings went unnoticed by the police. That said, the WYP operational review of the Bradford disorder states that 'a medium rather than low level of community tension is regarded as the norm. Prior to the events of Saturday 7<sup>th</sup> July this *medium* tension had risen to *high*' (Police source 2009). Given this awareness of the potential for disorder, at least between the left and right wing, it could be argued that better contingency planning should have been made for local community involvement in the Anti-Nazi League demonstration scheduled to take place in Centenary Square that day. Officers present recall that members of that organisation were indeed responsible for inflaming feelings within the crowd (Interview 7).

In any event the NF march was cancelled under a Home Office ban, and the police ensured that no NF members were allowed to enter Bradford. Another reason, or source of raised tension, was that the final day of the Bradford Festival had been cancelled on the grounds that the NF might attend regardless of the ban (Bagguley and Hussain 2008 p66). This was identified as contributory, albeit after the event, by at least one senior commander who stated that this may have given the impression that it was done to avoid the need to deal with the real issues. Public perceptions were that the police were powerless to stop the NF coming to Bradford, even though they had in fact been stopped (Interview sources 3, 7;

Bagguley & Hussain 2008). Police resources for the protest comprised eleven PSU's, mounted officers, and many other police support officers, with the operation being run from a command centre at the Tyrls police station that had views over much of the city centre.

Officers were drafted in from all over the West Yorkshire police area for this Anti-Nazi League counter demonstration at Centenary Square, many coming on duty at 0700hrs for their briefing at Bradford Central at 0800hrs. Even so, there were definite feelings of foreboding amongst operational officers. The briefing given that morning, to an unusually very silent group of officers, was different to others in that it was obvious that all was not well (Interview 3).

The briefing made it clear that no NF or BNP supporters were going to be allowed to enter Centenary Square. During subsequent interviews of officers concerned, no mention was made of any reference to the policing style advised for that day; it is however, recognised by police officers who were there, that such direction is necessary in order for them to be able to respond appropriately in line with the planned strategy. It gives them context or structure for their agency.

The geography of Bradford is such that it sits in a 'basin' with all roads out going uphill. The main route towards the Yorkshire Dales is the A6181/6144, which takes the following roads out of the city centre: Westgate into White Abbey Rd and then along Whetley Hill through the Manningham area. These are busy, fairly wide roads that climb a significant gradient towards the city boundary. There are many side junctions into housing estates and business premises. Any police crowd dispersal operation along these roads would be tactically challenging and extremely physically demanding, especially so on a hot summer's day (see Fig. 25).





Figure 25. White Abbey Road (BBC News 2001d)

### ***Institutional/Organisational***

If we wish to explain why the police behave in a certain way we need to consider not only the circumstances in which they act (Waddington PAJ 1999a) but also what conventions drive their agency. This study requires a further level of analysis to provide greater understanding. Indeed David Waddington himself sees value in a seventh level focusing ‘on such recognised influences on police behaviour as national traditions of policing’ (2010 p346). These include structures and doctrine affecting police agency such as public accountability, policing philosophies and standard operating procedures (Waddington D 2010) as well as the rule of law. The core doctrine in public order policing is the ACPO Manual of Guidance on Keeping the Peace (KtP), which in 2001 had recently replaced the previous manual. 100% of respondents cited KtP as their guide, which is presently in its third edition.

The British model of policing has already been described as based upon the nine points of the law or Peelian Principles that established ‘modern’ policing in 1829. On joining the police service officers are taught that, first and foremost, their role is the protection of life and property, and the prevention and detection of crime. This was reflected by all respondents, with a Chief Constable saying ‘I go straight back to Rowan and Mayne because the role of police in society has not

changed since the original formation of the police service'. It is from those principles that the notion and tradition of the 'thin blue line' has developed, with the belief amongst police officers that they are part of a society in which they perform a role for the greater good. This in turn has developed a 'can do' approach based on pragmatism and positivism that, over time, saw the police become a 'one stop shop' for social problems - issues that are often impossible to resolve readily. Countless policies have been developed by forces to deal with such issues, to the extent that policy often seems to trump decisions.

There are many well discussed and documented drivers of police agency, but the rule of law imperative is central to operational practice, and ignorance of the law is never acceptable as a defence for police errors. Ethical and professional standards have become more defined, with accountability and transparency given greater importance. Bodies such as the IPCC, force professional standards departments, HMIC and NPIA serve to ensure accountability and sanction where necessary, which can be linked to police officers' strong desire to avoid both 'in the job' and 'on the job' trouble (Waddington PAJ 1998). Necessity and proportionality have always been the main considerations regarding police use of force or restriction. This is reflected in doctrine, and the Human Rights Act 1998 has defined this in law.

Many such factors impacted on police agency during the disorder of 7<sup>th</sup> July 2001. Respondents articulated this in a number of ways. WYP had a 'tangled policy' and had wanted to avoid a heavy handed approach. Operational memory was short and their focus had shifted away from public order training and resources. Public order as a discipline had slipped 'down the ladder' and other priorities such as corporate manslaughter, health and safety, civil liabilities, firearms incidents and day to day policing were given higher priority. The policy of training all officers to CMS regardless of motivation had served to produce

lower quality PSU's, and recent events had caused a realisation that the force 'wasn't quite up to it' (Interview 4).

The *Gold*, *Silver* and *Bronze* command structure was in place but did not function, with communication between the command roles being a problem. Lack of training and understanding of roles was apparent, and at one stage the *Gold* commander was situated in the *Silver* command room and there appeared to be more than one *Silver* commander in play. Of decision making it was said:

I thought I had a handle on it in terms of command... You just hope you make the right one don't you? And nobody died, we were lucky. I don't pretend that was through having a firm grip. I think we did but it could have easily gone wrong (Interview 4).

Even though KtP (and common minimum standards) is national doctrine there are local interpretations of it, and this was seen when units from outside were deployed and operated more efficiently. As a doctrine it is generally viewed as being fit for purpose and some of its models are used consistently, in particular the CMM, which is used across all policing disciplines. Every respondent agreed that such models are useful as a guide, one cautioning that they are 'for informing decision making, not driving them' (Interview 5).

There was a general view that the policing structures and agency seen at Bradford, both in the lead up to the disorder and during it, did not amount to good practice for a number of reasons (Interviews 3, 4, 7, 8). These events were the catalyst for significant changes in commander training and development, which have proved to be more than a single phase project, having become an ongoing process. That said it was also commented that some of the initiatives put in place after Bradford have already been discontinued, and there is concern that shifting priorities will again diminish public order capability, to the extent that British public order policing may prove to be unfit for purpose. Some of our respondents' words may prove to have been prophetic in this regard, as the present priority of severe cost cutting takes effect.

This level of analysis has shown that policing philosophies and traditions do impact upon police agency. Statute and policies are strong drivers of policing approaches and styles, and police officers still aim to protect the public according to those original Peelian principles. It links well to the following level of analysis.

### ***Interactional***

This level deals with ‘the quality of interaction between the police and relevant civilians’ (Waddington D 2010 p 346). It has been found that questionable police strategies are a common factor in most riots (Kanol 2010) and, given the structures that were in place prior to 2001, together with the linked political, ideological, cultural, contextual and situational sensitivities, or other ingredients in this mix, any police intervention, no matter how well intended or executed, was going to be contentious. Such is the nature of public order policing and the events of 7<sup>th</sup> of July 2001 would bear this out.

The previously mentioned growing tensions, aggravated by anticipated BNP and NF activity, give much of the context; the cancellation of the last day of the Bradford Festival, linked to the banning of the BNP march, ‘designed to promote unity and understanding’ (Waddington D 2010 p349) and allowing the undeniably contradictory ANL counter demonstration in Centenary Square provided the conditions for an entirely foreseeable flashpoint. That said, the first few hours of the protest progressed without notable incident, and this is borne out by respondents in this study.

Officers dressed in protective uniform were deployed early to Centenary Square, the site of the ANL demonstration. As numbers grew officers were subject to verbal abuse and gestures, including Nazi style salutes and it was evident that some present were intent on winding up the crowd. It was apparent to officers that key individuals within the protest had an ‘ear for the crowd’ and used it to

good effect (Interview 7). The strategic intention of the police throughout the operation was to return to 'normality' as soon as possible in line with doctrine and this remained so, as the protest developed into disorder.

Respondents and commentators have cited the trigger for the disorder as an incident, or incidents, involving Asian youths and football supporters (possibly with BNP connections) at a public house, where a number of Asians were subject to a beating, and one or more white opponents were stabbed (Bagguley and Hussain 2008 p71; Waddington D 2010 p350). Police were called to the scene and in the view of respondents successfully segregated the groups 'beating the hooligans back into the pub' (interview 3). However, the perception of local Asian youths was that the police stood back and did nothing (Bagguley and Hussain 2008 p71). At some stage after this incident it was decided to push the disorder out of the city centre, even if the tactical options available at that time were limited. Whether this was a defined strategic aim, or simply a reaction to events, is open to debate, but ultimately it was decided that the city centre needed to be protected and that the police would 'clear this out....Bradford is shut' (Interview 4); which was a dynamic tactical command decision rather than a review of strategy. The situation was recognised as serious and assistance was requested as part of the mutual aid agreement, and neighbouring forces sent supporting units. The crowd was pushed out of the city centre and moved towards Manningham (either by design or simply because many of the crowd lived there but all sources describe this as what happened). The recollections of the respondents to this study are summarised in the following paragraphs.

Police units that had been on duty all day found themselves dealing with sporadic conflict situations, as they made their way out of the city centre. As the crowd ran off towards Manningham, rather than being pushed, some went around the rear of the Beehive pub, where damage was caused and people assaulted.

Shortly after this a barricade was erected on White Abbey Rd, where approximately three PSUs were deployed. Level one trained officers from the Operational Support Unit (OSU) were also present, and CMS tactics were implemented in order to keep the crowd moving. It can be argued that at this point the 'die was cast' and, as one respondent put it, 'once you start using those kind of tactics it's almost got an energy of its own...' (Interview 6).

It seemed to officers that the area was at one moment clear and then a short while later filled by a crowd numbering thousands, accompanied by the sounds of disorder, and the smell of burning petrol. Figure 25 overleaf gives a sense of that day. All respondents perceived at least some degree of preparation on the part of those engaged in the disorder, based upon the ready availability of 'stashes of missiles, petrol bombs prepared...they were firing rocket fireworks at us' (Interview 7) and 'we were sucked into something that they might have been more ready for than we were' (Interview 8). Not all those involved though were intent on violence and a number who were arrested and subject to later heavy sentences from the court 'had never been in trouble with the police before, good kids, good families... it was exciting, they got swept up in it a moment of madness' (Interview 4).



Figure 26. White Abbey Road, Bradford 7<sup>th</sup> July 2001 (BBC News 2001d)

The road was littered with rocks and many officers were injured and had to be carried away. At one stage units acting on their own pushed the crowd all the way up the hill to the Melborn pub, only to be told by *Silver* command to withdraw back to the city centre, a distance of some 700-800 yards. This was done and a *Bronze* command then ordered that they should take the road as far as the Melborn again, in full kit on a hot day. By now even the fittest of officers were exhausted and had come to a standstill, resulting in many more injuries. Cars, some on fire, were pushed or driven towards the police lines and missiles continued to be thrown.

Several respondents were of the view that WYP's recent 18 month 'moratorium' on public order training was a relevant factor. Many officers deployed there, including commanders, had received little or no public order training and were neither suitable nor fit for role. The force policy on training every officer to the CMS was seen as problematic, because it provided many people with a basic knowledge of tactics, instead of fewer but more highly motivated, confident, efficient units. That said, even the level one units training had been reduced.

*Silver* command was frustrated because intended flanking and diversionary tactics seemed impossible due to a lack of radio contact, and found that the tactics 'simply didn't work', notably because badly dehydrated, exhausted officers were trying to fight uphill. At this stage there were no fresh reserves.

Units on the ground were frustrated because there seemed to be little coordination from the *Bronze* command level, so they just clung on, advancing and withdrawing trying to minimise injuries whilst holding the ground. The use of mounted tactics was crucial to this, without them the police would have been overrun. As it was, after over ten hours on the ground, some units were depleted through injuries by 70% - 80% (Interview 3).

The levels of violence experienced were unforeseen and police units were ‘massively underprepared’ (Interview 8). Many officers were of the view that when the disorder was at its peak, and heavy casualties were being taken, baton rounds should have been used to create distance between the police and crowd. In fact consideration was given to the baton gun option (Attenuating Energy Projectiles/AEP):

that night I almost used those baton guns on my own authority... I thought it was so critical ... thinking that this is madness we will have to do something... but when you think about it later... about the wider strategic issues it would have been disastrous to have fired those baton guns... look at the Anarchists’ Agenda it’s actually in their best interest for the police to be as violent and reactive as possible (Interview 16).

The baton gun option has been deployed but never fired on the British mainland. Authority to make AEPs available for use must come from an officer of at least Assistant Chief Constable/Commander rank after which their use is a *Silver* command decision (KtP 2010).

This interactional level of analysis provides us with a view on how actions on both sides contributed to the way this incident evolved. From video footage of events it is clear that some members of the community tried valiantly to deter violence, as did police officers, but to no avail. Once the violence had erupted things became very reactive, and did not quieten down until those involved in the disorder had tired and fresh police resources had arrived. This analysis shows that the break down in the police command function and communication, coupled with an apparent lack of operational preparedness, hampered them in dealing with the violence once it had started. One commander put it this way:

You can do what you can but unless everything joins up and you can get that message across clearly to your community then you have got a problem (Interview 4).

This interactional level analysis of these events suggests that they are consequent to that of the preceding six areas of discussion. The findings of this ‘Flashpoints’ structured analysis are summarised below.



## Summary

Post- industrial Bradford has suffered economic deprivation caused by the closure of the large manufacturing industries that brought many immigrants from Pakistan and Bangladesh. The consequent mass unemployment severely affected the largely unskilled South Asian Muslim population of Manningham, which is seen as the centre of Bradford's Asian community. Bradford has taken on significance as the heartland of Britain's South Asian population, and is sometimes referred to as 'Bradistan'. Younger generation South Asians were nearly all born and raised in Britain and have voiced their grievances regarding political powerlessness, social exclusion and deprivation (Bagguley + Hussain 2008).

The community's relationship with the authorities, especially the police, was strained despite several initiatives to improve links. Sincere attempts at police community engagement had been made but with limited success and Bradford was a difficult area to police being 'racially emotive and highly politicised' (Bujra and Pearce 2009 p62). Police officers saw Bradford as a 'punishment' posting to be avoided, resulting in officers wanting to get away as soon as they could and adopting an 'us and them' mindset, a poor basis on which to make friends and share information and concerns. Local officers felt that they were policing a 'powder keg' and under constant threat of attack and a fortress mentality had been adopted on the ground. This disconnection was physically represented by the fortress- like appearance of the police station Lawcroft House, literally standing above the community. Parts of Manningham were notorious for drugs and prostitution, and had been subject to high profile policing initiatives in order to deal with these issues. This would have necessarily involved stop and search interventions, which may have further alienated the local population.

So called community leaders existed, but sources doubted the efficacy and credibility of what amounted to unrepresentative, self appointed elites

(Interviews; Bagguley + Hussain 2008; Waddington D et al 2009). WYP did have systems in place to deal with community information, signal crimes/events/tension indicators but they were not sophisticated enough, and did not alert the police to the depth of community tensions. Cancellation of the last day of the Bradford Festival was also seen as counter-productive.

Also significant was the media reporting of right wing activity and the recent events at Burnley and Oldham; as was Bradford's recent history of political conflict involving South Asian Muslims. A number of incidents had been sensationalised and used by extremists for political gain, and Bradford had been the subject of negative media attention characterised by its transmission of rumour regarding BNP/NF intentions that had contributed to this 'matrix of fear' (Kundnani 2003). There was an expectation within the community that disorder would occur in Bradford (Bagguley + Hussain 2008) and this may have led to a degree of preparation by some that were involved in the violence (Interviews).

Given all these sensitivities, by the time of the counter protest at Centenary Square, even the most well intentioned police intervention could have sparked a violent reaction. Nothing other than a faultless, sensitive approach could have succeeded. The deployment of officers in protective equipment does suggest some contingency by the police and may have 'upped the ante', but in itself should not be viewed as antagonistic. However, it did give agitators ammunition for verbal abuse, including references to fascism that linked the police to the right wing. All police agency seems to have been aimed at ensuring that the BNP/NF and the ANL did not meet, and in this the police were successful. The possibility of local resident involvement seems to have been overlooked. In the event, the protest was attended by significant numbers of the local South Asian community.

The spark that started the conflagration was probably the fight at a nearby public house involving football hooligans and Asian youths. The police dealt with the incident but not to the satisfaction of some of the Asian community who were present, and a number of violent situations ensued, leading to a command decision that the city centre needed to be protected. The crowd was pushed out of the centre and moved towards White Abbey Road and Manningham. Even at this stage there was still a possibility that the crowd would disperse but, in response to the damage and physical injury it was generating, police units were deployed in full 'code 1' equipment including shields. Shield cordons and dispersal tactics were employed to clear the streets, but the growing crowd, estimated to be many thousands in number, was on home turf, and had very quickly availed itself of petrol bombs, fireworks and a vast amount of varied missiles aimed in a sustained barrage at the police as they advanced and withdrew along the road. This further suggests that there had been some degree of preparation by sections of the crowd, and this readiness had not been identified by the existing intelligence systems, and thus took the police by surprise.

The lack of investment in public order training, equipment and command now proved to be critical. Failure of command at 'Bronze' level was evident and police units lacking a strategic aim and tactical plan found themselves acting independently. Under trained and unfit officers found that they could not operate at the required physical levels on what was a hot summer's day. Dehydration, communication failure and a high casualty rate made the police operation grind to a halt, and all officers could do was hold the line until fresh reserves became available. They were unprepared for the levels of violence experienced with, for example, cars being pushed or driven, some in flames, at the police lines. Questionable structures, and problematical strategies and tactics contributed significantly to the lack of success of the policing of that disturbance. This

perceived failure prompted a review of doctrine and the introduction of a new national public order command level training package, which has since been subject to further and ongoing development.

The 2001 disturbances also prompted a number of reviews (Cantle 2002; Clarke 2001; Ousley 2001) and are seen as a 'turning point in British policy' (Thomas 2009 p92). Public order policing became a priority once again and national policy dictated that forces sign up to the new commander development concept based upon selection of the right people for the role, with competency based qualification. It remains though, a discipline of policing that generally relies on officers who are practitioners on a part time ad hoc basis, who receive only four days training a year - or less.

This Flashpoints analysis of what occurred during the build up to, and through the disorder at Bradford, has shown the frailties and contradictions that existed within the British tradition and structure of policing, the bedrock of which is community, or neighbourhood policing as it is now called. In part it seems that the traditional values of the British approach to policing are at odds with the need to have a necessarily 'militarised' response to large scale disorder when it occurs. The ensuing review of Bradford highlighted public order command competence as an issue, and a new command level training package was written and rolled out, and it is fair to say that some improvement has been achieved as a result. All public order commanders now have to evidence competence in the workplace at whatever level of command they will perform, and to carry out such duties at least twice every year. What has not been achieved is a truly national standard; each force has its own priorities and peculiarities, which means that commanders in large cities will gain vastly different experiences, in terms of variety and frequency of events, than their colleagues in rural forces.

The main criticism of command at Bradford was directed at the *Bronze* level. This command role is without doubt the most demanding, because it is performed 'at the sharp end', where the tactical plan is translated into action, and where decisions need to be made under physical and emotional duress. This was where the greatest deficiency was apparent, a fact confirmed by a number of interviewees. With the notable exception of Northern Ireland, serious disorder of the magnitude seen at Bradford is rare in Britain, but major public events or large protests are frequent, especially in London. Large cities and seats of government do have the potential for disorder as witnessed in London in 2011 with the student demonstrations. It is in such circumstances that an experienced, well trained command function is vital if escalation is to be avoided. When serious disorder does occur it is difficult to see how some officers can be expected to fulfil a demanding command role, when their experience may amount to only a training course and two happy events, or, more succinctly, no real experience of policing disorder at all. It is here that the British model of policing can be, and sometimes is, found wanting and where experienced, capable commanders leading officers who are well trained, fit for role and motivated make the difference.

The recently published HMIC report *Adapting to Protest - Nurturing the British Model of Policing* (HMIC 2009) came as a response to concerns raised regarding the policing of the G20 protests on the 1<sup>st</sup> and 2<sup>nd</sup> April 2009, during which a protester died after coming into contact with the police. It makes several recommendations regarding the policing of protest in Britain that appear to be mainly based upon two aspects: the role of the police in terms of the importance of their approachability, impartiality, accountability and the desire to use minimal force, combined with 'the distinctiveness of the British model of policing' (HMIC 2009 p29) in its tolerance and public consent, both derived from the Peelian foundation. There is a dilemma here for the police, who as ever when

dealing with any form of protest, whether a demonstration or civil unrest, find themselves between opposing views, and must wrestle with the often impossible task of balancing competing human rights. The British model of policing, certainly on the mainland, seems incapable of condoning the use of distance control measures, such as tear gas or water cannon, which necessitates an 'up close and personal' level of contact between crowds and the police that often results in close conflict and physical injury. It is here that the British model succumbs because, once such conflict starts to escalate, it is extremely difficult, if not impossible, to stop it without use of limited dynamic police tactics, such as dispersal or enforced containment, at least until the threat has diminished. This is where PAJ Waddington's view on the efficacy of a more militarised structure makes sense, with better trained, more experienced and ideally full time public order resources being used, giving improved command and control of officers and better outcomes for both the police and the public (Waddington PAJ 1993 p355 - 373). This is not possible for most forces, even with mutual aid because of their present structure and financial constraints. The requirement for the 'British' policing style at the local level, where the police know the public and vice versa (Peelian principle No.7) and where vital community intelligence, signal events and local knowledge are best and most easily acquired so that 'the contours of the risks and threats to which a community is exposed' can be calibrated and targeted (Innes and Roberts 2007 p1) is not disputed.

However, the profile of public order policing still needs to be further raised and better recognised, if the negative experiences of Bradford are to be eradicated. A more centrally controlled but regionally based approach to public order policing could well be an option for consideration, where practitioners and especially commanders would achieve higher levels of professional knowledge,

experience, professionalism and accountability. This may well be true for all protective services.

## Chapter Seven

British police are there essentially to guard against crime, French police essentially to keep order (Lawday 2000)

### **French and British approaches to public order policing compared**

#### *Introduction*

The preceding chapters have described and highlighted a number of key points and issues related to the structure and function of the British and French police services but direct comparison (a declared aim of this thesis) has not yet been made. In this chapter such comparison is made in a structured fashion with the intention to arrive whenever possible at evidenced conclusions. It is fair to say that public order policing approaches in France and Britain are perceived by many observers (professional and lay) as being distinctly different. However, whilst there are indeed many significant differences, it is equally apparent that there are many notable similarities. In order to present comparisons derived from the data of this research project in a readily comprehensible manner, a degree of flexibility has been employed in the use of the analytic framework. Structures, traditions and practices are contrasted and this is where the products from the enhanced 'Flashpoints' analyses have been utilised and the seven levels of structuration have been woven into the narrative. It is where much of the critique may be found.

The chapter initially deals with the operational dimension, reviewing the *police traditions and procedures, contextual, situational and interactional* levels of structuration. Then follows examination of the institutional dimension, where French republican ideals and British foundational principles are considered. Once this has been achieved the historical, social and political contexts of policing in the two countries are compared. This provides a more meaningful contextualisation of the institutional and operational issues and permits the



conclusion to flow better than a stricter adherence to the original model would have allowed. Where possible the significant issues have been grouped together but it has been necessary at times to compare some on a point by point basis.

It is timely at this point to remind ourselves that the policing of public order in both countries is a contentious issue and the police ‘exercise non-negotiably coercive force against citizens in the light of situational exigencies’ (Bittner 1980 p75), which sometimes involves the use of aggressive and potentially injurious police tactics to disperse crowds of people involved in protest of one type or another. Also, it is clear that violent urban disorder is almost always a form of protest, whether as a manifestation of dissatisfaction with social or political issues or, often, simply a reaction against the immediate perceived illegitimacy of a police intervention.

This chapter offers an understanding of where the differences and similarities of the French and British approaches are significant. These provide the insights that form the basis for a number of conclusions to be drawn in the following chapter. The comparison chart that follows below allows the reader to refer more readily to the key issues and shared dilemmas illuminated by the ‘Flashpoints’ comparisons in a quick, bullet pointed reference table.

Figure 27 'Flashpoints' case studies analysis comparison chart

Level	France	Britain
Interactional	<ul style="list-style-type: none"> <li>• Police/youth relationship conflictual</li> <li>• Police targeted by youths</li> <li>• Only contact stop and search or arrest</li> <li>• Little informal dialogue</li> <li>• Black/Arab youths stopped on basis of appearance rather than behaviour</li> <li>• Escalation in levels of violence</li> <li>• Deliberate use of firearms against police</li> <li>• Only small percentage criminal hard core</li> </ul>	<ul style="list-style-type: none"> <li>• Actions on both sides contributed to evolution of incident</li> <li>• some police and community members tried to deter violence</li> <li>• Communications failed</li> <li>• Once violence erupted it continued until crowd tired and after fresh police resources arrived</li> <li>• Police command function broke down</li> <li>• Police efficiency compromised by lack of operational preparedness</li> </ul>
Police Tradition + Procedure	<ul style="list-style-type: none"> <li>• Policing a state function - no public accountability</li> <li>• Police - agents of the republic - police operations directed by Préfet</li> <li>• Maintenance of order not community policing</li> <li>• Main contact with banlieue youths by stop and search/arrest</li> <li>• Escalation of violence = defensive and offensive police equipment</li> <li>• Tough urban violence policies</li> <li>• National structure = availability of mobile public order police</li> <li>• Offence of 'attroupement' - tear gas used frequently</li> </ul>	<ul style="list-style-type: none"> <li>• Policing philosophies and traditions affect police agency</li> <li>• Traditional police role conflicts with order maintenance role</li> <li>• Statute and policies are strong drivers of policing style</li> <li>• Police aim to protect public according to foundational principles</li> <li>• Local commanders have flexibility and discretion</li> <li>• HO national policing plan and national doctrine drive agency</li> </ul>
Situational	<ul style="list-style-type: none"> <li>• Spatial/social segregation of banlieues unintentional</li> <li>• Access roads/linking footpaths make crowd control or dispersal tactically challenging</li> <li>• Operations require large police numbers</li> <li>• EGM or CRS drafted in often lack local knowledge</li> <li>• Youths engage with hit and run tactics, disappearing into the Cité's</li> <li>• Enduring neighbourhood effect significant</li> </ul>	<ul style="list-style-type: none"> <li>• Bradford sits in a 'basin' with all roads out going uphill</li> <li>• Main northerly exit route through Manningham area</li> <li>• Busy, wide roads with significant gradients</li> <li>• Many side junctions into housing estates and business premises</li> <li>• Crowd dispersal tactically challenging and extremely physically demanding</li> <li>• Enduring neighbourhood effect significant</li> </ul>
Contextual	<ul style="list-style-type: none"> <li>• History of negative experiences between police and residents</li> <li>• Police legitimacy weakened</li> <li>• 'War on thugs'/disbandment of 'Police de Proximité'</li> <li>• 'Muscular' targeting of urban violence</li> <li>• Lack of communication structures = lack community intelligence</li> <li>• Deaths of youths = rumour</li> </ul>	<ul style="list-style-type: none"> <li>• During build up 'community mediators' ineffective</li> <li>• Communication structures inadequate</li> <li>• Rumour misled all involved</li> <li>• Media reporting heightened tensions</li> <li>• Lack of effective communication frustrated flow of information and intelligence</li> <li>• Heightened tensions need to be</li> </ul>

	<p>resulting in violent disturbances</p> <ul style="list-style-type: none"> <li>• Media exploitation of frustrations increased tension</li> </ul>	<p>seen in context of structural/political/cultural issues</p>
Cultural	<ul style="list-style-type: none"> <li>• Educational failure and unemployment</li> <li>• Lack of social identity - gang membership gives social standing/self esteem</li> <li>• Drug trafficking/crime as means of survival</li> <li>• Parental weakness influences attitudes/behaviour of male youth</li> <li>• Involved in violence + criminality</li> <li>• Islamic extremism not to blame - Islamic culture probably a moderating influence</li> <li>• Police despised by youth - become common enemy</li> <li>• Spiral of hatred, racism and violence</li> </ul>	<ul style="list-style-type: none"> <li>• Similar to French situation</li> <li>• Attitudes and behaviour of all groups contribute to climate of conflict</li> <li>• Social exclusion - 2nd class citizens</li> <li>• Gang involvement not so clear but criminality/drugs/prostitution evident</li> <li>• Parental control/influence on children not as strong as in older South Asian tradition</li> </ul>
Political + Ideological	<ul style="list-style-type: none"> <li>• Little social or educational support for communities</li> <li>• Employment discrimination</li> <li>• 'Politique de la ville'</li> <li>• Hard line immigration policies</li> <li>• Tough on crime policy = hardening of police attitudes - youth seen by police as enemies</li> <li>• No community policing - police seen as agents of state repression</li> <li>• Performance culture</li> <li>• Police have little influence on policies they enforce</li> <li>• Lack of police accountability</li> <li>• Little public faith in system</li> </ul>	<ul style="list-style-type: none"> <li>• Political and ideological factors shaped by reactive nature of WYP</li> <li>• Officers attend incidents in vehicles, deal with them and leave</li> <li>• Law enforcement rather than relationship building and problem solving at day to day level</li> <li>• Ill-equipped to deal with situations of public disorder</li> <li>• Lack of public confidence in police accountability</li> </ul>
Structural	<ul style="list-style-type: none"> <li>• 40 years of decay and growing socio-political problems</li> <li>• Ethnic segregation; poverty, unemployment and insecurity = exclusion/powerlessness</li> <li>• High unemployment</li> <li>• Inadequate links with city centres</li> <li>• Unsuccessful gov't policies</li> <li>• Twenty years of latent unrest and tensions exploded in 2005</li> <li>• Communities and police wrestle with duality of republican ideal</li> </ul>	<ul style="list-style-type: none"> <li>• Distinct macro-sociological factors around South Asian community - evident material inequalities</li> <li>• High unemployment - low prospects</li> <li>• Relationships with authorities/police strained</li> <li>• Genuine efforts to improve relationships ineffective</li> <li>• Significant underlying grievances - political powerlessness, social exclusion and deprivation</li> </ul>

### ***The Operational Dimension***

The operational dimension refers to how the police do policing or, for this study, how they deal with society or sections of it. How the policing organisations relate to and communicate with their communities is directly linked to the historical, social, political and institutional dimensions, for it is these that characterise the police of any nation. It has been said that society gets the police it deserves (anon). It is within this dimension that the similarities of French and British policing aims and the differences in doctrine and method are most stark. Here the additional *Police Traditions and Procedures* level of structuration of the 'Flashpoints' framework is especially useful bringing more depth, breadth and understanding to the analysis.

The centralised structure of French policing ensures that it is very much an arm of the state, directed at ensuring state control of the population through rule of law. With its two policing bodies, the Gendarmerie and the Police, France has comparatively high numbers of police with a combined total of 225,000 for its population of approximately 65 million. Britain has approximately 140,000 police officers divided amongst some sixty police organisations, serving a population approaching 62 million (Internet World Stats 2011).

The two French police organisations have separate but similar doctrines that seem to complement one another. They have shared responsibilities in many areas that have necessitated efficient working relationships that are not complicated by 'unnecessary regional bureaucracies and duplicated spending' that is sometimes seen in Britain (Bassett et al 2009 p5). The recent consolidation of their function under the ministry of the interior has further streamlined their operational capability, certainly in terms of strategic aims and procurement. During informal conversations with both PN/CRS and GN/GM sources they were in fact quite complimentary about each other's operational capabilities, whilst at

the same time openly preferring their own organisational codes. Clearly their classic rivalry still existed even if it was no longer as explicit as it once was.

In the CRS and the GM the French have approximately 30,000 full time public order specialists who are multi-functional and can respond readily to national requirements or emergencies of whatever type. This response capability is envied by their British counterparts, one of whom said: 'in terms of response that [the] French get I'd kill for that because they are very much on a national basis they can pool resources and they get people all understanding the same manual, the same terminology' (Interview 2).

GM and CRS members receive frequent and regular professional training and are deployed daily on public order and public safety duties. This contrasts vividly with the British structure, that whilst having its own particular foundational principles and national aims, lends itself to potentially as many as sixty differences of approach, style, equipment and policy. Differing interpretation of doctrine was highlighted by an interview respondent who said about the 2009 G20 operation in London 'there were at least two forces involved with that... they didn't understand one another's commands' because they operated different tactics and trained to a different manual (Interview 2). This evidences frailties in spite of national standards and doctrines having been in existence for a number of years. This is the case despite the fact that 100% of interviewees stated that 'Keeping the Peace' was their shared doctrine, with most of them agreeing that it was a doctrine that was fit for purpose.

The British police forces maintain approximately 16,000 public order trained police officers available for deployment, all trained to the national CMS for mutual aid. However, policing in Britain being 'essentially a local and localised affair' (Savage, Charman & Cope 2000 p4), these officers are spread across the country and require tasking either at the request of neighbouring forces or by

PNICC, which takes a significant amount of time. This is especially problematic when reacting to an immediate but unplanned need. According to national standards British PSU officers should receive a minimum of four days CMS training annually and should ideally maintain their operational experience. However, as previously stated, different forces have different priorities and budgetary restrictions that mean in reality this standard is not maintained and this was the case with WYP before the Bradford disturbances of 2001.

In the present economic climate it is highly likely that chief officers will be making similar 'savings' in spite of the increased likelihood of protest that politically initiated industrial disputes are likely to generate (Independent Police Commission 2012). Once again this underlines how one cannot divorce policing from politics as protest is usually directed at seats of government such as London and Paris where:

Institutionalised pressure is more successful in enticing the police into confronting protesters. Parliament, government, royalty, foreign embassies and national shrines, as well as 'state occasions', have acquired a robust immunity to disorder and its consequences that the police feel compelled to maintain. These are the places where, and occasions on which, the police are prepared to 'die in a ditch' (Waddington PAJ 1996 p137)

This was clearly evident at the Countryside Alliance demonstration in Westminster, London in 2004, when police officers used what has been described as unnecessary force against people protesting the hunting ban (Hardman 2009). This may not have been justifiable but it needs to be clearly understood that the police do have to draw a 'line in the sand' somewhere and it will be a line beyond which people are generally not allowed to advance. Such are the 'ditches' that police officers are prepared to 'die in' (Waddington PAJ 1994a p382; 1996 p137).

The established military structures of the GM and CRS give them a distinct advantage over their British colleagues when it comes to teamwork. Their full time status allows a level of teambuilding and professionalism that is impossible

for part-timers to achieve, no matter how committed and enthusiastic they may be. These full-time units enjoy regular training and operational deployments that ensures greater fitness for role and understanding between team members. When they are tasked to deal with the truly violent situations that they often encounter in the banlieues they can rely upon and have confidence in one another.

The structure of British public order policing has developed in a piecemeal manner as a counter to shortcomings of response to disorder situations. It has not even yet been given the necessary holistic strategic and political support or financial investment for it to be fully 'nationalised' and fit for purpose. Public order practice has been subject to a process of 'practitioner creep' towards a more disciplined approach for many years as a result of operational need, a case of 'can do' organisations getting the job done. The militarisation of British public order policing has evolved over a number of decades and especially after Lord Scarman's (1981) recommendations regarding such training. This evolution has still not gone far enough and Bradford 2001 and some more recent public order incidents, notably the G20 protests of 2009 and the August 2011 disturbances in London, have brought further criticisms and calls for better training aimed at improving public confidence (Interview sources; HMIC 2009; BBC News 2010b; HMIC 2011a).

The increasing militarisation of public order policing in Britain has been debated fairly thoroughly by commentators such as Peter Waddington (1987/93) and Tony Jefferson (1990/93) who have made cases both for and against it. This study accepts that a more disciplined military structure should not necessarily give an impression of aggressive units intent on using force, rather one of tighter control and greater efficiency. Ultimately, well commanded, such a structure is a tried and tested recipe for success that 'allows for a more disciplined response to disorderly and violent situations than is possible by traditional methods'

(Waddington PAJ 1993). Consequently, where the 'thin blue line' is put in harm's way for the benefit of society, greater militarisation should mean a better, more professional service with less potential for those unintentional or individual actions that are so easily perceived by observers as illegitimate. 'The application of force without effective command and control is the proverbial loose cannon' (Waddington PAJ 1993 p366) and use of force is more likely to be the minimum required and accountability for it ensured because of the clear command responsibility inherent in such a structure (Waddington PAJ 1993). This highlights once again the absolute necessity for highly trained and well experienced public order commanders who have the necessary personal qualities. This is particularly important for ground or *Bronze* commanders who operate at the interactional level.

At the *contextual, situational* and *interactional* levels of the 'Flashpoints' framework the Parisian banlieues of Clichy sous Bois/Villiers le Bel and Bradford had obvious similarities with local histories of adverse and counterproductive experiences between residents and the police. The perceptions of both groups were negative and often irreconcilable (Waddington D et al 2009; Interviews 3 + 8). Media exploitation of the circumstances in both countries had heightened tensions and there were no effective communication processes through which to ameliorate the situation, which meant that any police activity, or lack of it, was likely to be a trigger for escalation. In both French cases this trigger was provided by police involvement in the deaths of local youths. In the Bradford case it was probably provided, in large part, by the rumour that the police had done nothing about an Asian youth being stabbed outside a public house.

Given what is known about policing in France it is clear that French public order commanders would have had access to even less community information and intelligence than the Bradford commanders who, whilst seemingly unaware of the



planned violence, were aware of the increased tension. Right-wing activism, their admittedly limited links with the South Asian community and the earlier disorders at Burnley and Oldham had ensured this.

The French police have little or no community contact other than trying to ensure compliance with the law. Consequently they are less likely to be party to useful intelligence from community sources, especially in the banlieues. British policing is founded on a close relationship with those who are policed. According to Peelian logic they are one and the same and consequently the police are, at least in principle, naturally 'plugged in' to public concerns. This was reflected by 100% of the British respondents who saw community engagement as essential to policing, an opinion which clearly links back to Peelian principles.

In the years since the Bradford disturbances British policing has returned to a more community focused approach, reinvigorating its neighbourhood policing with the aim of building relationships with communities, thereby engendering public confidence, whilst at the same time trying to respond well to emergencies. This has achieved some success in that neighbourhood policing teams are now well established. Conversely the French have moved away from their tenuous local policing initiatives (Police de Proximité and UTeQ) towards a more punitive style as promoted by President Sarkozy and his Minister of the Interior, Claude Guéant and their special brigades (BSTs). These look set to avoid any public contact other than a reactive one of stop, search and arrest. This approach is unlikely to be successful and will not furnish police commanders with the necessary information and intelligence on which to make effective policing plans and build relationships (Vitale 2005a). This said, there has been a recent change of presidency and the new socialist government may well seek a distinct change of approach and possibly the re-establishment of some form of proximity policing.

The spatial and social segregation of the populations of the French banlieues were such that the potential for disorder was increased. All were situated away from city centres and were difficult areas for the police to operate in. The youths that were involved in disorder were resident there and had intimate local knowledge that the police did not. Any police dispersal or containment of the crowd required great numbers of officers and was unlikely to achieve any meaningful tactical advantage.

The events of Bradford 2001 showed us that the public order capability of British policing fell short of good practice. This was caused by shortcomings in the following areas: ground command; tactical awareness; fitness for role (physical and moral); information and intelligence; police community relations and trained resources (Interview sources 3, 4, 6, 7, 8). With hindsight this was not surprising when the following factors are considered: PSU officers were in many cases 'pressed men' who did not want to be there; the four days training required to maintain the minimum standard had been 'deprioritised'; community links were poor and strategic and tactical commanders lacked the local knowledge, information and intelligence necessary to make informed decisions; many PSU officers lacked the required levels of physical fitness and were unable to sustain any effective dispersal of the crowd.

Even more telling was the fact that these officers were also hampered by untrained and inexperienced operational ground commanders ('Bronze'), whose lack of understanding and leadership neutralised those brave individual actions that were attempted. This, and the high casualty rate, was disheartening for the officers on the front line. All they were able to do was hang on and hope until reinforcements arrived some hours later: 'it seemed that there was no flexibility or thought... there were no flanking movements, no pincer movements, no attacks from the rear and it was like, we had got this area of green and we don't

know what to do' (Interview 7). It is probable that a more militarised approach, by appropriately selected and better trained practitioners, would have given the police the tactical edge necessary to deal with the situation more expeditiously.

The advantages of maintaining a 'level one' (more highly trained) response are fairly obvious in terms of response times and capability. Many British forces do have some full time units available for deployment in a number of roles, such as the TSG in London, which are full-time units that provide a more competent and professional service. However deployment of such units does have disadvantages. This was identified by a senior commander who observed that when specialist units are deployed communities and media recognise that they are not local officers. They are targets for blame when things go wrong and overlooking this can be perilous '... [if] you don't get local interaction, you don't get local empathy... we, as the provider of public order support, work with the local borough around a very clear remit of what the job is at hand, the strategy... reflects the needs of the local community' (Interview 13). This differs markedly from the French approach, which lacks the community engagement and clearer communication that could reduce the potential for conflict.

At Bradford there was a distinct lack of operational preparedness resulting from the operational and financial 'de-prioritisation' of public order policing by WYP. The present economic situation in Britain is likely to promote a similar response from chief officers seeking to make substantial cuts in their force budgets. One respondent observed that recently large scale protest and disorder has been relatively rare, probably due to improved community threat assessment:

... our intelligence use is better and our tactics have probably improved; but G20 shows that you are always on a knife edge and we are probably moving back into a period of increasing disorder. I think public order is cyclical and very largely pinned to prevailing economic conditions... recession, unemployment, disaffected people; more people on the streets (Interview 13).

This increased likelihood of protest and disorder reinforces the need for best practice in informed and sympathetic public order command.

The events that took place at Bradford caused public order command level training and command competence to be reviewed and improved. However the question that still remains is ‘how can any officer receiving only four days training a year and only deployed on public order duties on a part time ad hoc basis, be expected to be truly professional - capable, calm and proportionate in such demanding circumstances?’ It is fair to say that the ground command role is a demanding one, consequently ‘Bronze’ commanders require not only the knowledge and understanding of the role but also the following attributes that are not explicit in the present national standards: high levels of physical fitness, mental acuity and clarity of thought and the ability to think on their feet under physical and emotional stress.

In spite of a continuing process of adaptation and improvement, and an NPIA assurance that bronze commanders ‘not being supported in terms of selection and training no longer stands true’ due to a very robust process, mandated nationally, supporting all commanders coupled with the prospect of further improvement through national annual refresher training (NPIA source 2012), it remains the case that there is no real national standard because there are still forty three or more differing approaches. Also the system still allows commanders to gain a theoretical knowledge in the safety of a classroom with no real test of competence under the pressure of a real time exercise situation. This seems unfair to those officers volunteering to perform public order command roles.

The levels of violence experienced at Bradford were shocking for both the officers on the ground and the British public who had not seen anything like it since the violent disorder at Broadwater Farm, London, in 1985 and it served to

show that extreme levels of violence were still possible in Britain. More recently, in France they have experienced even higher levels of violence including the deliberate use of high calibre firearms against police lines, which evidences a murderous intent.

Had a similar situation to Bradford been encountered in France by CRS or GM units they would have had the experience, teamwork, training and command capability necessary to deal more readily with the disorder. It is highly probable that they would have reacted more promptly with sufficient resources to gain territorial dominance. In all probability, once authorised by the *Prefét*, by resorting to distance control methods, such as tear gas, that would have minimised police and civilian casualties, dispersing the crowd and weakening the resolve of those remaining that were intent on violence. Any necessary further reinforcements would have been available at shorter notice and the area would have been swamped with police officers. Any further opportunity for the crowd to cause harm or damage would have been denied giving time for police reflection and review of strategy.

This may not be viewed by everyone as appropriate to the British tradition but there comes a point beyond which community engagement through normal channels becomes impossible and where more impactive methods of crowd management are necessary. It is at that point that the British model still lacks answers and where lessons can be learned from foreign counterparts. British respondents' perceptions of the French approach varied, but most saw it as being very reactive with the use of distance control measures such as tear gas and water cannon being regarded as heavy handed. The following responses give a flavour of the views espoused, often gained from media coverage: '[From] the media you only see the worst of their approach... However on the operational side you can see the sheer benefits of that' (interview 3); 'I got a sense that they have got this

highly trained militarised crack squad...' (Interview 4). Not all the comments were negative:

I think we could probably learn tolerance from them because I do think that protest is more widely accepted in France... where I totally disagree with their methodology is they seem to go right, that's the line in the sand and their dispersal tactics are I think draconian... it's very much about responding to disorder after its occurred it's not about preventing it at all, I haven't seen anything in the French model that delivers that. Very militaristic (Interview 2).

A subjective but perhaps more operationally realistic view was articulated by another respondent who said that the French are effectively risk averse when it comes to crowd dispersal techniques and offer a commensurate level of violence to that shown against them, 'compare that to Bradford where we stood there... very meek and mild while the crowd did what they liked' (Interview 8).

There was an acceptance by some British police officers that there are things to be learned from the French and other European colleagues, whose reliance on distance control methods in the first instance can result in lower levels of police force being used than by the British politically and institutionally based reluctance to deploy such means. Fairly often such reluctance necessitates the use of baton and horse charges to keep a violent crowd at bay, with greater potential for injury to both sides (Interviews 1, 2, 6, 8). Interestingly, as mentioned in an earlier chapter, the Gendarmerie see the British use of police dogs for crowd control as unacceptable. That said the French do also use baton charges and indeed firearms.

Another respondent was less enthusiastic about European crowd control methods saying:

... not from France. I have been over there a few times, I've been to Belgium, France, Italy and I have got to say their method of policing, in my view, and certainly public order, the biggest difference is that they sit back, wait for it to happen, then once it happens they go in all guns blazing literally. Our style of policing is, it's going to happen, let's intervene. It goes back to the basic principle of preventing crime. They haven't got that. Theirs is crime happens, deal with it. I think that's a

total different cultural issue for me. It doesn't make sense; it's so black and white. I think our intervention policy is far better (Interview 14).

A similar and perhaps more illuminating opinion follows from another senior British public order specialist:

What I don't see and am less sighted on is the community policing impact... that tries to, either before or after, cement the cohesion bonds that we try to have in this country. It's interesting, and I am sure that this will come out in your thesis, we have water cannon, AEPs are Home Office and ACPO approved. The possibility of using them in London in the next few years is pretty remote. We have looked at them but they would probably, unless used very sensitively in very, very, specific situations drive a coach and horses through everything we try to do in terms of community cohesion... Having said that I still take a lot of influence from my officers because we go toe to toe when something like that would be hugely valuable. It's a huge problem for the public order policing world (Interview 13).

This is an informed opinion that sums up the operational dilemma of policing public order in Britain rather well. It supports the policing of protest or disorder in a manner that is capable at the same time as being proportionate, legitimate and politically acceptable. Another respondent stated that it is about 'responding to local requirements as well as the corporate requirements... we have got to balance the greater need as well as the local need. I think that's probably often where the rub comes to fruition' (Interview 14). This is a very similar dilemma to that faced by French police forces and one that is proving to be impossible to resolve to everyone's satisfaction either side of the channel.

When potential police responses to disorder in both countries are fully considered they boil down to being simply: prevention or reaction; containment or dispersal. Figure 28 below provides a schematic of these options.

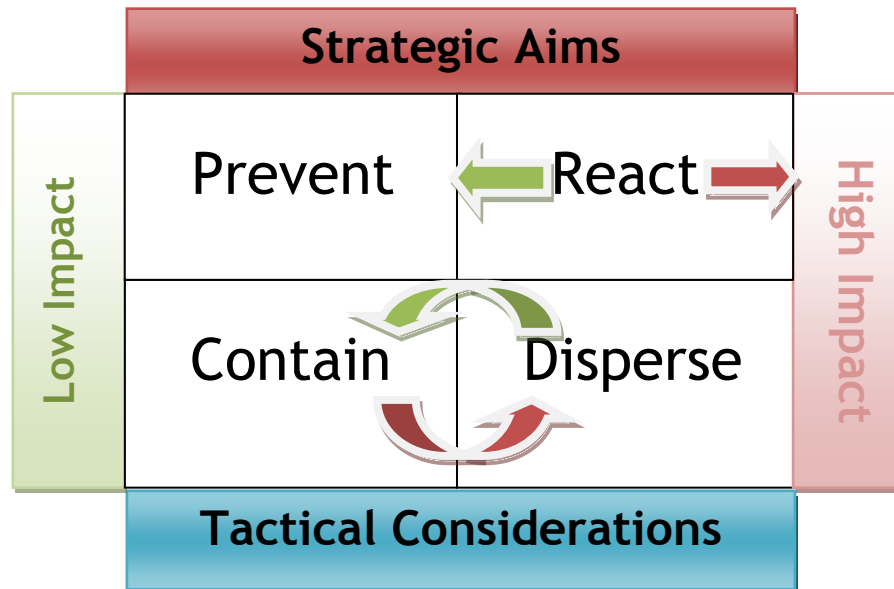


Fig. 28 A Simplification of Police Response to Disorder

So in this reductive diagram, the strategic aims boil down to prevention or reaction. Police tactical considerations can be very complex and broad but crowd control ultimately necessitates a choice between containment and dispersal. Containment and dispersal can both be used in a preventative and reactive manner. Prevention is the ideal outcome in both countries but is dependent upon structural and political contexts that may be beyond the scope of the police, certainly in isolation. In Britain the preferred methodology is to use community intelligence to monitor community tensions and where appropriate to stop group formation. Prevention in France is more directed at ensuring that crowd members' behaviour remains lawful with no directed police agency beyond crowd monitoring.

Containment is an approach usually aimed at limiting the space available to protestors so that disorder is either avoided or restricted to a locality. It is often considered to be a lower impact option than dispersal, but this depends upon the manner of it. The arrows linking containment and dispersal in the diagram refer to how containment, often characterised by the media as 'kettling', can both escalate and de-escalate tension. Conversely, a well conducted dispersal



of a crowd can alleviate a conflict situation. The arrows around 'react' signify how any police intervention has to be well-judged and timely if it is to be beneficial; if not it may worsen the situation.

Reactive dispersal of violent crowds amounts to a similar broad aim in both countries. The manner of this though can be quite different. In Britain it is likely to be achieved 'up close and personal' through deployment of mounted police if available and PSU shield formations used in dynamic running lines of officers who may use batons. In France it is more likely to be achieved, once authorised, by the use of tear gas in the first instance, followed up by advancing formed units of CRS, GM or CDI. In effect the use of tear gas as a distance control method is likely to give crowd members a greater opportunity to leave before the arrival of police lines than the British method. It is also more likely to result in fewer injuries to both sides. These differences of approach are grounded in the extremely powerful institutional, historical, social and political variables.

### ***The Institutional Dimension***

Michael Lofthouse asserts that all states have a police force as a 'vital and essential sign' of their sovereignty and that the maintenance of order is the 'absolute criterion' of whether a government exists (1996 p39). He goes further saying that the police are a 'barometer for the political and social values of a nation' and integral to effective government and that they are 'actively engaged in defining and defending the state, particularly in the court of first instance, the street' (Lofthouse 1996 p40). A police service is an essential state institution, important as both a sign of state functionality and health and as an arm of government, regardless of whether the country in question operates a centralist or devolved system. National policing traditions have developed out of their respective state structures and culture.

This section compares the institutional issues that have been identified by this research. The institutional dimension is important because it directly impacts upon the operational dimension of policing with institutional characteristics in many ways defining the operational style. It has been said that no institution can be successful if it is purely reactive and must try to address concerns and issues proactively and in response to public need if it is to maintain legitimacy (Vitale 2005a).

Actions taken by individuals and institutions to maintain their privileged positions produce the sorts of structural constraints and cultural settings typically emphasised by sociologists. We live in places that have social meanings and structured differences inscribed all over them (Sampson 2010 p374)

As such the police, in particular, must have a real understanding of their institutional dimensions of mission, values and core strategies (Vitale 2005a) which are the foundations of their identity. In order to truly appreciate these dimensions a further contrast between French republican ideals and British Peelian principles must be made.

### ***Republican Ideals v Peelian Principles***

French republican ideals have fostered a nationally structured code of policing with comparatively large numbers of Gendarmes and Police regionally based throughout the mainland and readily available for deployment. These ideals have also caused a contemporary dilemma for French police officers who, whilst being very loyal to their organisational mission and values which amount to structurally implanted customs, traditions and procedures, have voiced frustrations born out of their own perceived failure to stop or reduce localised criminality and disorder as seen in such places as Seine St Denis and Villiers le Bel (Willen 2007; PN sources 2, 3). These frustrations do not come as a result of being unable to subdue violent disorder or 'win on the day' but because they are unable to deal with the causal social and political issues evident at the *structural* and

*political/ideological* levels of the analysis framework. As part of this centralist structure the police are agents of state control who carry out their function but are not allowed to formulate their own core strategies, which in France is the responsibility of the state and its appointed *Préfets*.

The French policing tradition is not one based on community engagement and proactive initiatives but upon the state responsibility to guarantee security. France seems to prefer to react to criminality and disorder rather than prevent it and this was echoed by a GN source (5) who said that whilst there is a desire to help solve societal problems the rule of law must come first. This rule of law imperative is based upon the concept of graduated response, where any use of force must be at the lowest level possible and this is strictly regulated by their legal framework. When it comes to operational maintenance of public order on the ground the French forces of law and order are professional, very able and do their duty without question and as already evidenced at the *interactional* level of this study, often at great personal risk.

At both the *structural* and *political/ideological* levels it is the entrenched republican ideals of freedom and fairness that cause similar but opposing frustrations. The experience of the marginalised populations of the French suburbs is that these ideals do not apply to them. The resulting lack of life chances, especially for their youth, has pushed them into criminality as a means of income and ensured the continued attention of the authorities, notably the police in the first instance. This does little to improve police community relations; 'community perceptions, shaped by the media and personal experiences, determine the level of public support for the police' (Vitale 2005a p105). The police must be seen to uphold basic values if their actions are to be viewed as legitimate and for the public to respond positively (Vitale 2005a).

At the *cultural* and *situational* levels of examination it is clear that over time the relationship between the French police and their citizens has become increasingly polarised with frequent and violent clashes. At times, some of these have resulted in death and serious injury as clearly evidenced at the *interactional* level by PN source 1 when he stated that ‘when we go in they are trying to kill us’. In the banlieues it can be seen that this state of affairs is indeed cultural and has become in effect an ongoing guerrilla war that is not widely reported in Britain. However, this does not mean that such an environment is entirely unknown to police officers patrolling the sink estates of Britain and the murder of Constable Keith Blakelock during the violence at Tottenham in 1985 underlines this. Indeed, both the French and British case studies highlight similarities of enduring neighbourhood effects that are examples of the ‘contextual causality’ (Sampson 2011 p383) of social conflict that impacts upon communities and policing. This sense of place is significant because people’s lives and lifestyles conform greatly to where they live (Sampson 2011).

The contemporary British model of policing is founded upon the nine principles of policing that are usually, and erroneously, attributed to Sir Robert Peel. If one asks a British police officer what their role is they will tell you about the protection of life and property and the prevention and detection of crime. This was reflected by the 79% of interview respondents that quoted these aims specifically when asked. A further 14% gave the more general but related answer of keeping the Queen’s peace. The other 7% did not answer (Interview sources 2009).

These Peelian principles hark back to a time when the idea of a professional police force was viewed with some suspicion by the British and were articulated to make being policed more acceptable to a dubious public. This is perhaps why so much emphasis was placed upon the public being the police and

the police being the public; of one another for the good of one another. The HMIC report 'Adapting to Protest - Nurturing the British Model of Policing' goes further saying, '...it is a cornerstone of British policing that the police do not serve the state or any other interest group - they serve the people...' (HMIC 2009 p29). Somewhat paradoxically, it is from this principle that the modern policing dilemma stems - that of successfully policing protest in accordance with a contemporary understanding of human rights and within the British tradition. Such bold claims by HMIC are likely to be confusing in that Britain remains a democracy with an elected government that acts on behalf of the people as regards policing via the Home Office. Also 'the police... are constantly and actively engaged in the construction and reconstruction of the moral and social order' (Lofthouse 1996 p44). The core strategies for policing in Britain are driven by the political imperative in that the annual policing plan is a Home Office directive. Even though chief officers of police have operational autonomy and can dictate the policing style within their force boundaries, they are duty bound to comply with national policy. However, communities in Britain do have at least some say in how they are policed. The present tripartite relationship between chief officers, local and police authorities ensure that neighbourhoods are considered. This local emphasis has much to commend it and it has proven to be a workable structure over many years but does have drawbacks when it comes to a truly corporate approach. National doctrine sometimes conflicts with the doctrine of Constabulary Independence (Savage, S. Charman, S. & Cope, S. 2000) in that it is subject to various chief officer interpretations and 'can be accepted or rejected' (Interview 2) by them. This is why a codification of operational practice is necessary.

So it is clear that in spite of the different structures and approaches the police forces of both France and Britain face similar problems of policing liberal democracies, confronting the same 'societal antecedents' (Waddington D 1996

p29) of urban conflict, whilst balancing their operational approaches against their duty to uphold civil liberties. It is less clear whether the founding principles of the two policing traditions remain wholly valid. It is possible that they have become more aspirational than achievable, amounting to contemporary dogma that adversely impacts upon operational matters.

### ***Historical, Social and Political***

France and Britain share close and intertwined histories that inevitably impact upon contemporary issues. From the middle ages the development of policing in both countries has followed similar but divergent paths and the police services of both nationalities have similar origins and nomenclature, vestiges of which still exist. Both nation states are liberal western democracies but are essentially different.

France is a republic with a codified constitution based upon the 'Rights of Man' which amount to a universal standard and are closely linked to contemporary human rights. Social contract philosophy, based on ideas from thinkers such as Locke, Montesquieu and Rousseau, form the foundation of their republican ideals of 'Liberté, Fraternité, Egalité'. The President of the Republic of France is the elected head of state and holds significant political power.

Britain on the other hand is a 'constitutional monarchy', albeit lacking a written constitution. The monarch is the head of state but has no political party affiliation or legislative power. Britain's un-codified constitution relies on such documents as the Magna Carta and the Bill of Rights and is held in the laws and customs of the land. It could therefore be subjected to change by the legislature whereas in France, or any other country with a codified constitution, laws that are unconstitutional are generally forbidden.

In 1968 Lord Denning held that police independence is necessary and this is explicitly referred to in a recent HMIC report which states that '...the police,

while a part of the state, is not an instrument of the executive' (HMIC 2009 p40). It is the contention of this thesis that police practice, since Lord Denning's judgement, has for a number of valid reasons, become reliant upon a more centralised national approach. National training, policies and policing plans have developed to the extent that British policing now amounts to a de facto national institution. This, in turn, is suggestive of an inconsistency in the HMIC report, in that it promotes what amounts to the exceptionalism of British policing at the same time as promoting national frameworks and standards for public order policing (HMIC 2009 p69). As such it is reasonable to assert that, in both countries, whilst they have no involvement in the formulation of legislation or in making legal judgements, the police are state institutions that *are* situated within the ambit of the executive.

France and Britain were both involved in the foundation of the universal declaration of human rights and are very strong advocates of a human rights culture. Both have experienced the reality of social unrest being policed by military units as evidenced (see earlier chapters), by the deaths of citizens at such incidents as the 'Fusilade de Fourmies' and the 'Gordon Riots'. The need for civil protest or unrest to be policed by a civil authority using legitimate means is now well recognised by the two countries.

The imperial past of these neighbouring European states with their competing quests for global influence, linked to their particular world view of colonialism, has resulted in a significant contemporary diversity of population. This is described by Michel and Honneger (2007) as 'postcolonial difference' in France, which might be better described as post-imperial multiculturalism in Britain. In both countries ethnic minority groups are often visibly different and first arrived as immigrant workers. Many of these people have not been fully

integrated or assimilated into the 'native' populations, even after several generations and in spite of explicit policies of assimilation or integration.

In France the decaying suburbs of larger cities and towns are often populated by people originating in the Maghreb, the Sahel and Sub-Saharan countries of Africa whereas in Britain the residents of the old and often run down inner city areas commonly have South Asian or African Caribbean origins and the psyche of these groups is marked by their links to the respective colonial influences rooted in 'civilising mission' or 'innate superiority'. These groups have as a result of poverty, discrimination, government policy and segregation, whether externally or self imposed, been marginalised socially, politically and geographically. This has resulted in what Ted Cantle described as parallel communities (Cantle 2001). They feel politically powerless and socially excluded and this has ultimately resulted in civil protest and sometimes violent disorder. The communities of these sensitive areas, in both countries, suffer from unfair and enduring neighbourhood effects, as their personal decisions are significantly dependent upon their social environment and cultural perceptions (Sampson 2010).

The defined separation of state and religion in French public life or *laïcité* (law since 1905), which has become an increasing source of conflict in contemporary French society, was intended to be a step towards political stability. The ban on institutional recording of ethnicity, which is closely linked to personal identity, the states 'abstract conception of citizenship' (Canet et al 2008; Zauberman & Levy 2003) and its denial of any identity other than that of French. This has a paradoxical exclusionary effect on minority groups.

At present, French society is witnessing a selective application of the values and ideals upon which the Republic is built. The suburbs exemplify this, representing the 'blind-spot' of the Republic, a social space concentrating all the challenges that face contemporary French society - immigration, discrimination, unemployment, education and justice, to name but a few (Moran 2008 p6).



The multicultural policies of Britain are generally considered to be more inclusive in that they do not isolate ethnicity from *Britishness* but in reality offer little more in terms of social harmony than the French model due to a similar lack of political influence with perceived institutional discrimination. This lack of voice is without doubt a source of great frustration for those in question. It was apparent at the *political and ideological* level of analysis in both case studies and is an issue that was apparent in this chapter's earlier comparisons of the institutional and operational characteristics.

The police forces of both countries are caught between their civic duties and the above mentioned social and political reality. However, in discussions British respondents did point out, at the *structural and political/ideological* levels, how important it is that whatever the nature of any police activity, it takes place within a defined geographical BCU/borough area. They emphasised that even the most sensitive jobs must have some form of local liaison, even if it is only with the area commander, because community engagement will be necessary to minimise any rise in tension (Interviews 13, 16). Consequently national and local structures have been put in place to achieve this. The importance of community engagement and intelligence was emphasised by many respondents at every level of the 'Flashpoints' model analysis, which says two things: 1. How community involvement in policing is fundamental to police thinking in Britain. 2. How interdependent and interrelated those levels of analysis really are, linking the political/social and operational dimensions.

It should also be noted here that throughout the research into the French model, beyond political rhetoric, local police community engagement was not apparent. Policing as a discipline seemed more distinct and distant from the populations, certainly of urban areas. However, a more natural relationship does seem to exist in rural areas and it is not unusual to see a baguette bearing

gendarme in friendly conversation with local citizens, so it can and does happen informally but not in the areas where it is most needed.

The foregoing comparisons of this chapter have illuminated a number of key areas. Comparison of the operational dimension shows strong elements of convergence. The sustained trend towards a more militarised structure, equipment and agency in the policing of public order evidences this well. At the, more politically sensitive, institutional dimension it seems clear that trajectories are rather more divergent even though there are also recognisable similarities of historical and social context. This divergence is bound to affect the operational dimension in terms of national policies but this does not diminish the significance of ‘practitioner creep’ that has steered ongoing police operational development at strategic and tactical levels.

Whilst exact parallels were not always obtainable, areas of distinctiveness and similarities have been identified as required by the thesis research questions. These are related to the role of the police in dealing with disorder and the areas of convergence and divergence of ideas, structures and practices evident in the British and French policing styles invite a number of conclusions, which are explained in the following chapter.

## Chapter Eight

If disorder is ever to be prevented by force, it is better that it be done effectively and with only as much force as is necessary (Waddington PAJ 1993 p366)

### Conclusions

This thesis has established how the strategies and tactics of public order policing are shaped and influenced by particular configurations of history, interpretations of the police function and operational culture. Through the application of a comparative research design it has been shown how different trajectories of development can be detected in French and English approaches to public order management and that contemporary approaches can only be properly understood by connecting to these deeper issues of social organisation.

The comparative research design informing the study has afforded valuable insights into the nature and style of the approaches adopted in the two countries. Structured and focused comparisons have been made, where the research questions and the class of events to be studied were specified. The variables were defined and characterised (George & Bennett 2005) by the 'Flashpoints' framework. The comparative approach facilitated the development of a more critical perspective on both French and British public order policing, by using each one to illuminate aspects of the other. In effect this 'by-product' has probably allowed a greater degree of neutrality than would otherwise have been possible through a straightforward juxtaposition of the two national codes.

These insights have furnished the evidence for conclusions to be drawn in the following areas related to the policing of public order: national cultures; central/devolved structures; institutional dimensions; public approval; operational readiness and efficacy; community engagement; and the usefulness of

the 'flashpoints' model of analysis. These findings will add to the body of knowledge and suggest how both French and British responses to public order might benefit through their consideration. Policy relevant knowledge includes conceptual models, generic knowledge and actor specific models and can assist in bridging the gap between theory and practice (George & Bennett 2005). Whilst this might be 'indirect or limited' in terms of policy formulation, it should be considered as 'critical for the development and choice of sound policies' (George & Bennett 2005 p285). The findings of this study amount to policy relevant knowledge.

These conclusions are grounded in the foundations illuminated by this study. First, in a liberal democracy an effective civil police force is a necessity given that 'policing is at the heart of the functioning of the state' (Reiner 1992 p761). In such democracies civil and human rights are foundational principles that allow citizens the right to peaceful protest, which may require tolerance of civil disobedience and minor breaches of the law. Balancing the rights of diverse groups is complex and sometimes extremely challenging but violent disorder is not acceptable as a form of protest and maintenance of public order or the 'Queens Peace' is a priority. It is also accepted for this thesis that violent urban disorder, or riots, of the kind seen at Bradford in 2001 and in Paris in 2005 and 2007 does amount to a form of protest, for in the words of the then Federal Communications Commissioner Nicholas Johnson, speaking after the 1968 riots in Washington, D.C. 'A riot is somebody talking. A riot is a man crying out; listen to me mister. There's something I've been trying to tell you and you are not listening' (Gilbert 1968). Resistance is a natural reaction to dissatisfaction and should be understood as 'always necessarily being part of the order being resisted' (Leite 2001 p24).

When violent disorder does occur it can easily fall beyond the capability of 'normal' policing to deal with it effectively and this was evidenced in the case

studies carried out for this thesis. As such, it is necessary that an effective public order policing capability is available and that this capability must be disciplined, highly trained and above all well commanded. This requires investment of time, expertise and ultimately money.

It is apparent that the French model caters very well for this requirement with its full time specialist GM and CRS assets that are available in significant numbers at short notice allowing for early resolution of disorder situations. The British model of policing is more an 'appellation contrôlée' system than a national corporation. As such its response to public disorder of any magnitude is less effective, hampered by its present ponderous call out requirement that provides a minimally trained, part time, ad hoc response to mutual aid requests as was evident during the disturbances that started in London during August 2011. There is a strong case for suggesting that the British model needs to change. It is not inconceivable that a refinement to the existing system is possible and that public order policing in Britain would benefit from a more centralised national structure controlling regionally based but locally deployable units. Consideration needs to be given to the idea of augmenting and improving the existing public order capacity and capability. The need for this was recognised by a number of respondents, when referring to many issues, who listed: the efficiency of response; increased professionalism; a national code of conduct with minimum standards; understanding of the application of human rights at a tactical level; improved command and fitness for role; all of which would be better catered for in a national structure similar to that implemented for serious crime etc..

The very recent events that occurred between 6<sup>th</sup> and 10<sup>th</sup> August 2011 in London and other large cities around Britain highlighted the initial lack of an effective police response. Simply put there were not enough police officers available to stop the blatant and serious crime and disorder that was taking place.

The result was that a number of businesses were looted and some totally destroyed. These disorders were strikingly similar to those that occurred in France in 2005, with groups of youths using 'hit and run' tactics when confronting the police or other public service personnel.

There has been a great deal of comment to the effect that British police strategy and tactics were ineffective and require development, particularly with regard to the mobility and fluidity of the groups involved and their use of modern communication technology. Whilst there is always benefit to be gained through review, this study has already shown that British police public order tactics deal quite adequately with 'fluid, mobile and networked groups practising guerrilla rioting tactics' (Innes 2011b p4). In truth such tactics are in use almost weekly throughout the football season when dealing with risk groups intent on violent confrontation with other groups or the police, or when dealing with small but organised protest groups such as the Animal Liberation Front and other extreme single issue groups. Such events though are usually planned for and police resources are consequently more readily available.

The operational problem in the early stages of the August 2011 disturbances was simply that the police could not muster sufficient officers to key locations quickly enough due to the cumbersome mutual aid system described earlier. Lack of usable intelligence was also a factor (HMIC 2011a). When police reinforcements eventually arrived the disorder ceased. It is fair to say that dealing with several seats of disorder across a large area in any country is always going to be extremely challenging, sometimes even impossible, but the French would have had access to the 30,000+ members of their specialist GM and CRS units within a much shorter timescale. Such a capability affords a realistic strategy of early resolution. This reinforces a contention of this thesis - that the public order response in Britain requires restructuring and refinement.

Whether or not there is any real prospect of a distinct intermediate national policing body directed towards protective services such as public order, anti-terrorism and serious/organised crime is debateable due to the tenacious but somewhat dogmatic defence of existing traditions apparent in the HMIC report on nurturing the British model of policing. Whilst that report makes some very sensible recommendations, it seeks throughout to justify the British model, rather than give real consideration to more radical alternatives that would add to and enhance what might be becoming a false idol. If the British model of policing is to be true to its Peelian origins the status of the 'community bobby' needs to be raised. At Bradford in 2001 this level of policing was a posting that officers sought to avoid or to get away from (interview sources 3 + 6). This is still echoed around the country with local policing, both response and neighbourhood, seemingly the place that few wish to remain, with better prospects, remuneration and higher status possible in the specialist departments. This needs to be turned on its head and local policing viewed as the pinnacle of the organisation, a 'reinvention of the role of constable as expert, leader and owner of special powers' (Savage 2007 p216). Ideally these officers should be the most able and receive higher reward than their departmental colleagues, to reflect the importance and difficulty of the role, as it is here that the difference is made.

This thesis argues that the more defined and ultimately less intractable policing functions such as public order, firearms and criminal investigation would be better served as part of a 'protective services' department that is locally deployed, regionally based and nationally structured. Such a mode of organisation would offer better command and control of units that would be able to respond to a variety of problems more quickly and effectively than at present.

Robert Reiner's view that 'the police are providers of a mundane public service, not sacred totems of national pride' (1992 p780), whilst probably not

widely subscribed to in policing circles, does have a contemporary resonance as British police forces wrestle with the effects of the current economic crisis. Budgetary cuts and an increasing likelihood of significant industrial disputes will 'put the squeeze' on already reducing police resources and chief officers will have to continue to make unpopular decisions such as the closure of local police stations (BBC News 2011/2011a; Sawyer 2007; This is Bristol 2011). These stations are a physical representation of police permanence in communities and their closure further signals an incremental move away from public 'ownership' of and identification with their police.

The case studies developed in this thesis show that where both French and British public order policing failed was in the area of community engagement and the consequent information and intelligence deficit. This is a key area as intelligence has to provide the justification for the policing options that are planned for in any operation, as it is the key to judicial approval (3 Serjeants Inn 2002). In the case of Bradford, the structures necessary for effective gathering of community information were in place, albeit inchoate. But due to police attitudes towards Bradford, and in particular towards the South Asian population of Manningham, the flow and interpretation of it was not sufficient or sophisticated enough (Interviews 3, 4 + 6). Whilst the practice of obtaining and analysing community intelligence has improved nationally, it is fair to say that even now intelligence systems in Britain do not always provide the contextual or specific detail necessary for predictive interpretation and effective prevention of disorder.

In this specific area some further restructuring and refinement of community intelligence procedures would be required for a national or regional protective services approach to be successful. It has been found that implementing a methodology where police officers have to critically engage by



having 'conversations with a purpose' with community sources is necessary if effective levels of intelligence are to be secured (Innes and Roberts 2007 p6; Innes 2011 p79). It has also been said that police officers can be resistant to submitting intelligence if they perceive that it has little or no direct relevance to their role. It is right then to assert that a meaningful connectivity between local police teams and a national/regional body would only be possible if intelligence was processed and structured so that the interpretation and sharing of it were procedural, or in other words, embedded in police culture. In this way it would be possible to ensure that any regional or national response to local policing issues, within a preventative strategy or as a reaction to serious crime or large scale disorder, would be appropriately informed.

This study has shown that in community intelligence terms, the comparative lack of community engagement by the police in France makes their operational decisions less well informed than those of their counterparts in Britain. The French case study showed that the relationship between the police and the residents of sensitive areas was wholly conflictual and the lack of any effective communication systems ensured that the police were relatively starved of any useful community feedback. It is apparent that community engagement is a necessity if police officers are to discharge their duties in a manner beneficial to both the public and the state. As such the British model, when implemented correctly, is more effective in communitarian terms than the French. In truth French police officers and previous policy makers have recognised this and it was precisely that recognition that resulted in the establishment, albeit only temporarily, of the 'Police de Proximité'. If this initiative had been given the necessary political, institutional and financial investment it may have developed into a more effective community service than it did. It has become even clearer that in respect of community policing, the British and French models are

increasingly divergent as the recent conservative French government moved away from this approach again and opted for a more punitive but politically advantageous course. Even local French policing teams adopted a more overtly 'muscular' and repressive law and order doctrine, which did little to persuade the marginalised population groups of the fairness of republican ideals. Unless it is changed, such an approach will perpetuate the police lack of community knowledge and consequent mutual lack of understanding.

The analytic framework adopted for this thesis was an adapted and enhanced version of David Waddington's original 'Flashpoints' model, which has proved to be both effective and thorough in its coverage of the critical areas. Due to their interdependence and overlapping nature, its seven levels of structuration ensure that the necessary ground is covered and that nothing is overlooked in terms of accounting for both the contextual and interactional causal factors involved in generating mass public order incidents. As a part of this comparative study of public order policing in France and Britain, it has served well to ensure that as much symmetry as possible was achieved and gave the comparison a depth, breadth and flow that resulted in credible findings.

The main criticism of the model coming from this study is that those levels of structuration are unnecessarily unwieldy in use and their interdependence needs to be fully understood as being essential - the whole in this case being far greater than the sum of the parts. This could be readily achieved by a simplification of the model, banding the first six levels (Structural; Political/Ideological; Cultural; Contextual; Situational; Police Traditions/Policies) together as 'contextual' - because that is what they are. They are all important factors and viable as levels of analysis in their own right, but as different aspects of context, together providing a detailed contextual picture. The original 'contextual' level may be better titled simply 'communication processes'. The

'Interactional' level is then linked to the context as it is usually at the interactional level that the final flashpoint or trigger of disorder is found. It is the context that delivers the tension in the social environment that makes it possible for disorder to occur.

In its original conception the 'Flashpoints' model was designed as a post incident analysis tool, a way of debriefing an outbreak of disorder to make sense of it and to hopefully use the product data to prevent further problems. The 'Flashpoints' model is ultimately a framework for providing contextual intelligence. The model in the adapted format suggested above shows some promise as a tool for ongoing, and near real time, community threat assessment; always bearing in mind that 'there is a multiplicity of communities, we tend to use the word community as homogenous, it doesn't mean it' (Interview 13). This would inform the local commanders' decision making and assist in maintaining 'steady state' policing and the prevention of disorder. Apart from the National Community Tension Teams (NCTT) whose main 'raison d'être' is the prevention of extremist terrorism, there appears to be no 'joined up' national community threat assessment process in Britain. Forces have developed their own systems that may already consider the necessary components, but they would be improved by adoption of the enhanced 'Flashpoints' framework in a predictive and therefore preventative function. Utilisation of the framework certainly encourages the user to consider the wider political and social contexts that give meaning to how people and communities think and feel.

All of the British police interviewees were emphatic about the importance of local knowledge to successful policing and about the need for meaningful community engagement in order to achieve this. Independent research findings have underlined the need for well received and processed information, ideally freely given by reliable sources for the greater good. It 'gives a sense of how to

act at some point in the future, under certain conditions, in order to achieve particular objectives' (Innes & Roberts 2007 p2). More succinctly, community information is key to making informed decisions without which any police interventions, no matter how well intentioned will carry significant risks. It is from such sources that the 'views, needs and expectations of a community' can be gauged (Innes & Roberts 2007 p3).

The 'Flashpoints' model's contextual levels of analysis do not have to be used after the event. If we accept that social science needs to engage more deeply with the 'contextual mechanisms of causality from bottom to top and back again, and how they are shaped by the enduring spatial logic of urban life and the interconnected social worlds we inhabit' (Sampson 2010 p426), 'Flashpoints' has greater potential. Some alignment with other effective community intelligence recognition and analysis methods, such as Martin Innes' 'Signal Crimes/Events Perspective', application of the 'Flashpoints' framework in its adapted form would give police commanders a more comprehensive understanding of the precursors of disorder within the communities they serve. At the very least it would evidence analysis and evaluation of local conditions and an ongoing commitment and desire to anticipate and mitigate contingencies. Further research and consideration of the potential for creating a flexible and effective threat/risk assessment methodology is necessary. It is also worth exploring whether such a methodology could result in a quantifiable or 'Richter' type scale regarding the likelihood of disorder.

The foregoing considerations have present relevance as Lord Stevens, former Commissioner of the Metropolitan Police is leading The Independent Commission on the Future of Policing, that was initiated by the Labour Party (in opposition) because of growing concerns regarding the future of the British police (Independent Police Commission 2012). Additionally a review of police leadership

and training carried out by Peter Neyroud has made a number of recommendations that, whilst not explicitly aimed at public order policing, suggest a need for significant political and institutional change to the present system. Neyroud's recommendations are broadly coherent with the present government's 'Police Reform and Responsibility Bill' that aims to replace police authorities with elected Police and Crime Commissioners, whilst at the same time adopting a more national approach (Neyroud 2010 p8). There is potential for public order policing to act as a further catalyst for significant structural and institutional change to policing in the round that has been outlined in the Neyroud review and this has been reinforced by the findings of this comparative study.

However, the present government appears to lack any real understanding of the realities of policing and there is a clearly discernable tension between those foundational Peelian principles and this government's apparent desire for more direct control of the police through commissioners elected along party political lines, coupled with debilitating cost cutting. It is reasonable to argue that this conflict of interest will impinge upon the operational independence of chief officers. Police forces will have to prioritise, focusing more tightly on the most harmful problems (Innes 2011a) at the expense of some of their traditional but less pressing functions. This is bound to have consequences for public satisfaction and confidence in the police. There is a similar tension apparent here to the HMIC local/national dichotomy mentioned in the previous chapter. It is clear that significant areas of policing in Britain are moving, if not intentionally, towards a more national structure that is convergent with the French model.

Specifically regarding the policing of disorder, there has been an incremental convergence of ideas and approaches. It is difficult to pin this increased convergence to one particular incident or event but British public order policing started to change character during the 1970s and more significantly after

Lord Scarman's report (1981). The technologies, equipment, strategies and tactics began to look more and more like those utilised by other nationalities - notably continental forces. In truth most public order tactics are not new developments, being similar to those employed by Roman legionaries, such as shield cordons, 'turtle' like configurations used to achieve a number of tactical considerations or options e.g. containment or dispersal of crowds.

This ongoing convergence of public order practice could be linked to a process of Europeanisation, driven by EU initiatives such as the European Police College (Cepol), but is just as likely to be a result of the need to develop better methods and a willingness amongst practitioners to share learning to that end. This was evident between 2003 and 2008 when several nationalities attended the series of exercises hosted by the GN at St Astier. Far reaching developments in the international arena, such as terrorism and protest have also necessitated a greater shared agency and convergence more generally.

Whether this convergence is occurring by design or via a process of 'practitioner creep', it is high time that British strategic decision makers gave fresh consideration to whether foundational Peelian principles need to be reconceptualised to better address post-modern policing requirements, particularly in relation to public order policing. Twenty first century policing organisations need to be sure that they are not steeped in nineteenth century ideals (Savage, Charman & Cope 2000) that are no longer relevant. The reviews by Peter Neyroud and Lord Stevens could provide just such an opportunity.

Clearly the need for research into policing generally, as well as into its specialist disciplines, is vital and will doubtless continue. However it needs to be encouraged more and appropriately funded. Competent research will inform more effective operational agency and lead to improved public satisfaction. More specifically, this study has shown that much can be learned from a comparative

approach and significant further critical analysis through comparison with other national models is recommended. Wider research would provide a better understanding of where British public order policing can improve through absorption and adaptation of better strategies, tactics and equipment that exist to be identified elsewhere. It would also highlight how and where undoubted British expertise can be shared, fostering more 'glocal' approaches to policing improvement.

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