Inspecting policing
in the **public interest**

The rules of engagement

A review of the August 2011 disorders

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Foreword

August 2011 saw a new departure in major public disturbances in England: widespread, fast-moving and opportunistic criminal attacks on property, loosely organised using social media, and sometimes involving alliances between normally rival gangs.

After a long period of relative peace, this presented an exceptional challenge for conventional police training, tactics and organisational capacity, which had been developed largely to deal with set-piece, single site confrontations between police and protestors.

But while these events might have been novel last August, history and research elsewhere strongly suggest that this pattern of criminality, or evolutions of it, will be seen again. Thus this review suggests an equally evolutionary response. It must be flexible and dynamic – and just as capable of working across force boundaries as last summer's mood of incivility and criminality.

This will demand common national standards for training, co-ordination, command and tactics. When rapid and effective mutual aid must be deliverable across the country, local variations can and do cause unacceptable weaknesses in the response.

Of course, the major resource for this improved response will still be police officers who are normally engaged in other, day-to-day duties. Their challenge has been a feature of British policing since its inception. They must be fully trained and able to switch from roles that require largely individual action and initiative, to disciplined and co-ordinated collective, public order actions.

In extreme circumstances, where life is threatened, their commanders must also be able to use extraordinary measures.

But while the improved response must be robust and effective, it must also be within the tradition of the British policing model: built on community engagement, locally controlled and accountable, operating with the consent of the people, and acting decisively while using the minimum force necessary to safeguard life and property.

It is also clear that future, successful public order policing needs more than procedural, technical and tactical changes now. It needs the sustainable public consent which can only be achieved through full and well-informed debate about policing priorities, generating realistic expectations of what can be achieved (within the law) on their behalf. That is why this review calls for, and seeks to inform, mature public discussion about the appropriate police responses to the new challenge, and particularly about the acceptable nature and use of force.

Executive summary

The fatal shooting of Mark Duggan by the police on 04 August 2011 precipitated public protest in Tottenham, which turned violent. This inspired rioting: first across London, and then in other towns and cities across England.

A public survey conducted for this review found an overwhelming majority (83%) of respondents thought police action helped to bring the riots to an end; but 60% stated that this could have been done more quickly. Views on the use of force were more mixed overall: while half (49%) thought the police did not use enough force, 43% thought that what they did was „about right'. Those surveyed in the more troubled locations of Croydon and Haringey were more likely to say that too little force was used.

We found evidence of many acts of police bravery, with police commanders thrown into managing fast-moving and violent situations at very short notice; and officer numbers were – in the end – sufficient to regain control of the streets. It must be remembered that on the day before facing the disorders, many of these officers would have been on neighbourhood and response duties. These experiences would have been quite exceptional for them, and this should not be forgotten.

Police authorities also played a positive role by supporting Chief Constables, working with communities, and understanding the need both to invest in pre-emptive action (even in the absence of clear intelligence), and to deploy resources beyond their force areas for the common good.

However, the importance attached to community engagement – always the key first step in preventing disorder – faltered in Tottenham; while some forces mobilised rapidly, others were slower to do so; and although current guidance sets out a range of tactics for dealing with disorder, not all of these could be used in practice, due to insufficient officer numbers deployed, equipment or training.

Rapidly increasing the number of officers on the streets remains the best option for deterring and dampening disorder with the least use of force. However, when disorder spreads quickly, overtaking the police across urban areas, then other feasible, mobile, disruptive tactics may have to be considered to protect the public from looting, arson or violent attacks. A range of tactics to deal with more than one or two seats of dangerous disorder has to be available in reality – not just as theoretical options in manuals.

A new national framework

Police therefore need to be better prepared, trained and ready to protect the public. To help them achieve this, HMIC recommends that there should be **a new national framework for resolving public disorder**. This should set out clear expectations around the importance to be attached to early resolution of disorder; details of the planning required to ensure forces are prepared for national disorders (e.g. how officers will be mobilised); and the circumstances in

which a range of tactics (including the use of protected vehicles,[1] water cannon and attenuating energy projectiles[2]) can be considered. This could provide clear, helpful **rules of engagement** for use in the future.

To develop this framework, there would need to be a mature debate between those charged with the governance of the police, the Home Office and chief police officers about the relative priority attached to maintaining civil order compared to other policing demands; what is affordable in the current fiscal climate; and the scenarios that should be rehearsed in preparation for the real thing and escalation to COBR[3].

The framework would be supported by:

- A central information „all source' hub, which would help police in anticipating and dealing with disorder;
- Agreed and trained tactics – which had been aired publically, debated and understood by those in police governance roles, [4] and which work in practice as well as in theory; and
- More efficient mobilisation.

Each of these points is discussed in more detail below.

1. A central information „all source' hub

Following the death of Mark Duggan, police became aware of rumours within the local community that he had been „executed' by the police. However, rioting was well underway before these were publicly challenged (in a statement issued by the Independent Police Complaints Commission (IPCC)).

Social media channels enabled individuals intent on criminal disorder to form communities, share their plans and organise on the streets: but police systems for tapping into this information source are not well developed compared to those used by parts of the commercial sector. In truth, police were at times overwhelmed with information.

National work to collate and analyse information on community tension was detached from other sources of information and, as far as we can establish, did not inform the police's picture of events as they unfolded.

Police need a central information hub to help them anticipate disorder by drawing together all available information, including from direct contact with members of the community and social media monitoring. It would not be a panacea, nor a substitute for strong local community engagement (**the**

[1] Examples of vehicle tactics are given at para 5.14ff.

[2] Attenuating Energy Projectiles (AEPs) are the currently approved successor to „baton rounds' (and they are sometimes referred to by this name). They have been designed, tested and approved to reduce the likelihood of injury to vulnerable areas of the body. They are used with a „baton gun' which has a good quality „red dot' sighting system for improved accuracy.

[3] Cabinet Office Briefing Rooms: Meetings where Government policy and strategy is determined in relation to an emergency. It can also arrange for specialist assistance to the Police.

[4] This will include a critical role for police authorities and the Association of Police Authorities until November 2012, and for Police and Crime Commissioners (PCCs) after 2012 at a national level.

fundamental building block, which failed for a time in some places in August): but it would help the police gain a better understanding of their operating environment. Such a hub would also help PNICC[5] prioritise assistance to forces, and could become a useful resource for all emergency services in a range of scenarios – not just public order.

2. Agreed tactics

Tactics must work in practice as well as in theory. Current guidance allows for a graduated use of force in order to protect the public: but we found that in practice some of the more forceful tactics were not available to commanders during the August disorders, because of insufficient training, equipment and officer numbers deployed. For example:

- Some forces ran out of round shields (which are needed to „go forward' and tackle offenders).
- No force in England and Wales has water cannon.
- Not all forces train to use AEPs in public order situations; and current logistical support requirements severely limit their use in any case.
- In some cases equipment was available but substandard: for example, vehicles did not have reinforced glass, steel grilles or run-flat tyres (which would allow them to be driven over broken glass). Protective equipment for officers varied even within the same force.
- Police estimate they need to outnumber rioters by three or five to one if they are to make arrests and disperse groups – a much higher level of resource than is needed to hold a line and protect territory. This meant that arrest as a tactic was impossible in some circumstances.

Before the number of officers who should be given specialist public order training can be determined, the national threat needs to be reassessed in the light of the August riots, and expectations around mobilisation and tactics agreed. HMIC recognises that, in practice, determining this number may need to be an iterative process in order to ensure the requirement is affordable.

Public order tactics must have consent. The original British policing model attributed to Sir Robert Peel places a high value on tolerance and winning the consent of the public. Policing by consent means securing co-operation in observing the law from as many members of the public as possible. Public co-operation reduces with the use of physical force, and so the British model is to use persuasion, advice and warning in the first instance; if this is insufficient, they then use the minimum level of physical force necessary to achieve the objective. The most compelling demonstration of this model is that the British police are unarmed.

The force used by the police in tackling disorder therefore needs to be commensurate with what is needed to protect the public. However, during

[5] In times of national need, the Association of Chief Police Officers (ACPO) co-ordinates the strategic policing response on behalf of all chief officers. This is facilitated through the ACPO Police National Information Co-ordination Centre (PNICC).

August concerns and uncertainties emerged that need resolving. Some politicians expressed concerns that the police were not „robust' enough;[6] and the survey work carried out as part of this review showed that the public most directly affected are more likely to share this opinion.[7]

Officers and their commanders took action to bring disorder to an end. However, we found that some were uncertain about the level of force and tactics that can be used lawfully during disorder. Their training on this had been insufficient; they therefore erred on the safe side, using less forceful tactics, and standing their ground rather than going forward to tackle disorder, as they waited for arrival of reinforcements which would allow them to tackle disorder through weight of officer numbers.

Some suggest this uncertainty increased after criticism following the 2009 G20 protests. Officers recognise that a single act of what could later be regarded as „punitive force' can quickly change the public mood. This then is the dilemma public order commanders face. For example, when faced with rioters setting fire to buildings in urban areas, there are clear trade-offs between the risks associated with waiting until enough officers can be mustered to subdue the situation less forcefully, and the use of protected vehicle tactics or AEPs to stop those involved.

In order to use appropriate levels of force swiftly, decisively and with confidence, officers need to know both that they are acting lawfully and that they are likely to have a substantial level of support from most people in the communities they police. The events of August suggest that improved officer training in the law is necessary, but will not be enough on its own. There is also a need to develop a shared understanding between police and (through their elected representatives) the public of the tactics that might be used in different scenarios and the associated levels of preparation. HMIC recommends that this is set out in **rules of engagement** (see page 12) within the new national framework.

Reaching such an understanding will involve looking at the range of force that could be legitimately considered by officers in order to protect the public. Any escalation in the use of force needs to be carefully calibrated against the particular circumstances officers face.

Officers need training in these tactics. They need to gain experience in exercising their duty to protect people by „going forward' where necessary, rather than the „stand, hold and protect' tactic which is the focus of much training. They need to practise tackling disorder in scenarios that test their ability to adapt to unfamiliar circumstances. This training needs to be delivered consistently across England and Wales, so that forces can work together when they need to do so.

[6] For example, the Prime Minister's statement on restoring order to cities, 09 August 2011, http://www.number10.gov.uk/news/pm-statement-on-restoring-order/; the Home Secretary's speech on riots, 11 August 2011 http://www.homeoffice.gov.uk/media-centre/speeches/riots-speech

[7] Respondents were asked: „Overall, in dealing with the riots and order, do you think the police used too much force/about the right amount of force/too little force/don't know?' Four percent thought „too much'; 43% „about right'; 49% too little; and 4% „don't know'.

3. More efficient mobilisation

Early and decisive local intervention offers the best opportunity for stopping disorder in its tracks. However, in August 2011 we found that:

- It took many hours to mobilise and deploy local officers at strength, particularly during the first two days in London. Although the mobilisation of the Metropolitan Police was instigated on the evening of 06 August 2011, it took several hours for those resources to begin to arrive in the Tottenham area: and even then, officers on the ground did not receive reinforcement or relief for several more hours. As rioting spread across London, some forces (notably West Midlands, Merseyside, and to a degree Greater Manchester Police) did anticipate disorder in their areas; other forces were more hesitant.
- Assistance between forces was often ad hoc or informal, and the call for national assistance was not triggered early enough. Although there had been some testing of mobilisation, this was not adequate preparation for the reality that officers faced in August (and two forces chose not to take part).

The co-ordination at local, regional and national levels therefore needs to improve.

Next steps

Decisions about the resources allocated to public order tactics, training and equipment will always need to be balanced by consideration of other policing demands: but the level of priority currently given to this work needs re-assessing in the light of the August 2011 disorders. The balance of risks for the public has changed. HMIC proposes that our recommended new national framework for maintaining public order is a point of reference in the Strategic Policing Requirement (SPR), as is the case for serious and organised crime, and counter terrorism.[8] The SPR provides the most appropriate vehicle for ensuring the police and Government have the same expectations about the specifics of early resolution, national mobilisation and the associated tactical capability. This would provide much-needed reassurance about police capability – not just in cases of disorder, but for other national emergencies (such as the threat of a flu pandemic or widespread flooding).

HMIC has found previously[9] that it can take two years or more for agreed changes in public order tactics to become reality on the front line. This pace is too slow – especially with the Olympics less than a year away. We therefore recommend that alternative routes to effecting change are considered. One approach could involve focusing initially on making changes in forces that police

[8] The development of a Strategic Policing Requirement is required by the Police Reform and Social Responsibility Act 2011. See Home Office (2011) *Shadow Strategic Policing Requirement*. Available from www.homeoffice.gov.uk

[9] HMIC (2011) *Policing Public Order: An overview and review of progress against the recommendations of* Adapting to Protest *and* Nurturing the British Model of Policing. Available from www.hmic.gov.uk

higher risk, urban areas; but in the longer term, all forces would need to adopt the new practices, so that they are able to contribute to any national requirement.

Recommendations

1. A national framework for resolving public disorder

There is a clear need to develop a national framework which can provide greater certainty for the public and the police on the approach to resolving public disorder. This framework should include clear objectives for early resolution of disorder; and **rules of engagement** which set out an agreed envelope of available tactics and of the degree of force associated with their use, that are likely to maintain public support (Home Office, ACPO, Police Governance – tri-partite body with oversight of Strategic Policing Requirement).

This would be supported by:

- **Communications after fatal or controversial incidents** – Resolve decisively the uncertain communication issues between the police and the IPCC that arise in the event of deaths attributed to the police. The current uncertainty apparently inhibited decisive statements to address inflammatory rumours circulating on Friday 05 August until the statement published by the IPCC at 18:25hrs on Sunday 07 August 2011 (HO – previously recommended by HMIC in *Adapting to Protest* 2009).
- **‚All source' hub** – Develop an ‚all source', fully networked public order intelligence hub, using advanced software to analyse trends in community tension (including through social media monitoring). Linked to this should be a national mobilisation capability that possesses a clear understanding of the availability of trained police and other assets to deal with disorder (PNICC).[10] This should be available before the Olympics, without damaging the present (very limited) arrangements for public order intelligence. Clearly this will cost money: but this could be offset (in part) and fast-tracked, by temporarily ‚seconding in' experts from industry to assist. (ACPO / MPS / HO)

2. Mobilisation

Local mobilisation options

Establish potential gain from immediately bolstering visible police on the streets from other police functions. HMIC envisages that this could be achieved in several waves. For example, in the first wave, increasing shift patterns from eight to twelve hours could result in a 30% increase in the number of available officers. More could be made available in a second wave by redeploying officers from back, middle office and specialist roles – although the numbers this makes available will vary both between forces and (depending on the time of the week) within them.

[10] Police National Information and Coordination Centre (see note 6 above).

Flexible use of police staff could release officers from specialist and middle and back office roles to the front line.

Regional mobilisation options

Tried and tested local mobilisation plans, including target times to „stand up', should be established within 6 months. These should be integrated seamlessly with regional and national plans, as appropriate (by ACPO, reviewed by HMIC).

National mobilisation options

Building on local and regional mobilisation arrangements, the national mobilisation plan should be revisited so that it includes response times (not presently the case), and can be tested at periods most likely to be associated with disorder (by ACPO, reviewed by HMIC).

Reference has been made to possible support provided by *military personnel*. The military have provided assistance to the police in a range of circumstances (including for example dealing with flooding) under arrangements known as Military Aid to the Civil Power (MACP). Discussions should be taken forward that identify thresholds and the nature of support which could be provided *in extremis* to release police officers and staff in middle and back office functions so that they could be fully deployed as part of the public order effort. (MPS, ACPO, Ministry of Defence).

3. Review of tactics

A review of police tactics should take place to identify a useable, mobile set of „go forward' tactics. These should be trained to nationally consistent standards and include the capability to use a range of levels of force (given different scenarios) to save lives, protect the public and disrupt criminality, if disorder becomes established. These tactics should be informed by the law on public order and the use of force (see Chapter 6) to enable officers and commanders to be both professionally confident and competent in the use of their powers to keep the peace.

Tactics are dependent on kit being available. The location of relevant kit and equipment must therefore be considered at a strategic level to maximise availability and responsiveness when needed. (MPS/ACPO)

4. Analysis of training approach and content

An analysis of the current training regime for public order should be undertaken to ensure officers are provided with opportunities to practise realistic scenarios that reflect the present requirement for flexible, „go forward' tactics in response to scenes of disorder to protect the public. This approach would represent a significant shift from the current reliance on orchestrated, well-rehearsed, single

site set-piece training. Again, this training should be delivered to a nationally agreed and consistent level. (NPIA[11] or the successor arrangements).

Once police and Government have chosen how they propose to go about responding to and implementing these recommendations, HMIC will assist in determining the cost.

Rules of engagement: what tactics may be considered?

Police and the public through their elected representatives need to agree a common understanding as to what tactics might be used and when to deal with disorder. Rules of engagement, developed in discussion with those in government, should set out which of the more forceful police tactics can be considered in different scenarios within the law. They would not alter the legal principles applicable or bind the hands of commanders, but would enable them to prepare, and their officers to make decisions in relation to the use force with greater confidence.

The process of developing rules of engagement would help reconcile the need for officers to retain their operational independence while providing the public with some say in the range of tactics used to protect them. Meaningful rules of engagement should have clear objectives that can be secured with the resources and tactics available. Note: this is not a simple menu of what *will* happen, but represents what **may be considered** given the particular circumstances and the necessity and proportionality of these tactics.

By way of illustration, the table below outlines a number of real scenarios witnessed during the August disorders (and the level of force that might be used within the law – see Chapter 6).

	Warning	Containment	Dismantle Barrier	Arrest	Mounted Branch	Vehicle Tactics	Water Cannon	Possibly AEP	Possibly Firearms	Firearms	Negotiation	Withdrawal	Road Blocks	Vehicle immobilisation
Flash burglary rioting	X	X		X										
Barricades across road	X		X	X							X			
Groups gathering	X	X		X	X						X			
Barricades and missiles used	X	X	X	X		X	X	X						
Petrol bombs thrown	X	X		X		X	X	X						
Violent attacks on the public in the presence of the police	X			X		X	X	X						
Arson attacks on building	X			X		X	X	X	X					
Threats to fire and ambulance	X			X		X	X	X						
Firearms directed at police	X	X		X				X		X	X			
Vehicles driven at police	X			X								X	X	X

[11] The National Policing Improvement Agency (NPIA) provides a large portfolio of products and services designed to support the Police Service and wider policing family in the UK and internationally.

Introduction

The August disorders

The disturbances which took place between 06 and 10 August 2011 constituted the most widespread outbreaks of disorder seen in England for a generation. The fatal shooting of Mark Duggan by the police on 04 August 2011 precipitated public protest in Tottenham, which turned violent on the evening of Saturday 06 August. Wholesale opportunistic and organised looting followed in 22 London boroughs, accompanied by attacks on police and property which included arson and physical violence. Disorder then spread to other towns and cities across England.

The damage caused by four days of disorder was devastating. Five people lost their lives; more than 300 police officers were injured; 2,584 commercial premises were targeted and attacked; wholesale ransacking destroyed entire shopping areas; and at least 231 crimes against domestic properties were recorded across the 10 forces most affected by the disorder,[12] with many families needing to be rehoused. The financial costs of the disorder (while still not formally established) are also very high, with estimates of Riot Act damages reported to range between £200 and £300 million.[13] When the cost of police overtime and the drafting in of officer reinforcements are included, some reports indicate a total of more than £370 million[14] – to say nothing of the loss to business and the reputational damage to the country.

Communities were gripped with fear; people worried for their own safety and for their friends and family. A public survey conducted on behalf of HMIC[15] (Figure 1; see also Annex B) found that two in five respondents (39%) were either very or fairly worried that the police might not be able to keep control in their local area, and more than half (54%) were worried during the riot period.

The maintenance of the Queen's Peace sits at the very heart of the police mission. Order on our streets creates the milieu for the police to tackle crime and protect the public. Indeed, public disorder is crime and without civil order wider criminality thrives and communities flounder. The fact that disorder continued for several days and caused so much damage raises some fundamental questions for policing.

[12] Home Office (2011) An Overview of Recorded Crimes and Arrests Resulting from Disorder Events in August 2011. Available from www.homeoffice.gov.uk

[13] Commissioner Bernard Hogan-Howe (October 2011), *Report to the Metropolitan Police Authority*.

[14] For instance, *Evening Standard* (02 November 2011), „Met faces bill of up to £370m for the summer riots.' Available from www.thisislondon.co.uk

[15] Conducted 16–18 September 2011.

This review

On 15 August 2011, the Home Secretary wrote to ask Her Majesty's Inspectorate of Constabulary (HMIC) to:

> *„conduct further work to support clearer guidance to forces on the size of their deployments, the need for mutual aid, pre-emptive action, public order tactics, the number of officers (including commanders) trained in public order policing and an appropriate arrests policy.'*

This report therefore considers any lessons learned from the way the police tackled the disorders which may help the Service to further adapt and respond to the changing nature of public order challenges. It complements the significant work underway across Government and communities to identify and tackle the causes of the disorder.

Terms of reference for the review are at Annex A.

If the police are to be more successful in the future, they (and those who support policing in policy-making and governance roles) need to continue to learn from events and adapt their approach to the changing nature of disorder. The core findings of HMIC's review and lessons to be learned are outlined in the chapters that follow.

Figure 1 Public perceptions of the policing response to the riots[16]

HMIC's public survey work comprised telephone interviews with

- a nationally representative sample of 1,000 adults living in England and Wales; and
- a further 1,000 residents of areas affected by the riots (West Midlands, West Yorkshire, Manchester, Nottingham, Croydon, Haringey), identified by postcode.

The same questions were answered by all 2,000 respondents, in interviews conducted between 16 and 18 September 2011.

The public were worried about the riots, and the policing response.
Two in five people (39%) were either very or fairly worried that the police might not be able to keep control in their local area. Thirteen percent of people overall personally experienced „rioting or disorder in my local area'; 29% had family or friends for whom this was the case. More than half of all people (54%) were worried during the riot period. People in riot-affected areas were more likely to be very worried than those in unaffected areas (25% vs 15%); however the numbers who were „fairly worried' are around the same in riot and non-riot affected areas (35% and 33%).

[16] See also Annex B. Full survey results are available to download from www.hmic.gov.uk/data

The public thought the police helped to end the riots. 83% of all respondents credit the police with helping to bring the riots to an end.

60% think this could have been done more quickly. This total goes up in the most affected areas (to 68% in Croydon, and 72% in Haringey).

Respondents believed that the police should be able to use a range of tactics, including those involving force. Dogs, batons and water cannon were strongly supported by more than three-quarters of respondents.

Respondents were divided in their attitude to the police's use of force. Overall 49% of respondents believed that too little force was used to deal with the events, while 43% thought the force used was about right. Those surveyed in the more troubled locations of Croydon and Haringey were more likely to say that too little force was used. Respondents thought the police had used more forceful tactics than had actually occurred (e.g. 23% thought the police were already using water cannon).

Information from the police was reassuring, but limited. The vast majority of people who received information from the police were reassured – but this was only 17% of those surveyed.

Some forces in riot-affected areas get a more positive response from the public than others. Initial analysis suggests that Manchester respondents were most likely to agree that their force did a satisfactory job in various aspects of policing the riots. Respondents in Croydon and Haringey were the least likely to think this.

Overall, there was a perception (63%) that **initially there were too few police at the riot scenes, but that by the end the number was right** (68% agreement).

1: The events of August 2011

The events that unfolded between 06 and 10 August 2011 were unparalleled in terms of the speed, scale and geographical spread of disorder. They tested the ability of the Police Service to regain control and work with criminal justice partners to investigate crimes which touched thousands of victims. This chapter provides an overview of the disorder and a detailed timeline of how five forces responded to it in their areas.

Comparison with previous disorders

1.1 Police forces faced widespread violence, disorder and criminality between 06 and 10 August 2011. This took different shapes and different forms (both within and between police force areas) at different times. While in certain areas it shared some characteristics of previous periods of disorder (see paras 1.2ff below), the speed of events was unprecedented.

1.2 Urban disorder is of course not a new phenomenon. Working from the most recent examples, there were riots in 2005 in Lozells, Birmingham and in Oldham, Bradford and Burnley in 2001. In 1985, the death of Cynthia Jarrett led to major disorder at Broadwater Farm, which resulted in the death of PC Keith Blakelock. As in 2011, the riots of 1981 were geographically widespread – although significantly, they took place over a much longer period of time, as did the 2001 riots in Oldham, Bradford and Burnley (which took place in May, June and July respectively).

1.3 The 1981 riots broke out in Brixton on 11 April, and followed a proactive police operation to deal with the significant rise in the instances of street crime. Contrary to popular perception, although there was limited immediate „copycat' rioting in other parts of the country, large scale disorder in other Metropolitan areas did not follow until three months later: in Toxteth (Liverpool) from 03–05 and 27–28 July; in Moss Side (Manchester) on 08 and 11 July; and in Handsworth (Birmingham) on 10 and 11 July.

1.4 Limited statistics are available on the extent of the 1981 disorder, although media reports and corporate memory suggest the scale of damage and number of officer injuries was larger than in August 2011. Reviews into the 1981 riots, particularly Lord Scarman's *Report into the Brixton Riots,* identified race-related tensions and a distrust of the police amongst marginalised and deprived communities as key drivers for the disorder. When considering the August 2011 disorders, it is noteworthy that Lord Scarman recorded that: " . . . riots offered a golden opportunity to the criminal fraternity and to excited children tempted by the good things of our material society made easy for the picking."

Damage caused during the August 2011 disorders

1.5 The damage wrought during the August disorders was huge. Five members of the public lost their lives, with many more hurt; and as the polling data at Figure 1 illustrates, many more were afraid for their own safety, and that of their friends

and families. More than 300 officers were also injured in tackling the unrest, which spanned 20 police force areas.

Recorded crime[17]

1.6 Ten forces saw the most extensive disorder, as the following map shows).[18]

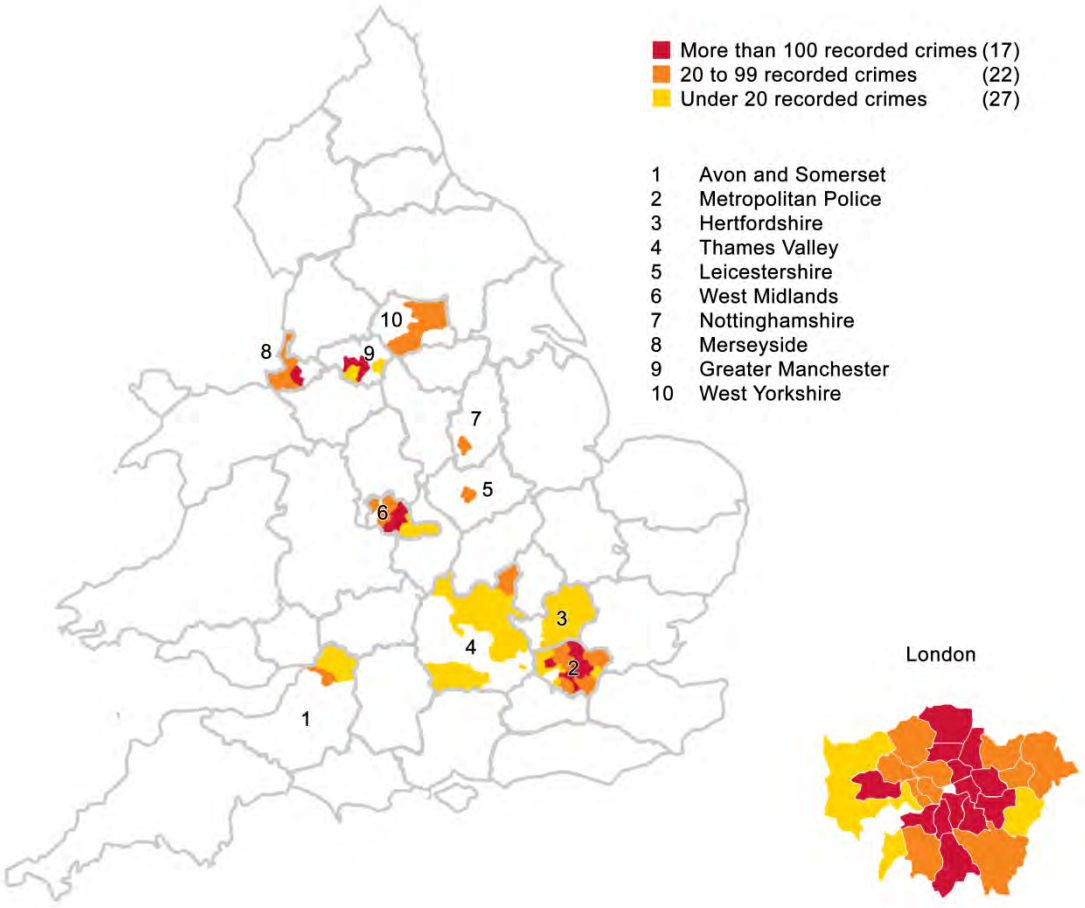


Figure 2 Recorded crimes during the August 2011 disorders

1.7 Initial analysis shows that these ten forces recorded a total of approximately 5,100 individual offences, spread across 66 local authority areas. These communities are typically high crime areas, and also among the most deprived. Sixty-eight percent of all offences were recorded by the Metropolitan Police.

1.8 Provisional data shows that 50% of all offences involved some form of acquisitive crime. Offences involving criminal damage accounted for a further 36%; violent offences were less common at 7%. Crime records also indicate

[17] These figures give some indication as to the nature and variation of disorder, but will almost certainly underestimate the true extent of crime (especially violent crime) in August, as not every individual act will have been reported.

[18] Avon and Somerset Constabulary, Greater Manchester Police, Hertfordshire Police, Leicestershire Constabulary, Merseyside Police, Metropolitan Police Service, Nottinghamshire Police, Thames Valley Police, West Midlands Police and West Yorkshire Police. Home Office (2011): *An Overview of Recorded Crimes and Arrests Resulting from Disorder Events in August 2011.* Available from www.homeoffice.gov.uk

that the nature of the offences varied from location to location: some areas (notably Greater Manchester, London and the West Midlands) saw mainly acquisitive crimes, while disorder in other places seems to have been dominated by criminal damage offences.

Damage to businesses and residential property

1.9 The maps that follow show the overall scale of the damage to businesses (Figure 3) and residential property (Figure 4) across London.

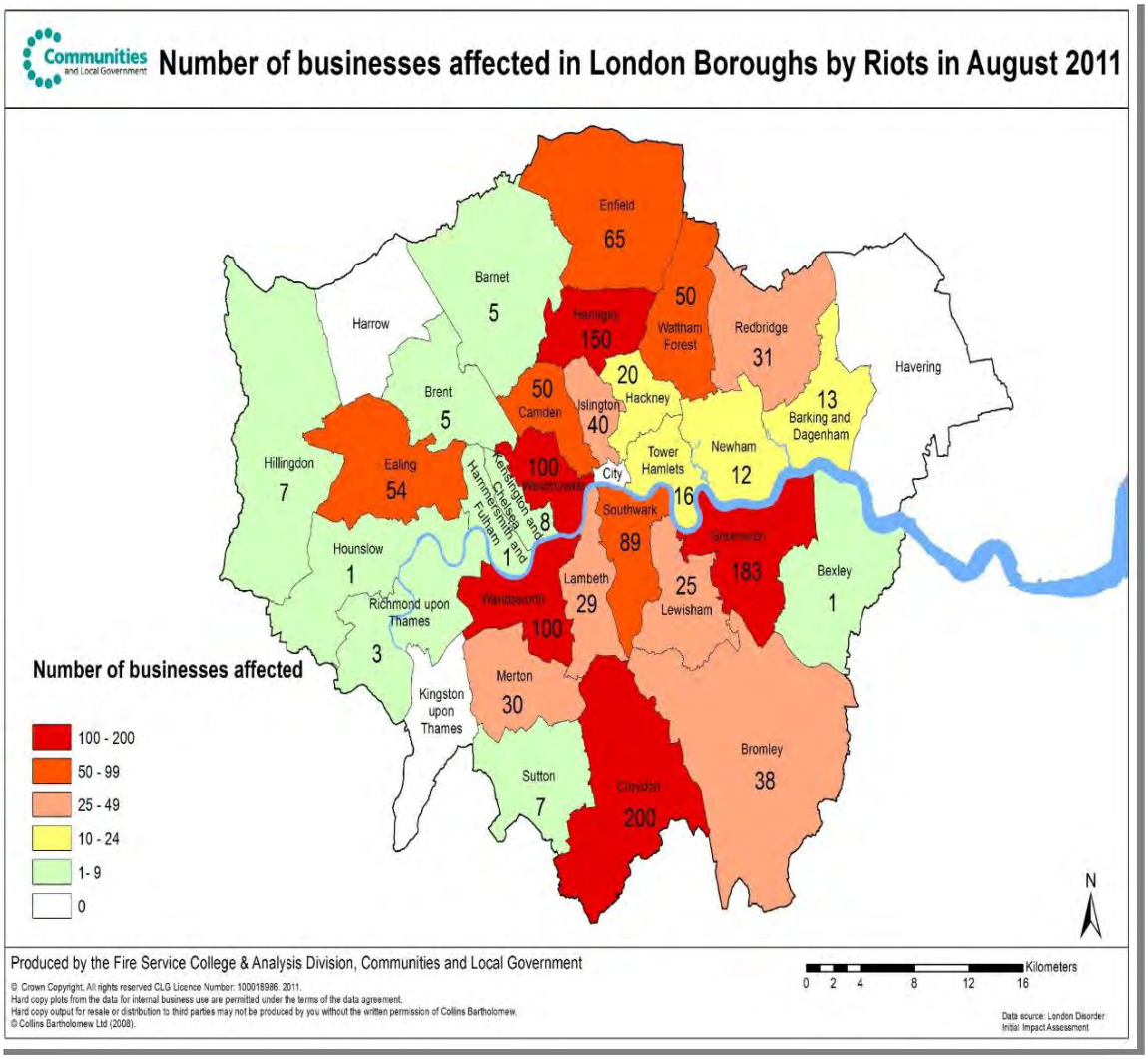


Figure 3 Businesses affected in London by August 2011 disorders

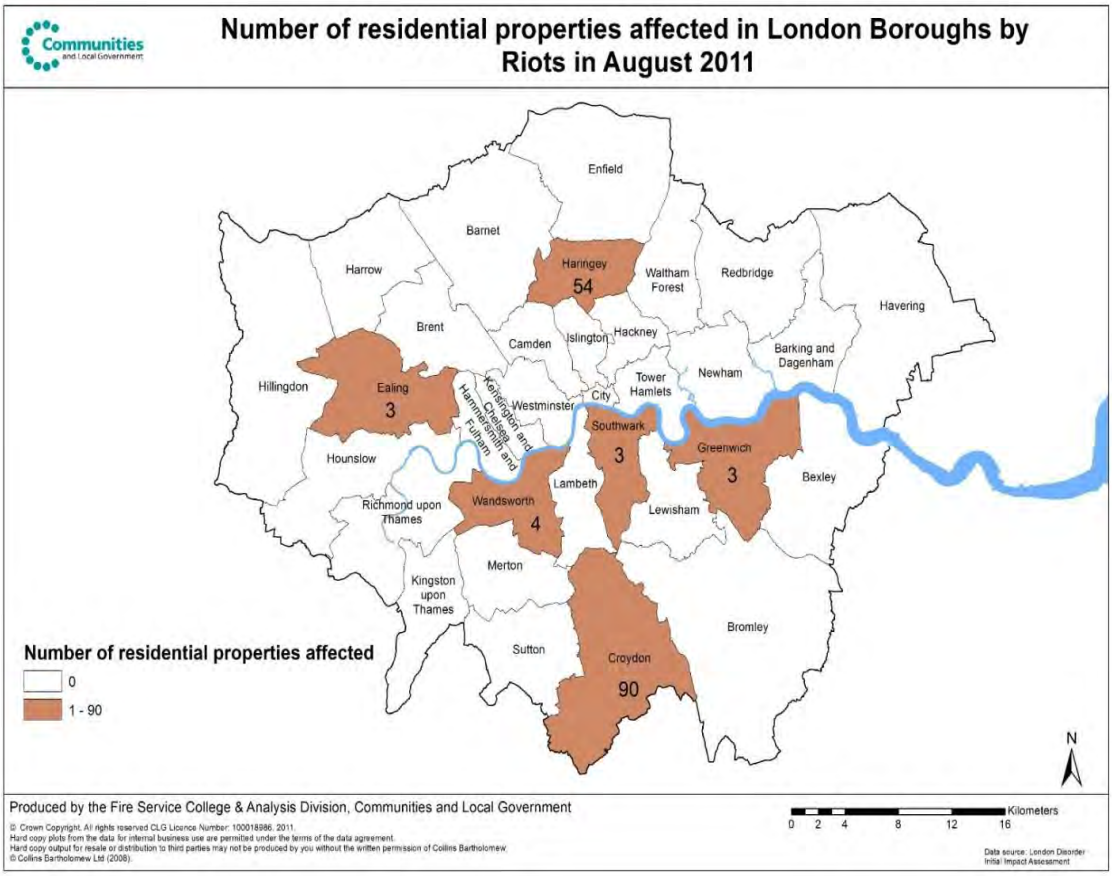


Figure 4 Residential properties affected in London by August 2011 disorders

1.10 Across the country as a whole, 2,584 business commercial premises were attacked in total, and 231 residential properties damaged.[19]

1.11 Between 06 and 10 August the London Fire Brigade received 6,281 calls for service (2,981 more than the same period in 2010). Of these, 540 calls were designated as fire incidents that required special mobilising arrangements by fire control staff.[20] The current estimate of claims made under the Riot (Damages) Act range between of £200-300 million,[21] a figure which does not include the cost of lost trade or business.

[19] Home Office (2011): *An Overview of Recorded Crimes and Arrests Resulting from Disorder Events in August 2011.* Available from www.homeoffice.gov.uk

[20] London Fire and Emergency Planning Authority (2011) *Civil Disturbances in London August 2011.* Available from www.london-fire.gov.uk

[21] Commissioner Bernard Hogan-Howe (October 20110, *Report to the Metropolitan Police Authority.*

A timeline of the disorder

Greater Manchester, London, Nottinghamshire, West Midlands and West Yorkshire

1.12 HMIC has compiled a summary of the main events in five force areas[22] in the week following the shooting of Mark Duggan on Thursday 04 August 2011. We have organised these into a timeline (summarised below, and given in full in at Annex D) which clearly shows the intense and widespread criminality that broke out across the country. In line with the remit of this review (i.e. to examine specifically the policing response to the disorder), commentary is limited to elements relating to command structures, capability and mutual support between forces, the police use of tactics, and management of intelligence.

1.13 The chronology begins with the shooting of Mark Duggan on 04 August, traces the disturbances and looting by agile, mobile and opportunistic groups in seven other London Boroughs on 07 August, and covers the widespread disorder experienced on 08 August across 22 London boroughs. Police stations in Nottingham were also attacked on 08 August, while looting took place in Birmingham City Centre. There were subsequent attacks on the police in Salford, disorder in Chapeltown in West Yorkshire, and wider disturbances in the West Midlands.

Approximate start time	Detail
THURSDAY 04 AUGUST 2011	
18:25	**Metropolitan Police Service (MPS):** Media release from IPCC on the shooting of Mark Duggan prompts speculation in the press. It is reported that investigators had recovered a bullet embedded in a police radio, with a strong implication that Mark Duggan had fired at officers and that this had initiated a response. Published commentary outlines claims from witnesses that Mark Duggan was held on the ground by police before the shots were fired.
20:00	**MPS**: Tensions begin growing in parts of the community in Tottenham following the fatal police shooting of Mark Duggan. Uniform officers are withdrawn to ease hostility, but normal response policing is maintained.
FRIDAY 05 AUGUST 2011	
10:47	**MPS:** Tottenham MP David Lammy releases a statement commenting on the Ferry Lane shooting; the London *Evening Standard* runs a story which includes the line „one eyewitness claimed the suspect was killed as he lay on the ground.'

[22] Greater Manchester, London, Nottinghamshire, West Midlands and West Yorkshire.

SATURDAY 06 AUGUST 2011	
08:35	**MPS**: Demonstration in response to the shooting is planned at Tottenham Police Station. A policing plan is developed to facilitate a peaceful protest, with resources including 2 PSUs[23] (50 officers) from the Commissioner's Reserve.
17:33	**MPS**: 100+ demonstrators attend the police station and the protest turns to violence with missiles thrown at police and police cars attacked. The ground floor of the police station is evacuated. Extra resources are requested as disorder spreads in Tottenham with a bus set alight, windows smashed on commercial premises and barricades built. Looting starts with 200+ people involved, cars are hijacked by youths armed with bricks, bats and knives, and buildings are set alight. A male reports being threatened with a gun by youths who believed he was a police officer.
SUNDAY 07 AUGUST 2011	
06:00	**MPS**: Full command team, 33 PSUs (around 825 officers) and other assets (such as mounted branch, dogs and firearms officers) are put in place.
12:00	**West Midlands:** The force prepares for possible „copycat' disorder and launch Operation Cedar, allocating seven PSUs, (approx 175 officers).
12:28	**MPS**: Information is received indicating potential for disorder in Enfield, Hackney, Tottenham and Walthamstow.
16:00 – 19:00	**MPS**: Masked youths gather in Enfield, throwing missiles at officers and creating roadblocks. Throughout the evening, numbers of youths increase to more than 600, some armed with petrol bombs. A male is attacked and left with multiple stab wounds and a large commercial building is burned out. Additional police resources are deployed through local mobilisation.
20:00	**MPS:** Disorder spreads to Wood Green and Brixton, where 100+ youths clash with police and loot local shops and stores.
MONDAY 08 AUGUST 2011	
03:49	**MPS**: Disorder in Croydon starts with 100+ youths looting stores. Missiles are thrown at officers and vehicles, leading to local police resources being mobilised.
09:00	**Greater Manchester Police (GMP)**: The force launches Operation Valiant in preparation for any escalation of violence to the GMP area.
09:00	**Nottinghamshire**: Chief officers launch Operation Constantia in response to disorder in London and the potential for „copycat' events locally.
13:36	**MPS**: Information is received that there will be further disorder in Croydon involving 200–300 people on Monday evening, with additional information that Ealing and Wembley will also be targeted. A further 12 PSUs (300 officers) are requested through mutual aid.[24]
17:00	**West Midlands:** Disorder breaks out, involving a large group who have gathered in Birmingham City Centre. Police stop buses from entering the City to avoid escalation.

[23] A police support unit (PSU) is a public order-trained police team consisting of an inspector, three sergeants and 21 constables.

[24] Mutual aid is „A formal regional or national arrangement for the provision of policing assistance from one force to another.' (Police Act 1996 sec 24).

18:40 onwards	**West Yorkshire**: A male is found with gunshot wounds to his face, leading to a crowd of 100+ gathering in the area. Disorder begins with missiles thrown at police as they protect the crime scene. The conflict diminishes as more police resources arrive, but is reignited when a youth is bitten by a police dog. Groups of up to 30 youths carry out sporadic attacks on police and passing vehicles.
19:00	**MPS**: The crowd in Croydon swells as people started arriving in minibuses. Youths empty bins to arm themselves, and throw bleach, bricks and bottles. More police resources are requested as several police officers are injured. Buses and shops also become targets for attacks. British Transport Police are asked to divert trains to restrict access into designated stations, in order to prevent more people entering the town centre.
19:25	**MPS**: Disorder continues in Croydon, where vehicles being driven at police officers almost cause a fatality. 200 youths in the town centre start looting shops and are seen making petrol bombs. Cars, a police building and a large family-run furniture store are set alight. A young male is stabbed and another male is seen with a gun as he loots a shop. Another is shot and found wounded in his car; he later dies from his injuries. In Ealing, buildings are set alight and a male is found seriously injured with head wounds.
21.16	**Merseyside:** Groups of youths start to gather, with numbers swelling to almost 200. Police vehicles and buses come under attack from stones and bottles. Shop premises are looted, with reports of several arson attacks on vehicles and commercial properties.
22:00	**West Midlands**: Significant and widespread disorder occurs in Handsworth. Cars are attacked with hammers, with many overturned or set ablaze. Mass looting takes place in Birmingham around the jewellery quarter and Bullring Shopping Centre.
22:59	**West Yorkshire**: Continuing disorder in Chapeltown with further reports of youths arming themselves with bricks and attacking police and passing vehicles. Officers are attacked as they go to the assistance of a lone male being assaulted by a group of 15 youths. Local mobilisation provides three PSUs (around 75 officers).
23:00	**West Midlands:** Attacks on police, including petrol bombs thrown at police stations. Extra police resources are brought in from other forces, increasing the response capability to 12 PSUs (about 300 officers).
23:29	**MPS**: Youths armed with hammers and other items attack shops in Ealing Broadway, causing the staff to flee in fear of their lives.
23:33	**MPS**: Disorder continues in Ealing with 300+ youths attacking officers and buildings and cars set on fire. A car is driven into the front of a shop and a bus hijacked, causing the driver and passengers to flee before it is set alight. Buildings are also set alight in Croydon, including houses where officers are involved in evacuating the residents. In one incident, commercial premises are broken into and a gas tap turned on – undoubtedly with intent to cause greater damage.
Evening	**GMP**: The force receives the official request to support the MPS with mutual aid.

23:20	**West Yorkshire**: Further incidents continue with bricks thrown at members of the public and passing cars, bins set on fire and shop windows smashed. A request for West Yorkshire officers to assist another force is received.
23:31	**Nottinghamshire**: First reports of disorder with groups damaging vehicles and buildings in the city centre and petrol bombs thrown into the yard of a police station. Youths are seen arming themselves with bricks, gold clubs and sticks containing nails. 116 police officers provide the initial response.
TUESDAY 09 AUGUST 2011	
02:00	**West Midlands**: Officers come under attack and a local authority building (which houses the Long Street Neighbourhood Office) is set alight. Youths start gathering across Wolverhampton. Barricades and fires are reported in West Bromwich, with sporadic disorder in Birmingham City, where Holyhead Road police station is partially destroyed by fire. Assistance from other forces is again requested.
Morning	**Nottinghamshire:** The force prepares for further disorder on Tuesday evening. This includes creation of a dedicated disorder intelligence cell.
15:19 onwards	**GMP**: Disorder begins with looting in Salford, followed by youths throwing bricks at police and motorists, who abandon their vehicles in fear. Large groups are seen wearing balaclavas and masking up, missiles are thrown at buses, and vehicles and buildings set alight. In Manchester City Centre there are reports of 200-300 youths throwing missiles, and a report of gun shots heard. Additional resources are requested. Police horses are deployed to disperse a group of 200 who are trying to break into a shopping centre. The Fire Brigade come under attack, with petrol bombs, fireworks and street signs thrown.
17:00 - 22:00	**West Midlands**: Incidents of disorder in Coventry, Wolverhampton and West Bromwich. Police officers and vehicles are attacked, with gun shots fired. 14 PSUs (350 officers) are deployed, including five (125 officers) from other forces through mutual aid.
20:48	**GMP:** The force requests an additional 25 PSUs (425 officers) through mutual aid.
22:54	**West Yorkshire**: A group of 30--0 youths attack commercial and retail premises in Kirklees. Local police patrols are attacked. The group is later dispersed, with two PSUs (50 officers) deployed.
WEDNESDAY 10 AUGUST 2011	
01:10	**West Midlands**: Disorder is quelled and crowds dispersed in Birmingham City centre. Three men are run over and killed, leading to a large crowd gathering. In other areas of the city, police vehicles are attacked, rammed and set alight.
Afternoon / Evening	**PNICC:** 390 PSUs (9,750 officers) are deployed nationally. These are mostly within their own force areas, although 88 are deployed through mutual aid to support other forces, including 15 PSUs (375 officers) from Scottish forces.

Merseyside and Leicestershire

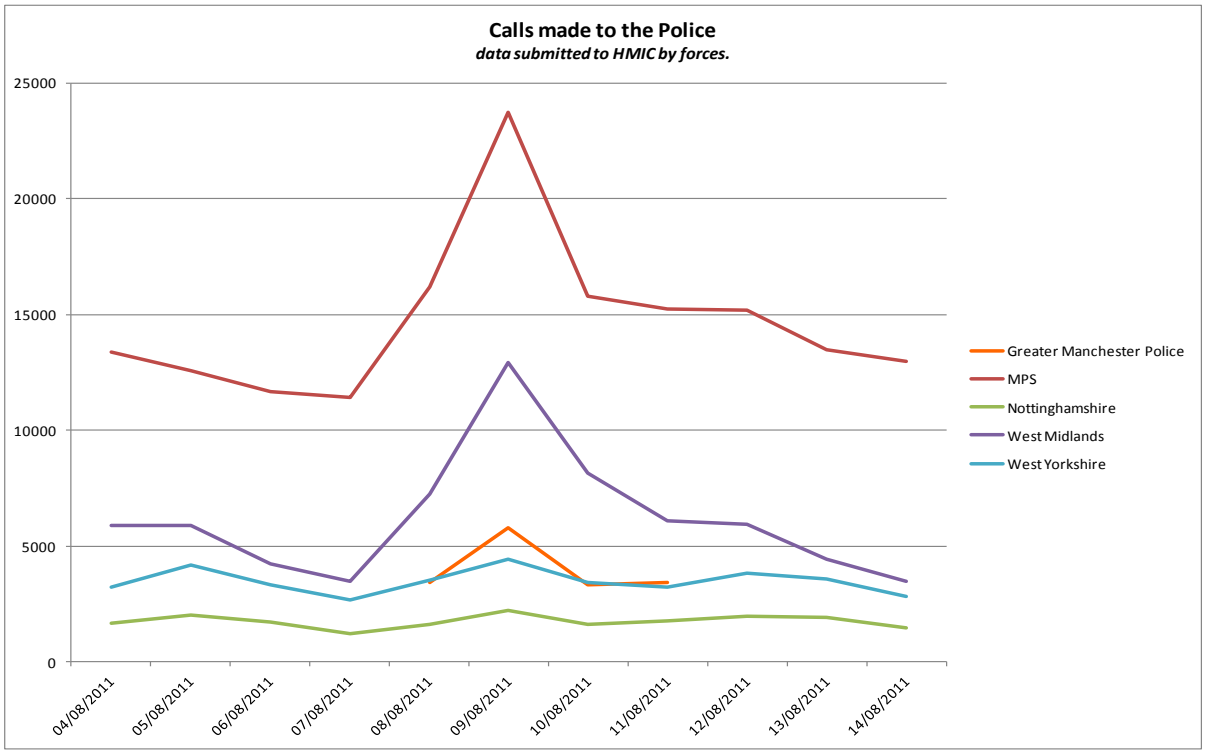
1.14 HMIC also made contact with Merseyside Police and Leicestershire Police. On the evening of Monday 08 August in **Merseyside**, a small group of about 15 in Toxteth quickly swelled to over 200 youths within an hour. Disorder broke out, with police vehicles and buses coming under attack from stones and bottles. Shop premises were looted, and there were reports of several arson attacks on vehicles and commercial properties. The disorder continued for several hours, during which time seven PSUs (175 officers) were deployed to the area, and made 50 arrests. On the evening of Tuesday 09 August disorder was ignited in Bootle after a JCB digger was stolen from a building site and used to ram raid a post office. Liverpool South, Sefton and areas of the Wirral including Birkenhead all suffered pockets of disorder, including attacks on police, damage to vehicles and buildings and a series of arson attacks. Merseyside Fire and Rescue Service responded to five building, 18 vehicle, and 16 open area fires, and were subjected to hostility and violence: they had to take seven engines off the road due to the damage they sustained. The disorder ended at around 02:00hrs after police dispersed the groups and made a number of arrests.

1.15 On Monday 08 August 2011, Leicestershire Police were informed that an event identifying the Highcross Shopping Centre as a meeting point for disorder had been created and shared through facebook.[25] A policing plan was developed in response, which was supported by six PSUs (150 officers). Other police resources were moved to 12-hour shifts, in order to provide resilience. At around 22:00hrs a group of 70–100 youths were directed to leave the city centre. These split into several smaller groups, and engaged in a wave of disorder which included damage to shops and stores, looting and missiles thrown at police. Over a five-hour period 56 offences were recorded and 20 arrests made. The disorder subsided at around 01:00hrs on the Tuesday morning.

Calls to the police

1.16 The chart on the next page shows the number of calls (emergency and non-emergency) made to these five police forces between 04 and 10 August 2011 (inclusive), and is based on data sourced from their management systems, which they provided as part of the review.

[25] Facebook is a social networking service and website, operated and privately owned by Facebook Inc. Users must register before using the site, after which they may create a personal profile, add other users as friends, and exchange messages.



Note: Greater Manchester Police submitted data for 08 August to 11 August inclusive only.

Figure 5 Calls made to the police over the riot period (Greater Manchester, London, Nottinghamshire, West Midlands and West Yorkshire)

1.17 This chart illustrates some key points, which will be picked up later in this review:

- Calls start to increase during the day on Monday 08 August, reflecting the growing tensions and public fear about potential disorder.
- The continuing increase in calls relates to the disorder across these five forces on the night of Monday 08/Tuesday 09 August.
- The high number of calls continued into Tuesday 09 August, when people were reporting both actual incidents and their concerns and fears about further incidents occurring, and the capability of the police to respond.

The response from the police and the community

1.18 Police officers demonstrated outstanding bravery in dealing with the disorder. Frontline officers and support staff worked around the clock. Often outnumbered, officers put their own safety on the line, facing bricks, bottles, petrol bombs, knives and even gun shots. An intensive police response reclaimed the streets. Senior officers reacted with huge energy to get on top of the problem, faced with fast-moving violent situations and huge amounts of sometimes conflicting information. They attempted to make the best use of the tactics available. Over 2,000 arrests were made and more than a thousand

people were charged within the first week; more than 4,000[26] have now been arrested and the police continue to comb CCTV and use their investigative expertise to bring offenders to justice.

1.19 There was also a groundswell of community support for the police built up through effective neighbourhood policing, and there are a number of examples of police officers being thanked and congratulated by the public for their bravery. This is consistent with the findings of a public survey conducted by HMIC as part of this review, which found that 83% of people credit the police with helping to bring the riots to an end.[27]

1.20 However, the same survey also shows that the public had concerns about how quickly the police mobilised to respond to the disorder; 60% thought the disorder could have been dealt with more quickly, and 63% thought initially there were too few police at the scenes of the disorder.

1.21 The determination displayed by the public themselves has been evident in their collective efforts to clear up and begin the rebuilding of their communities. Even in areas where the disorder took the form of direct attacks on the police, the wider community helped the police in identifying offenders, and urging calm, most tellingly and with such great dignity in Birmingham following the tragic deaths of Haroon Jahan, Shahzad Ali and Abdul Musavir.

1.22 As HMIC stated in February 2011, "the game [of policing public order] has changed".[28] This report identified "that this is a new period of public order policing – one which is faster moving and more unpredictable". To ensure an effective response, "police tactics have to be as adaptable as possible to the circumstances to keep the peace for us all". These key findings were thrown into sharper relief by the spread and seriousness of the spontaneous and multi-seated disorders experienced in August. The events of August showed that those who wanted to cause riot and mayhem could move more quickly and with greater agility than the police were geared for. Politicians expressed some concerns that the police did not use enough force; and the survey work carried out as part of this review showed that 49% of the public share this opinion, although 43% thought the level used was „about right'. [29] Those in the areas most affected (e.g. Croydon) were more likely to support use of greater force. The British police have an appetite to learn lessons and this report is written acknowledging their commendable actions to help that process.

[26] Latest figure available to HMIC at time of publication.

[27] 85% in riot affected areas, 83% in non-riot affected areas. Full survey results are available from www.hmic.gov.uk/data

[28] HMIC (2011) *Policing Public Order*. Available from www.hmic.gov.uk

[29] Respondents were asked: „Overall, in dealing with the riots and order, do you think the police used too much force/about the right amount of force/too little force/don't know'. Four percent thought „too much'; 43% „about right'; 49% too little; and 4% „don't know'.

Police bravery

In Tottenham on Saturday 06 August about 50 officers, outnumbered at times by the group of between 50 and 200 rioters, held the line for nine hours against missiles, petrol bombs and the use of bladed weapons. Officers in Salford faced „a sky turned black' by missiles; West Midlands Police had shots fired at them. In West Yorkshire Police a chief inspector and her colleague intervened to disrupt a group of 12 to 15 youths seen attacking a lone male. The crowd turned on the two officers, bombarding them with missiles as they withdrew in their vehicle. As a result of this attack the chief inspector sustained cuts to the head and was subsequently found to have suffered a fractured jaw. She declined medical attention and remained on duty until the disorder subsided.

2: Intelligence and information

Police forces drew on a number of information and intelligence sources which can help them plan for and mitigate the risk of public disorder. This chapter looks at local and national information and intelligence sources to set out what forces knew or could have known at different points and in different areas during the disorder. Options to develop police forces' information and intelligence base are discussed.

> *"We did not have warnings that we were going to see the kind of disorder being witnessed tonight. We are aware of raised tensions in the community, which are understandable following the tragic death of Mark Duggan.*
>
> *What we experienced earlier on yesterday evening was a peaceful protest outside Tottenham police station - there was no indication it would deteriorate in this way. For those who involved themselves in this level of violence, there is no excuse."*
>
> MPS statement, Sunday 07 August, 10:20

Intelligence vs information

2.1 HMIC's review has reinforced a wider perception that the August 2011 disorders were unlike previous disturbances (see Chapter 1) in many ways.

2.2 Mark Duggan was shot dead by a police officer in Tottenham on Thursday 04 August 2011. This was the first significant event that eventually proved the catalyst for the period of the disorders, which spread far beyond the scope of the initial incident. There was a two-day gap between his death and the demonstration held outside Tottenham Police Station on Saturday 06 August 2011.

2.3 By the morning of Saturday 06 August, the police had information (detailed in Chapter 5) from both the local community and open source social media channels which expressed threats towards police and suggested that anger was building in Tottenham. However, as the local police did not have any other evidence or corroboration from their local contacts to support the reliability of this information, they did not assess the situation as having the potential to escalate. Accordingly they mobilised resources capable of tackling some disorder – but nowhere near enough to prevent the escalation that transpired.

2.4 Police have a formal process for evaluating information for its reliability. They refer to information that has been assessed as reliable in terms of its source and content as *intelligence*. As the information available on Saturday 06 August was uncorroborated it was not considered to be *intelligence*.

2.5 This contrasts with the police response in some other areas of the country. West Midlands and Merseyside Police had no formally assessed information which constituted *intelligence* that they would be facing „copycat' disorder. However, having had the advantage of seeing what was transpiring in London, they saw the potential and, on the morning of Monday 08 August, began to

mobilise resources and increase local community engagement in their force areas.

2.6 This illustrates the importance of making professional judgements based on information and experience, rather than just relying on formally assessed *intelligence*.

2.7 As well as considering mobilisation of resources, police should also consider taking action in the form of providing information to the local community. In the survey conducted for this review we found that the vast majority of people who received information from the police were reassured – but only 17% of those surveyed received such information. We found that the rumour of a police „execution' was circulating within the community from the morning of Friday 05 August. But this was not challenged until the IPCC made a statement (which categorically denied this was the case) on the evening of Sunday 07 August.

2.8 The issue of dealing with rumours and information surrounding the circumstances of deaths involving the police has been rehearsed before. It is time for this issue to be resolved with clarity for all between the police and the IPCC.[30]

What was known locally?

2.9 In each of the five forces visited, *information* about the possibility of disorder emerged through overt and covert monitoring in the hours immediately before the disorder began. This came from a number of local sources (outlined below). This review has not been able to access comprehensive data on the volume of open source material which was assessed in individual forces, but interviews reveal that the volume increased sharply and significantly in this period.

Community intelligence

2.10 As a result of years of community engagement through neighbourhood policing, all forces have developed local networks of key individuals (referred to as Key Individual Networks, or KINs) from within communities who can help to inform or assist with local policing issues. Both immediately before and during the August disorders, these local networks (and the many contacts developed through neighbourhood policing generally) provided police with information about concerns amongst local communities and about the very real fear they were experiencing (although the quality of this information varied considerably).

2.11 It was also a mechanism used to circulate important messages and provide reassurance. Motivated and supportive individuals were providing the police with any information or rumours that they were hearing from their contacts. For example, HMIC found that community officers in Nottinghamshire were directly tasked to speak with KINs to deliver important messages to reassure communities and to gather information and intelligence. However, this

[30] See HMIC (2009) *Adapting to Protest*, pp.10, 35: „In relation to communication issues arising from death or serious injury at events MPS and ACPO, in liaison with others, should: Agree principles regarding the police use of potentially sensitive information which may later become evidence in legal proceedings.' Report available from www.hmic.gov.uk

information, at times, could not be properly corroborated, and simply added to the weight of information that police had to manage.

2.12 Whilst acknowledging the support for police expressed, by and large, amongst other local communities, the systems in Tottenham clearly faltered.

2.13 The true levels of feeling (and the implications of mounting tension) amongst the black community were not identified. Tottenham's Community Impact Assessment of 05 August 2011 notes rumours on the local estates, threats to take revenge on police, and an *Evening Standard* article of 05 August which quoted an alleged eye witness who stated: "the police shot him on the floor and later I hear the man was dead".

2.14 This resulted in an assessment (of what police thought might happen) that rated the impact of the shooting as „above normal'. This is defined as*:* "Local, national or international events, taken alone or in combination, may lead to limited experienced or evidenced raising of tension. Any expected tension may be localised geographically or within communities; There is some apparent danger of reputational damage or other organisation impact; Some sections of the community may be fearful of an issue or situation."

2.15 Locally, and despite their efforts, community tension assessment system used by the Metropolitan Police appears to understate the combined potential of events, the history of Tottenham and the worrying information which was increasingly available on Friday and Saturday. The MPS system for monitoring community tension (the Community Impact Assessment system) did not fulfil its purpose but the issues are broader than this; the intelligence and information did not give credit to what is widely known to spark urban disorder and should have been remembered by the Metropolitan Police. The oversight and support systems were insufficient to recognise the true picture of what was really building on the ground.

2.16 Of course, the Metropolitan Police did show substantial commitment to engaging with communities throughout these events. Even so, they recognise that their systems, methods and contacts failed to give them access to the best information, and that these matters need to be reviewed urgently.

Open source and social media monitoring

2.17 The police have much to learn about social media, and the quickly shifting modern communications of today. With some notable individual exceptions,[31] the power of this kind of media (both for sending out and receiving information) is not well understood and less well managed.

2.18 In trying to determine the appropriate police response to the disorders, there was a misconception amongst some public order commanders about what their force intelligence systems could provide. Some wanted „all the information' available make their tactical deployments on, others quickly found this only overwhelmed them. Amongst the many lessons from these events is the need

[31] An example of this is Project ATHENA, which seeks to utilise the opportunities that social media brings. This is a collaboration between West Yorkshire Police and US and EU partners. It seeks to develop an interoperable two-way communication platform, designed to empower both the public and emergency services with the intelligence they need in dealing with a crisis (Project ATHENA Executive Summary)

for public order commanders and intelligence practitioners to work together and gain a greater understanding of each others' expectations and capabilities.

2.19 „Open source' social media includes channels such as Twitter which are open to anyone to read over the internet. Personal accounts on social networking sites, such as facebook and Bebo, may also be accessible, but this depends on the privacy settings of the account holder. Messaging systems or similar applications, such as BlackBerry Messaging (BBM),[32] are „closed systems' in which messages cannot be read except by the intended recipient(s). Uninvited access by the police to this sort of material is lawful under the Regulation of Investigatory Powers Act 2000 with an interception warrant.

2.20 Across London from Sunday 07 August onwards (and thereafter in other forces) there was open source information available about the potential spread of disorder. Police began monitoring this material as best they could in an effort to identify organisers or potential targets for attack by looters. So, for example, the Metropolitan Police successfully deployed officers to Oxford Circus as a result of monitoring and actioning information from social media. These officers arrived in time to confront 50 to 60 youths gathering in response to a message stating „Meet Oxford Circus shops going to get smashed up. Get free stuff.'

2.21 On Tuesday 09 August West Midlands Police created a dedicated section on their force website to provide a one-stop shop for disorder-related messaging, including the images of suspected offenders. On its first day it received 300,000 visits – about the same as their combined web and mobile sites normally receive in a month. Between 01 and 21 August the site received more than 1.2 million hits.[33]

2.22 However, the challenge presented by searching the web for relevant material was described by one intelligence professional as being like "searching the British Library for a page in a book, without an index to refer to". One Metropolitan Police officer recalled that "tweets were appearing so fast that they fell off the bottom of the screen before anyone had a chance to read them".

2.23 Forces put in place different approaches to utilise and monitor social media channels: some used their media departments; some had open source monitoring in their intelligence units; while others had officers at police stations scanning for information using their personal internet-enabled devices. Forces were not prepared for the volume of material being generated. In most places there were insufficient staff available. From an intelligence perspective, the information that was coming from social media sources was conflicting and often contained wrong or misleading items.

2.24 Accepting these difficulties, this lack of preparedness should not overshadow some excellent work carried out by police officers and staff. Some forces made very effective use of social media (as well as traditional communication

[32] BlackBerry Messenger (BBM) is an internet-based application developed by a company called Research In Motion (RIM) which is used on BlackBerry devices. It allows text messages, pictures, files, etc. to be sent over the internet between BlackBerry users either singly or in groups. This is a „closed' system to the extent that it operates securely between devices using the unique PIN number assigned to each device. It is not „open source' information.

[33] Interim report following public disorder in August 2011 from the Chief Constable West Midlands Police to West Midlands Police Authority.

networks) to inform and reassure communities and individuals during the disorders:

- All West Midlands Police neighbourhood staff are authorised to use Twitter, and one of their officers countered rumours of an attack on his police station by posting a timely photograph of colleagues outside the building.
- West Yorkshire Police established a social media capability within their Gold (strategic) control to provide immediate factual accounts of incidents and the police response to them. This proved a valuable source for journalists who were monitoring Twitter in order to develop their stories.
- Nottinghamshire Police had a proactive communications strategy which used social and conventional media channels to deliver reassurance messaging and appeals: their efforts even extended to making an appeal for restraint to the crowd at a football derby, a message that met with a standing ovation.
- Greater Manchester Police's innovative „Shop a Looter' campaign is described on page 61.

Intelligence requirements

2.25 An „intelligence requirement' is a focused request for information relating to a particular person or issue. A number of the forces visited demonstrated that a „requirement' was circulated through their intelligence units which was either seeking information about potential disorder and those who might be planning it, or identifying those already suspected of criminal offences.

2.26 Only one force demonstrated to HMIC that officers were specifically briefed or tasked on intelligence and community information over the period of the disorders. Therefore, staff submitted the information that they believed to be important, rather than responding to a specific and relevant requirement. Even where there was an intelligence requirement circulated, the wording was not specific, e.g. „if you have information relevant to the disturbances or large scale public disorder…please place on [the intelligence system]'.

Intelligence response in forces

2.27 Only one of the forces visited demonstrated that they had a contingency plan to provide a surge response when a significant increase in intelligence was required. Some forces had the benefit of a short delay during which time they made further provision. Elsewhere, the creation of dedicated intelligence cells to support the response to potential public disorder was not an immediate action: for instance, one force established a dedicated intelligence cell only once the disorder in their force area had begun. Any delay in producing intelligence would have had an impact on police decision-making.

2.28 New intelligence reports created on the Metropolitan Police's intelligence system and passed to the Metropolitan Police Service Intelligence Bureau (MIB) were arriving at the rate of one per minute during the afternoon, and increased to one every 15 seconds at one point on Tuesday 09 August 2011.

2.29 In some police forces, the volume of recorded intelligence did not rise dramatically until after the disorder had begun, when reports of suspects responsible for offences and detail regarding the specific scenes of disorder became known. This pattern is mirrored in calls to Crimestoppers:[34] their call volume across the UK between Monday 08 and Thursday 11 August 2011 was 100% higher than normal reporting levels, reaching a peak of three times the normal volume on Tuesday 09 August. The volume of calls remained higher than normal throughout August.

2.30 Once the disorder started, forces had to review and make sense of a significant amount of material arriving from communities, social media monitoring, police officers deployed on the streets, and calls from the public via the 999 system. All the forces visited reported difficulty with corroborating and correctly evaluating the *information* received. The lack of immediate corroboration meant that, at times, public order commanders were provided with swathes of *information* upon which to make decisions about deploying resources, rather than filtered, analysed and assessed credible *intelligence.*

2.31 Given the experiences of August 2011, all forces need to be ready for the increase in the volume of information resulting from the rapid spread of disorder, and should consider contingency measures to reinforce their arrangements for handling information and intelligence.

The national picture

National tension monitoring

2.32 The National Community Tension Team (NCTT) sits within the ACPO *PREVENT* Delivery Unit, and is the policing lead for monitoring and analysing community tensions across the country. The NCTT has a core staff of four people, and coordinates the national delivery of tension monitoring activity by collating information from local police forces, local authorities and government departments in order to build a picture of emerging issues and tensions in communities. This can assist forces in improving their capability regarding:

- Critical incidents: incidents involving intra or inter community conflict, incidents involving public disorder and incidents impacting specific communities (e.g. Eastern European, Jewish, Muslim communities); and
- Specific issues: such as events or incidents attributable to extreme right or left wing activists, or foreign radicals and extremists.

2.33 This data is aggregated into a weekly report[35] and circulated to forces and key police partners, to provide a picture of specific community and national tensions – and in particular those which may be linked, such as a pattern of attacks on a minority community. This provides forces with information that can assist in developing a bespoke policing or partnership plan, such as targeted community engagement reassurance patrolling.

[34] Crimestoppers is an independent charity helping to find criminals and solve crimes. It operates a phone number and website which can be used to pass on information about crime anonymously.

[35] This is not a public document and is security marked at „Restricted' level.

2.34 The NCTT produces reports every four weeks. HMIC has reviewed four of the NCTT's monthly reports for the months leading up to 04 August 2011. [36] They contained no significant incidents or assessments of rising tension that could have provided early warning of the disorders. This is supported by the interviews conducted by HMIC in the forces visited: no police force identified any state of heightened tension either between police and local communities, or between communities. It might be possible to conclude that this type of tension was not a significant factor in the disorders. However, there were community tensions in West Yorkshire between black and Asian youths which related to a shooting incident. Over the next two days there were ongoing intra-community related racial incidents. As the causes of the disorder were not within the scope of HMIC's review, it is not possible to comment on the effectiveness of the NCTT monitoring.

Police National Information and Coordination Centre

2.35 One of the aims of the Police National Information and Coordination Centre (PNICC) is to provide the Association of Chief Police Officers (ACPO) and central Government with current and relevant information. Given the scale of the demands placed upon PNICC staff in managing the requirement for mutual aid from 08 August 2011 onwards, they were unable to fulfil this responsibility. The National Domestic Extremism Unit (NDEU) – which usually handles intelligence related threats across force, national and international boundaries – stepped in, working 24/7 to provide support and daily tension briefings for the ACPO President (who attended the Government's COBR meetings).

2.36 Nationally, the National Domestic Extremism Unit (NDEU)[37] acted as a collator of the available facts on the emerging picture. In doing so, it relied upon the secure „Cluster' communication network, which operates through force Special Branches – but is not linked in to force control rooms (where there is likely to be the best knowledge of the current state of play and of any police capacity issues). The NDEU did the best it could in the circumstances; but the ability of the service to provide analytical and briefing material for the ACPO President (who attended COBR) was limited.

Options to enhance intelligence capability

Universities' Police Science Institute (UPSI) findings

2.37 In order to gain a further independent view, HMIC asked the UPSI at Cardiff University to consider the intelligence processes in place within police forces before the disorders, and to propose options or avenues to enhance the Police Service's capability to monitor environmental conditions in which public disorder and criminality might break out.

[36] The NCTT volunteered to create daily reports from 09 August 2011.

[37] The NDEU (which includes remnants of the former National Public Order Intelligence Unit) has a role in gathering and assessing public order intelligence to provide *strategic* guidance to forces about the nature of potential threats (e.g. from domestic extremists in left or right wing organisations), and about individuals or groups who may be contemplating action that may lead to public disorder.

2.38 Their findings accord with those of other professionals HMIC consulted as part of this review:[38] there is a potential for intelligence failure around anticipating public disorder of the type that occurred in August 2011 because of a lack of analysed information. UPSI concludes that it is not clear at this stage whether these events could have been predicted or pre-empted. However, the Institute does highlight the failure of police intelligence systems to identify any changes in community tension and predisposal to large scale criminality. This, in their view, demonstrates a vulnerability in current police intelligence processes and systems, which they identify as tending to focus upon:

- "‚Criminal intelligence' and collecting data on ‚the usual suspects'"; and
- "‚Crime intelligence' on current priorities and problems."

2.39 In other words, in order to manage the volume of information and data potentially available to the police, the collection, analysis and actioning of intelligence tends to be focused upon known problems and people, rather than providing a more flexible perspective. This is true at both national and neighbourhood level. Police doctrine, in UPSI's view, does acknowledge the importance of developing an informed intelligence picture; but there is not the capacity to do this in a sustainable way at different levels of policing, and the systems that do exist need to be reality tested. UPSI concludes that there "is a strong possibility the current focus is inducing a situation where police are ‚unsighted' in respect of a range of risks".

2.40 Looking forward, UPSI suggests:

- The development of a far more systematic and structured approach to community engagement by neighbourhood policing teams and other local policing assets in order to create a network of highly localised community information and intelligence sources, who can be activated as required. The KINs remain of utmost importance in all areas of policing: but as the disorder in Tottenham shows, the police should not be complacent about the community relations they rely on.
- The development of a ‚data-mining engine' to scan across publicly available social media for signal crimes, signal disorders and control signals[39] which might be associated with changes in the intensity or scale of public reactions to crime, disorder and policing. Technically advanced methods now exist that make this possible.

A national public order response

2.41 There is no single body that routinely deals with all information and intelligence relating to potential public disorder or criminality on a national scale: this remains the responsibility of individual forces. Given the nature of the August disorders, and in particular the lack of an obvious ‚controlling mind' or common cause or grievance, there is a case for a nationally scalable function (or

[38] As part of this review, HMIC saw presentations on social media analysis capability from Dettica, Vega and Autonomy (while noting that there are many other companies operating in the same area).

[39] Control signals are any active social control that sends a message to an audience. In policing, this could be a targeted patrol by uniformed officers.

capability) to understand the public order threat we face. As will be discussed later in this report, this function should also have an informed picture of the assets available across forces that are prepared, trained and ready to protect the public. This arrangement should be supported by a surge capability to help handle any increase in information and intelligence relating to potential disorder, which may arise very quickly.

Social media monitoring and analysis

2.42 The advances in web and social media technologies have enabled the public to publish their views and ideas and make them available for mass consumption. Now that members of the public spend so much of their time online, private sector enterprise seeks to understand and interpret their views for marketing and other purposes.

2.43 This new social capability and phenomenon has both positive and negative implications, just like any other communication channel. It seems inconceivable that police cannot meaningfully access what is now the cyber equivalent of „the word of the street'. This fast-paced open source information space should be part of the street which they patrol. The sheer abundance of information available – very often conflicting, unreliable or simply untrue – must be borne in mind. But the ability it offers to monitor mood and emotion and predict possible public order problems should not be overlooked.

2.44 From HMIC's discussions with the industry[40] (and as UPSI concluded independently, see above), it is clear that there is a number of technologies that might help the police do this, including tools that offer:

- Situational awareness – rapidly identifying groups of messages for detailed analysis without having to read each message. Measuring the „mood' and emotion in communications and drilling down to specific topics for detailed analysis;
- The capability to scan beyond key words, instead searching and matching even coded language and conducting near real-time exploratory analysis from a pool of data which is summarised in terms of key words, phrases, concepts and their frequency of occurrence. This would enable an „investigator' to discover new themes and lines of enquiry.
- A single point of access across different sources and channels, which would increase operational efficiency and facilitate correlation of information. Any such solution would however need to be flexible enough to work with new channels as rapidly as the public take them up.
- The ability to detect anomalies in patterns of social media use, and to track their development to support decision making. Importantly, the detection of unusual behaviours and events requires constant monitoring of the normal situation to recognise the deviations from the norm. Sentiment analysis provides the technical capability to summarise unstructured texts into emotional themes (such as anger, anxiety and

[40] As part of this review, HMIC saw presentations on social media analysis capability from Dettica, Vega and Autonomy (while noting that there are many other companies operating in the same area).

aggression), thus making it easier to find potential threats in a large pool of data. Simple analysis of the frequency of key words, phrases and locations would immediately pinpoint fast changes such as increased mention of the word „riot'. The capability exists to conduct these processes even when specific slang or code words are used and evolving in the open source environment.

A key challenge is conducting overt and lawful surveillance of these public domain information sources while protecting the anonymity of police operations and capabilities.

2.45 A survey suggests currently available social media analysis tools include the following functionality:

a. Multimedia Analysis – Searches systems identifying links in audio/video, text and data images and stores in a data repository.

b. Automated Entity Extraction – Multi-lingual tool to identify people, organisations and concepts. Can be specific on time/date. It is compatible with email and BBM.

c. Multilingual Analysis – Interrogates and learns languages through analysis of data.

d. Geo-coding – Converts names and places into geographic locations.

e. Semantic Search – Identifies word connections from various sources and following analysis helps the development of actionable products.

f. Sentiment Analysis – A word search tool identifying emotional states. Advanced systems can understand different words in varying contexts.

g. Social Network Analysis – Identifies key players (ringleaders) and structures of online „chatter'.

h. Familiar User Environment – A formatting tool that enables an intelligence analyst to identify key areas of business in a format that police officers will understand.

An „all source' information hub

2.46 Taking these ideas into the world of policing, HMIC suggests that one option is to aggregate the collection, management and dissemination of public order intelligence and information by creating a central all source hub, which would act as a radar for the Police Service and put them on the front foot by scanning the wider environment to look for precursor signs and signals, from both open source material and police databases.

2.47 This could be linked with existing sources of tension monitoring (e.g. the NCTT's work, see above para 2.32) and with intelligence from other sources (e.g. the NDEU for domestic extremism and the Regional Intelligence Units for intelligence on serious criminality and organised crime). Furthermore, the hub could:

- act as the central repository for the data required to complete a national Public Order and Public Safety Strategic Threat and Risk Assessment;
- provide strategic intelligence products to help identify potential public order threats;

- monitor the availability of trained public order assets in police forces (discussed further below);
- provide a fast-time strategic briefing unit function in the event of disorder, and be identifiable as the national single point that can provide information quickly to the Police Service;
- act as a centre of excellence for the analysis of social media in public disorder scenarios; and
- link police control rooms to enable rapid communication and contact with key decision makers.

2.48 Such a public order intelligence and information hub does not have to be large, but would require permanent staff; there may be a need to re-engineer existing ACPO units and funding to accommodate this new business requirement.

2.49 HMIC are currently reviewing the best position and future role of national public order intelligence (a function that presently sits within the NDEU). HMIC envisages the concept of the all source hub to be a separate entity to domestic extremism arrangements. The hub need not be based in London (although for briefing and other reasons this may be the best location), but would need the capability to make sense of different streams of information and intelligence, to understand the developing picture and to inform national and local public order decision-making.

Conclusion

2.50 Local and national intelligence systems did not – and (in their current designs) could not – anticipate the spread of the August disorders. At a local level, some forces relied on conventional police intelligence (i.e. information which has been assessed and corroborated) as a predictor of disorder. However, this approach excluded some vital (but not formally assessed) information, such as how the community in Tottenham was responding to unchecked rumours surrounding the death of Mark Duggan – despite the fact that this kind of information has frequently been a sign of imminent rioting in the past.[41] On this occasion, the rumour of a police „execution' was left unchallenged until the IPCC statement of Sunday 07 August (which denied this was the case).[42] All forces therefore need to start using uncorroborated information as well as their usual intelligence if they are to stand the best possible chance of pre-empting disorder.

2.51 In addition, the issue of dealing with rumour / information around deaths involving the police is well rehearsed[43] (and further discussed in Chapter 5, paras 5.49ff). It

[41] On riots and community tension, see: (in the UK) Scarman, L. (1981), *The Brixton Disorders (10-12 April 1981);* Greater London Council (1982) *Policing London – the Policing Aspects of Lord Scarman's Report on the Brixton Disorders;* (in the USA) Kerner Commission (1968), *Report of the National Advisory Commission on Civil Disorder*.

[42] IPCC statement from Commissioner Rachel Cerfontyne of 07 August 2011, available from www.ipcc.gov.uk

[43] See HMIC (2009) *Adapting to Protest*, pp.10, 35: „In relation to communication issues arising from death or serious injury at events MPS and ACPO, in liaison with others, should: Agree principles regarding the police use of potentially sensitive information which may later become evidence in legal proceedings.' Report available from www.hmic.gov.uk

is time for the IPCC and the police to respond to HMIC's 2009 recommendation and clarify their respective responsibilities.

2.52 Police forces tried to monitor **social media,** but were on the whole overwhelmed by the amount of information available.[44] This reflects a gap in how the police interact with social media for intelligence purposes (i.e. as a tactical option), in contrast to how they utilise it for community engagement, where it is widely used. The Police Service has also not adopted the social media monitoring tools (offered by a number of commercial suppliers, and used by other government agencies) which would allow it to quickly process and evaluate large volumes of online information.[45]

2.53 Nationally, the NDEU[46] acted as a collator of the available facts on the emerging picture. In doing so, it relied upon the secure „Cluster' communication network, which operates through force Special Branches – but is not linked in to force control rooms (where there is likely to be the best knowledge of the current state of play and of any police capacity issues). The NDEU did the best it could in the circumstances; but the ability of the Police Service to provide analytical and briefing material for the President of the Association of Chief Police Officers (ACPO, who attended COBR) was limited.

[44] While we found some evidence of successful police responses based on social media analysis, these were localised and modest.

[45] As part of this review, HMIC saw presentations on social media analysis capability from BAE Systems Dettica, Vega Consulting Services Ltd and Autonomy a HP Company (while noting that there are many other companies operating in the same area).

[46] See note 37 above on the NDEU.

3: Planning for the unexpected: police strategy and preparedness

Mass disorder on a national level is exceptional: but British policing can draw on the experience of widespread rioting during 1981, as well as other outbreaks of localised serious disorder, which both communities and the police remember well. The Service can also use the skills built up from policing the many high profile mass participation events that take place every year. This chapter looks at police preparedness to meet the threat from spontaneous, multi-seated disorder. Some good practice has been identified; so too have some significant gaps.

Public order strategy

3.1 While the immediate response to public disorder in August was hesitant, this transformed into a decisive and effective response in which large numbers of assets were mobilised to regain control of the streets. A number of important facts affected the nature of the response. These include:

- the relative rarity (for a generation) of significant widespread disorder, which has acted to reduce police force preparedness for spontaneous multi-seated disorder;
- the relatively greater urgency attached to other strategic threats (including international terrorism and serious organised crime); and the consequences of this for and
- the choices made on resources, tactics and training to maintain and develop public order capabilities (as opposed to other police disciplines).

3.2 One option would be for each force to separately assess the risks it faces with regard to disorder and then plan to provide the necessary officers, training and equipment. For exceptional, relatively infrequently events such as these, this approach would be very inefficient. An alternative would be for forces to assess the likelihood of these events as rare and not provide the necessary officers, training and equipment. This would expose the public to risk; it would not be an effective approach.

3.3 The only efficient and effective approach to relatively infrequent events like August disorders is to tackle them nationally. An „insurance' scheme is needed, with each force making a contribution to a national pool of trained officers and equipment. This is the approach forces have taken and it enabled them to regain control of the streets. However, HMIC has found that the scheme is in need of improvement.

3.4 At the time of the August disorders, there was no overarching national strategy to meet the threat of public disorder. Nor did disorder feature in the substantive and authoritative Government-sponsored assessments of national threats which might require an aggregated response from the Police Service (such as the National Risk Register, which is owned by the Cabinet Office, and the Counter-

Terrorism strategy, *CONTEST*).[47] However, the damage done in August, and the anxieties expressed during and since then about the police response to them, suggest that the priority accorded to public order planning is no longer appropriate. These anxieties include:

- concern about the speed of mobilisation by the police and the effectiveness of the police tactics used (raised as an issue in Parliament on 13 October 2011);[48]
- public fears, as demonstrated by the opinion polling conducted on behalf of HMIC (summarised at Annex B), which shows that 39% of those polled were either very or fairly worried that the police would not be able to keep control in their local area, and more that half (55%) had some degree of worry during the period of the riots; and
- the impact of the riots on the international reputation of the UK.

3.5 With no assessment at a national level of the threat which public disorder might pose, and no commonly agreed view of the impact it can have, it is always going to be difficult to make progress rapidly – that is, to move beyond the present position, which is the result of the cumulative effect of decisions made over a number of years on training and resourcing for other policing priorities. The events of August 2011 provide the opportunity for lessons to be learned: it remains a matter of judgement as to how significant any changes need to be for police to respond more effectively in the future.

3.6 Currently, planning around how to respond to events which are beyond the capability of a single force is based on a non-binding accord between chief officers, which focuses on the supply of an agreed number of public order trained and equipped staff. This accord is supported by a mobilisation plan and a central machinery (Police National Information Coordination Centre, PNICC) to help move resources from one force area to another. The question of mobilising resources is dealt with in more detail in Chapter 4.

3.7 The effect of this absence of a national strategy with clear national expectations around early resolution can be seen in the response to the disorders. Gold (strategic) commanders in the force areas affected set strategic objectives for the policing of the disorder, but these were generally broad and focused on the core policing duties (to protect life and property, to prevent crime and maximise

[47] *CONTEST*, the UK's counter terrorism strategy, aims to reduce the risk to the United Kingdom and its interests overseas from terrorism, so that people can go about their lives freely and with confidence.

[48] For instance, Westminster Hall Debate, 13 October 2011, Siobhain McDonagh MP: "The riots happened because they could, and there is a real issue about how the police handled London on those few nights. There were simply not enough police officers available, and there seemed to be little direction from the centre….. there seemed to be no overarching direction on how to deal with anything….It was rather like young boys learning to play football. There are 22 players on the pitch, and when the ball goes to one end, all 22 follow. That is precisely what happened." David Lammy MP: "When I was rung by police on the Saturday evening and told that a car was burning outside the police station, my first response was to wonder why the car was left in the way that it was by the police. I then hoped that the fire would be put out quickly. A second car was on fire, then a bus was set alight. I wondered why the initial policing was not there, because Spurs were playing and there was a huge police presence in the area." (Hansard, 13 October 2011, col, 163WH-164WH).

public safety).[49] Some forces went further and provided some detail on what was to be achieved; in hindsight, they lack a strategic point of reference to crystallise and articulate both Government and public expectations of what the police response would achieve. None of the force strategic objectives featured any information about the intended speed of response.

3.8 The concept of operational independence of chief constables remains vitally important, but it should not be confused with strategic choices in which political and public expectations play a key role. In August 2011, the response to the disorder (and the consequences of it) had a regional and national dimension. This points to the need for a more developed approach to planning for the maintenance of public order, which would enhance national understanding of (and buy-in to) what the police want to achieve.

3.9 A strategic framework, supported by a proper risk assessment, would allow a planned and tested response. It could consider the aims and objectives of police involvement, and the „rules of engagement' by which they are to be achieved. This could shape and define:

- expectations around resolution of disorder;
- planning to prepare well (e.g. mobilisation); and
- a suite of appropriate tactical responses, which are likely to be supported by the public, and for which consistent training and kit could be provided (within and across forces).

3.10 The risk of maintaining the status quo is that the response can appear piecemeal and disorganised; and this view was reinforced by our interviews with commanders, who pointed to an absence of contingency planning on how to structure and resource a response to the type of disorder seen in the summer.

3.11 The absence of an explicit *shared* strategic reference point on public order exposes police forces to greater operational and reputational risks. The development of a Strategic Policing Requirement,[50] as required by the Police Reform and Social Responsibility Act 2011, sets out national threats and refers to the strategies to address them (e.g. *CONTEST* on counter terrorism). The Strategic Policing Requirement provides the most appropriate vehicle to underline the importance of public order by referring to a strategic framework (as outlined at para 3.11). This would provide much-needed reassurance, not just in cases of disorder but on the capacity of the police to muster co-ordinate and intelligently respond to other national emergencies (such as the threat of a flu pandemic or widespread flooding).

[49] The Statement of Common Purpose and Values owned by the Police Service sets out that, "the mission of the Police Service is to uphold the law fairly and firmly; to prevent crime; to pursue and bring to justice those who break the law; and to keep the Queen's Peace; to protect, help and reassure the community.

[50] The development of a Strategic Policing Requirement is required by the Police Reform and Social Responsibility Act 2011.

Threat and risk assessments on public order

3.12 Police forces base their policing plans and assign resources on an assessment of threats and risks. In their force areas, plans focus both on local priorities, informed by an assessment of community concerns and local conditions (such as annual events or sporting occasions), and (where they exist) national risk assessments.

3.13 Individual chief constables have the autonomy to decide on the number of officers trained in public order tactics within their policing area, and on the equipment which should be acquired to deal with disorder. ACPO's guidance manual, *Keeping the Peace,* states that this decision making rationale should be informed by an assessment of the known and foreseeable risks identified through an annual Public Order Strategic Threat and Risk Assessment.[51] Amongst other issues, these assessments should consider local, regional and national drivers for potential disorders.

3.14 The absence of a national ambition, as discussed above, has consequences for the ability of local chief constables to carry out an assessment which takes real account of regional and national needs in the face of disorder. There is a case for forces to undertake national duties: a significant proportion of their funding is provided centrally.[52]

3.15 All the forces reviewed had undertaken specific public order threat assessments before the August disorders, both as part of their wider force strategic assessment process and their dedicated Public Order Strategic Threat and Risk Assessments. All these assessments reference the potential for increases in public order demands in the year ahead: reasons given for this include English Defence League (EDL) protests and activity, and the impact of austerity measures. Every one of these documents also acknowledges the need to deliver their force's requirement to deal with both planned and spontaneous events.

3.16 The relative difficulty in forecasting public order trends has had a direct impact on resource and mobilisation planning. Although force assessments indicated increasing risk, the absence of spontaneous urban disorder for a decade or so makes forecasting the future difficult. HMIC believes that this has resulted in public disorder resource and mobilisation being given lower priority than other areas of policing, such as counter terrorism.

Force planning for disorder

3.17 The Police Service as a whole does have a national mobilisation plan, which is premised on dealing with three seats of disorder at any one time,[53] and identifies that 297 police support units (PSUs), equating to 7,425 officers in total, should be available through a national mutual aid (assistance) agreement. Chapter 4 considers further how this agreement is operationalised. However, as

[51] ACPO (2010) *Keeping The Peace* (3.12–14). Available from www.acpo.police.uk

[52] Between 54% and 84% of police force expenditure is provided by central Government. See HMIC (2011) *Adapting to Austerity*, p.11. Available from www.hmic.gov.uk

[53] Point 4.2, ACPO Public National Requirement. Created 19 September 2011; quoted version dated 02 October 2011.

a result of both the local focus of many assessments, and the lack of a nationally agreed direction of travel, the level of public order resource, equipment and training across police forces continues to vary significantly.

3.18 Some forces do train many more officers than are needed to fill their national mobilisation quota, both to ensure that such a response is available within a reasonable timeframe if they need to deal with their own regular public demands, and to be sure that they still have a local resource on which to draw if their quota is called up.

3.19 Whilst the investment in training should be recognised as a strength, HMIC was unable to evidence easily the links between local public order threat assessments, training plans and resourcing decisions on public order.

3.20 Ahead of the August disorders, police were working on a National Public Order Threat and Risk Assessment, to underpin a „new' national mobilisation requirement to support local forces' contribution to managing the national threats identified in the Government's forthcoming Strategic Policing Requirement. The planning assumptions set at the time were for the resolution of three seats of disorder lasting for a period of seven days. This needs to be updated in the light of the disorder in 2011. As this work develops, informed by the August 2011 events, it has the potential to provide the basis of a strengthened process for planning and resourcing a national response to the threats of public disorder.

Contingency planning and exercising

3.21 HMIC's *Policing Public Order* report (February 2011)[54] identified concerns around testing and contingency planning for disorder. It reported that in September 2009, less than 60% of forces had tested their mobilisation plans in exercise. In December 2010, this figure had remained unchanged: more than 40% of forces had still not tested their plans. HMIC can now report that since the report was published, the testing of public order mobilisation plans has taken place at force, regional and national levels.

3.22 The **Sim formula[55] does not prescribe times for deployment as part of the Police National Mobilisation Plan.** Some forces (but not all) have set timed response plans: for instance, Greater Manchester Police's operational response plan outlines that in times of high demand four PSUs (100 officers) will be called on within four hours, 12 (300) within 12 hours, and 20 (500) within 48 hours. The force tested this plan in April 2011.

3.23 At a national level, two exercises were conducted in February 2011, and a third in April 2011. Operation Roscoe and Operation Manila (February 2011) were desk-top exercises, initiated by PNICC at the request of the ACPO lead for Public Order, Chief Constable Sue Sim, to identify the capability and capacity of forces to support mobilisation.

[54] HMIC (2011) *Policing Public Order; An overview of review of progress against recommendations of* Adapting to Protest *and* Nurturing the British Model of Policing. Available from www.hmic.gov.uk

[55] The Sim formula is the current national mobilisation formula (which identifies 297 public order trained PSUs), as agreed at ACPO Cabinet on 21 June 2010.

3.24 Operation Roscoe began at 09:00hrs on Tuesday 08 February 2011, and tested the availability of resources during a day shift. All forces responded and 47% of the pre-planned requirement were reportedly on duty and potentially available for mobilisation within four hours. Operation Manila began at 20:00hrs on Monday 28 February 2011, and was aimed at testing the same issue during a night shift. All forces again responded, and 25% of the staff required for a pre-planned deployment were on duty and potentially available.

3.25 These two desk-top exercises were followed by Operation Muster, which was held at 10:00 between 11–15 and 18–19 April, and aimed to establish whether each region was able to mobilise 25% of its national mobilisation requirement within four hours. Two regions (West Midlands and the MPS) elected not to undertake the physical mobilisation. The exercise demonstrated the potential to mobilise 23% of the national commitment within four hours. It needs to be borne in mind however that historically the need to mobilise has been greatest in the evening when, Operation Manila suggests, fewer resources are available.[56]

3.26 Following Operation Muster, regions undertook to scope the 'required' spontaneous mobilisation capability against their current mobilisation requirements. They also agreed to decide which forces within the region would provide the initial resources within specified timescales in response to a spontaneous mobilisation request (see Chapter 4).

3.27 In summary, although many forces had tested their mobilisation plans in advance of the August disorders, issues still remained. Even those forces which did have contingency plans, and which had conducted both 'live' and paper-based mobilisation tests as recently as April 2011, still had issues in terms of planning, such as:

- no 'on call' or out of hours arrangements to recall logistics planning staff;
- a lack of confidence in duty management IT systems;
- inaccurate training and qualification databases;
- no contingencies in place for redeployment of staff; and
- call-handling systems overwhelmed.

3.28 Post the August disorders, further work is needed to ensure that any future response is tested and exercised.

Conclusion

3.29 The only efficient and effective means to police disorder once it exceeds a certain level is for each force to contribute to a national pool of trained officers and equipment. There is currently a general accord or agreement between forces on the size of the national pool, but this needs reassessing in the light of the learning from August. Exercises indicated that the proportion of the national pool that might be mobilised swiftly within four hours was just under a quarter – but this might vary, depending on the time of day and day of the week. A national strategy is needed, which includes a new assessment of the threat and

[56] This finding links directly with those of broader work completed by HMIC on availability in December 2010 (*Demanding Times*, available from www.hmic.gov.uk). This is set out in more detail in Chapter 4.

required resources along with an assessment of how quickly these resources will be needed. We discuss the mobilisation of resources in more detail in the next chapter.

3.30 Once mobilisation requirements (scale and speed) have been reassessed, police need to retest their arrangements to check that they work well and to identify areas for improvement. The test needs to be run at a time of day and on a day of the week when disorder is likely (i.e. perhaps not on a weekday morning). HMIC acknowledges that this does incur costs, as it takes resources temporarily away from the front line while the test is run. However, the learning from the August disorder suggests that mobilisation is a process that should not be left to chance.

4: Resourcing the response: Local, regional and national mobilisation

This chapter explains what proportion of the 154,930 police officers and police community support officers (PCSOs) in England and Wales are available to provide the initial response to disorder, and how forces go about deploying greater numbers over subsequent days by retasking officers and changing shift patterns. The approaches forces used to increase the number of officers deployed to tackle the disorder in August are then examined, and signs of overstretch and lessons for the future identified.

Officers available for the initial response to disorder

4.1 HMIC has assessed the number of officers currently available nationally to provide the initial response to disorder. The number of officers deployable quickly matters because they offer the best chance of preventing disorder from developing and dampening its impact, and of dealing with individual offenders using restrained force.

4.2 In 2010, HMIC took a data snapshot of the percentage and numbers of police officers across England and Wales who were available to the public at particular times of the week. This was later published in two 2011 reports, *Valuing the Police* and *Demanding Times*.[57] Some chief officers have chosen to challenge these figures: nonetheless, they are a valid indication of the theoretical pool of officers from which resources can be drawn in times of disorder (although it is however important to note that only a proportion of these officers – between 7 and 31% – will be trained to use specialist public order tactics).

4.3 Currently, there are 154,930 constables and police community support officers (PCSOs) in England and Wales.[58] The chart on the next page provides some indication of the numbers of PCSOs and officers on duty across England and Wales at four specific times of the week (to note, these are indicative only). Roles are split between:

i) Visible: uniformed officers potentially on the street on response or neighbourhood policing duties, community safety, traffic, dogs, mounted and tactical firearms officers, and probationers (61% of police officers and PCSOs).

ii) Specialist: officers allocated to specialist functions, including air support, underwater search, child protection, CID, drugs and fraud (21% of police officers and PCSOs).

[57] Both available from www.hmic.gov.uk

[58] Police officers: 139,110 full time equivalent; PCSOs: 15,820 full time equivalent, as at March 2011. Home Office (2011) *Police Service Strength England and Wales 31 March 2011.* Available from www.homeoffice.gov.uk

iii) Middle Office: command and control functions, planning, custody and prisoner-handling, staffing police stations etc (14% of police officers and PCSOs).

iv) Back Office: training, court and case administration, corporate development, communications and IT (5% of police officers and PCSOs).

	Monday 09:00	Wednesday 19:00	Saturday 00:30	Saturday 12:00
VISIBLE	25500	18500	15000	17000
SPECIALIST	23000	4500	1000	5500
MIDDLE OFFICE	26500	6500	4000	7500
BACK OFFICE	26600	250	100	200

Figure 6: Number of police officers and PCSOs available across England and Wales at four different times of the week

4.4 As expected, because back office functions are mostly 9–5 roles, Figure 6 shows that most of them at work on a Monday morning but not at the other snapshot times. By contrast, shift workers, for example in „visible' roles, are spread throughout the week to maintain an around the clock presence. The back office figure is also inflated by the nature of the snapshot as it includes officers being trained or at court, undergoing and delivering training; at (or preparing for) court; and on restricted duties (due to recovery from illness or injury) etc as they were not available for patrol at the time.

4.5 It would be inefficient for the Police Service to retain a standing army of people to be deployed only in response to disorder or anticipated disorder. The officers deployed to disorder are therefore, in the main, those who normally work in neighbourhoods and response teams (and so fall into the „visible' category in Figure 6). On average, these teams account for about 41% of the total police workforce.[59] However, as the figure shows, the actual number available varies depending on the time of day and the day of the week. The peak appears to be on a Monday morning – when disorder might well be considered least likely.

4.6 HMIC was unable to compare officers visible and available with the numbers actually deployed in August (in order to determine the extent to which they were stretched) as forces human resource systems are unable to say for sure how many officers were deployed, and when. However, we are able to make an indicative assessment of the officer numbers that forces might be able, in theory, to mobilise, and when.

[59] See HMIC (2011) *Demanding Times – The front line and police visibility*. Available from www.hmic.gov.uk

Resourcing – reinforcements following the initial response

The national picture

4.7 As discussed above, the initial response to a „rising tide' of disorder is likely to be formed from response and neighbourhood policing team officers and PCSOs (who fall in the „visible' category). If these officers are not able to maintain order, they will need reinforcements.

4.8 Reinforcements can be raised in several ways, including by deploying „waves' of officers who are on duty in other roles. The following chart illustrates the potential scope for doing this, again using the data snapshot from *Demanding Times* and showing the numbers available at the same four times in the week as are shown in Figure 6 above. The resulting figures, although only indicative, give a sense of service capacity.

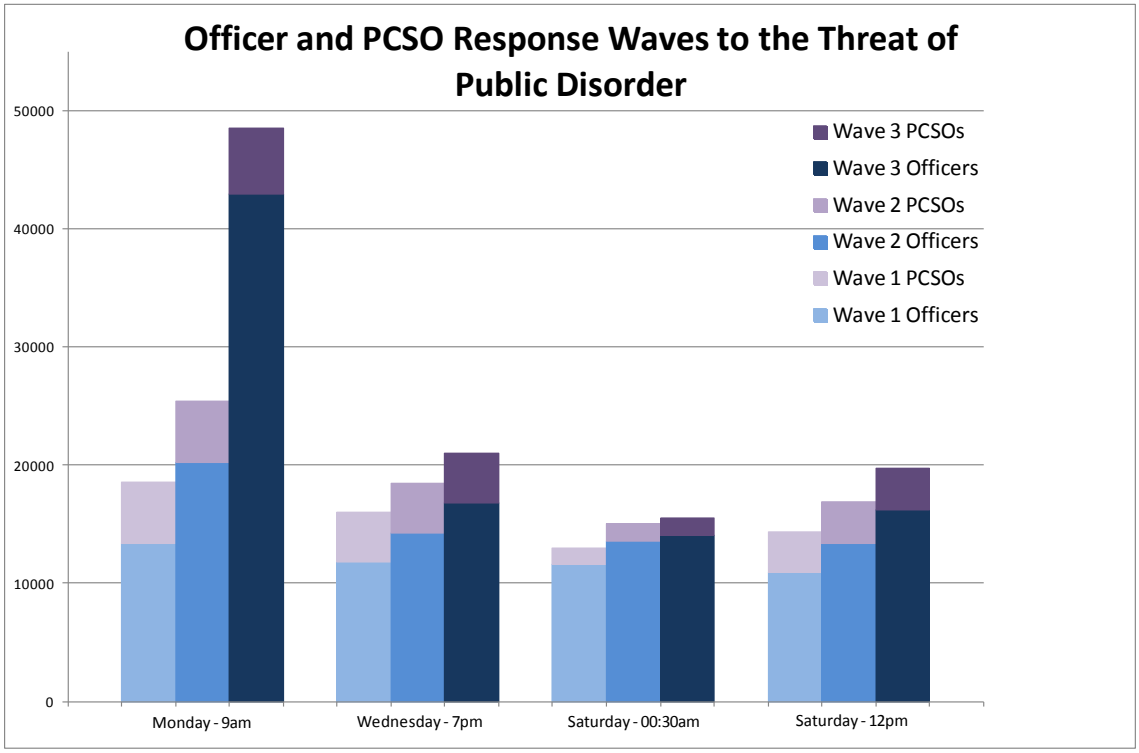


Figure 7: Officer and PCSO response waves to the threat of public disorder

4.9 Figure 7 shows three progressive „waves' of deployment to help quell the disorder, and the cumulative number (rounded to the nearest hundred) of officers and PCSOs this would represent.

- Wave 1 comprises response and neighbourhood officers (who are likely to provide the initial police response to disorder).
- Wave 2: combines the Wave 1 officers with the rest of the on duty officers/PCSOs on duty who work in „visible'.
- Wave 3: combines the Waves 1 and 2 officers with the officers on duty in specialist and back office roles.

4.10 In deciding on deployment, forces will need to retain their capacity to manage themselves, to communicate, to remain aware of the developing situation (through intelligence) and to deal with the immediate consequences of police action to deal with disorder (e.g. custody, investigation of criminal acts). Public order trained officers are included in these roles, but their use needs to be planned in a different way: their specialised skills mean that they may need to be held in reserve, so they can be deployed if the situation worsens.

4.11 Using Wave 1 as the baseline:

- Wave 2 gives a range of increase in officer numbers of between approximately 51% on Monday morning at 09:00hrs and about 17% on Saturday morning at 00:30hrs.
- Wave 3 gives a range of increase between 221% on Monday morning at 09:00hrs and 21% on Saturday morning at 00:30hrs.

4.12 Current profiles of availability are designed to meet a number of needs; but the bottom line is that Saturday night sees forces less able to quickly call up numbers to tackle any emerging problems.

Local variation

4.13 The national picture shown in Figures 6 and 7 masks significant differences between forces regarding the number of officers and PCSOs available, which are the result of different shift patterns, availability of specialists, staffing of back offices and other influences. Figure 8 illustrates the effect of this variation on availability figures in three forces: A, a large metropolitan force; B, a medium-sized force; and C, a small force. Again, these are cumulative figures rounded to the nearest hundred.[60]

Force A (a large metropolitan force)

	Monday 09:00	Wednesday 19:00	Saturday 00:30	Saturday 12:00
Wave 1	900	700	700	600
Wave 1+2	1100	800	800	700
Wave 1+2+3	1800	1000	900	800

[60] The number shown for Wave 3 is unlikely to be fully realised: see para 4.4 above.

Force B (a medium-sized force)

	Monday 09:00	Wednesday 19:00	Saturday 00:30	Saturday 12:00
Wave 1	300	400	300	300
Wave 1+2	400	400	300	300
Wave 1+2+3	800	500	300	400

Force C (a small force)

	Monday 09:00	Wednesday 19:00	Saturday 00:30	Saturday 12:00
Wave 1	100	100	100	100
Wave 1+2	200	100	100	100
Wave 1+2+3	400	100	100	100

Figure 8: Variations in availability in a small/medium/large force

4.14 This shows that the medium-sized and smaller forces have limited capacity to increase their initial response, except at times when significant proportions of their total staff are on duty. In these forces, on a Monday morning deployment of Wave 3 officers may increase the total number available by between 100% and 300%. In contrast, on Saturday morning just after midnight in the large metropolitan force the increase from deploying Wave 3 may be in the region of 29%. In the small and medium forces, there is no increase at all.

4.15 Other options to maximise available officers include moving to longer shifts. For example, moving from an 8-hour shift pattern to an overlapping 12-hour shift pattern (as has happened in London) may (subject to the patterns chosen) increase the numbers available by a third – a very valuable gain.

4.16 There are consequences to a move of this kind in terms of availability of officers to work in the weeks following disorder and in the return to „business as usual' policing. Extra hours worked will impact significantly on future availability (i.e. because officers will take time off in lieu) and issues of welfare and duty of care also need to be factored in.

4.17 HMIC does not underestimate the demands placed on current police resources, nor the opportunity costs of standing up resources to deal with potential disorder. But to deal effectively with „rising tide' disorder, and maintain effective general policing, local commanders will have to make difficult decisions about resourcing and prioritisation on the day.

4.18 Effective human resource systems, which are able to identify availability and skills to achieve a given purpose, are crucial in making these decisions. However, none of the forces we spoke with was able to produce convincing

information to demonstrate the actual numbers of officers on duty or called into duty with specialist or required skills. The human resource systems are generally inadequate to support operational logistics of this nature.

Mobilisation in August 2011

4.19 The response to the August disorders involved the mobilisation of the full spectrum of police resources – not just the specialist public order assets. The Police National Information Coordination Centre (PNICC) reports that 390 PSUs (9,750 officers) were deployed across England; and in London alone on Tuesday 09 August it is reported that 16,000 officers were on duty.

4.20 Force redeployment of other resources to supplement their trained public order personnel varied, with some emerging good practice. For example, West Yorkshire Police ceased investigative training and deployed the trainer and students to put together the evidential packages to support the arrest of disorder suspects. Going forward, some forces (including the MPS) have indicated they will increase their number of trained public order officers.

Local, regional and national mobilisation

4.21 It is vital that the Police Service has mechanisms that ensure the right resources are mobilised in an efficient and timely manner. There are effectively three tiers of mobilisation: the local, the regional and the national.

4.22 The timeline at Annex D shows when and how the forces subject to this review began to prepare resources for potential disorder.

Local mobilisation

4.23 Early local mobilisation gives the best chance of stopping disorder before it develops. However, the reaction in London appeared hesitant rather than a decisive response to the rising tensions. During the course of the 06 August, on-call public order command support was considered but at that time there was no requirement for this support, and it was therefore declined. Views differ on the time disorder started but HMIC indicate below a time of 18:52hrs, when bottles were thrown at the police station. The on-call senior manager of the public order branch requested service mobilisation[61] (code red) at around 18:30hrs; but on entering the command centre Special Operations Room an hour later, the same officer found that this level of mobilisation had not been authorised. Instead a code amber message had been sent to boroughs.

4.24 The service mobilisation was finally activated at 21:33hrs. We know that some of the resources requested arrived at approximately 23:30hrs, with further units reporting their arrival in the Tottenham area at midnight or shortly after. According to local commanders there were insufficient resources on the ground

[61] The MPS grades service mobilisation by colour. Amber refers to the stage at which resources are confirmed to be available locally. Red is the stage where these resources are mobilised. The type of resource depends on the situation (e.g. public order officers appropriate equipped and transported to the scene).

in Tottenham High Road until 03:30hrs, when their officers received reinforcement or were relieved after some 8.5 hours.

4.25 On Sunday 07 August, a full command team was put in place at 06:00hrs, supported by 33 PSUs (approximately 825 officers, which is equivalent to the total complement of police officers in a large London borough), together with a significant amount of further public order trained assets (such as mounted, dogs and firearms officers).

4.26 We know that since August 2011, when concerned about possible tensions, the Metropolitan Police quickly put in place arrangements for its Strategic Reserve (to which each borough provided one sergeant and seven constables) plus its regular reserves to be ready and available, making a total resource of about 400 officers (or 16 PSUs). This provided a base to which other reinforcements were added.

4.27 Other forces also could have prepared more quickly in August 2011; but there were also instances of good practice. West Midlands Police took a decision at 09:00hrs on Monday 08 August to increase their public order capability because of what was happening in London, before there was any intelligence of likely disorder in their force area. Shortly after midday they undertook a live mobilisation test. Rumours of disorder being planned started to circulate in the early afternoon and the force mustered public order trained officers at a central point. A decision was taken to increase public order capacity again at 16:00hrs. Large groups started to gather in the city about an hour later.

Regional mobilisation

4.28 If disorder develops to a point where local resources are insufficient, regional and national arrangements must be in place to fill the gap. In August 2011, the regional arrangements allowed some forces to bring in substantial reinforcement, and there were some good examples of use being made of regional contacts (although this did not always produce clear and efficient responses). For example, Greater Manchester Police (GMP) scoped the availability of mutual aid between 16:00hrs and 17:00hrs on Tuesday 09 August. Between 19:32hrs and 21:47hrs they contacted seven forces, asking for help. Cheshire Constabulary provided one PSU[62] which was directly deployed to Salford at 21.00hrs (one and a half hours later). The resources from the remaining six forces arrived in Manchester within the next two to four hours.

4.29 Likewise, West Midlands Police were able to source mutual aid from Staffordshire on 08, 09, 10, 11 and 12 August; from Warwickshire on 08 August; and from West Mercia on 09, 10 and 11 August.

4.30 The present initiative by ACPO to develop regional mobilisation plans that underpin an overall national plan (Operation Calm) is still under discussion and development.

[62] A PSU is a public order-trained police team consisting of an inspector, three sergeants and 21 constables.

National mobilisation

4.31 When assistance was requested from other forces through mutual aid, some fulfilled this through neighbouring or regional contacts, some through PNICC (see next section, paras 4.35ff), and some started regionally then subsequently sought assistance from both. For example:

- in London, it was not until the morning of Monday 08 August that the Metropolitan Police requested mutual aid through PNICC. Before this, they had sought additional resources through informal contacts.
- West Midlands Police sourced assistance directly from Warwickshire Police on 08 August, but through PNICC on 09 and 10 August.

4.32 HMIC found that arrangements at regional level do not join up with the national arrangements in such fast-moving circumstances. For example, on 09 August, when GMP were taking steps through their regional arrangements to secure help from neighbouring forces, they sent three of their own PSUs to London through the national arrangements.

4.33 Radio communications for officers brought in from other force areas were reported to HMIC as being "initially problematic". All forces use the Airwave radio system, but officers coming to London under mutual aid would not have access to the dedicated radio channels used ordinarily by the Metropolitan Police.

4.34 This situation proved challenging throughout the weekend of 06–07August and was only resolved on Monday 08 August, when all forces in London moved to the national „mutual aid channels'. Professional knowledge of Airwave capability continues to be an issue in some mutual aid situations. HMIC was also advised that there remains a reliance on the use of mobile phones. This usage (which is frequently used to avoid „cramming' radio space) means that communication is not recorded and that decisions and evidence may be lost.

4.35 Forces tend to decide whether to seek assistance regionally or nationally based on the extent to which they are familiar with colleagues and have had positive responses to calls for assistance in the past, rather than because of any systematic rationale. Those seeking to co-ordinate resources nationally (PNICC) do not know what local resources either have or are being deployed to neighbouring forces through regional arrangements. Their picture is out of date which makes it difficult for them to prioritise calls for assistance and identify donors effectively. The result is that, on a national scale in circumstances of widespread disorder, officers might not be deployed to those forces that need them the most. The uncoordinated use of both regional and national (PNICC) mechanisms introduced a measure of uncertainty. Chief constables relied on their own force resources, or requested local support. This meant that the national picture became less relevant and outdated at best.

The role of PNICC

4.36 National mobilisation, both for pre-planned and spontaneous events, is coordinated by PNICC. It provides a 24/7 on-call facility and employs three full time staff.

4.37 The role of PNICC can be briefly summarised as:

- to provide a facility to assist with the resourcing of mutual aid where necessary, including the logistics;
- to gather information to assist the President of ACPO in keeping ministers informed of what is happening (often in COBR); and
- to provide support in other areas, including resources for international disasters and for the Foreign and Commonwealth Office in overseas operations.[63]

4.38 To illustrate the pressures created by a large scale spontaneous series of events, identifying sources of aid for assistance to meet the initial request from the Metropolitan Police on Monday 08 August was supplemented or varied six times in the course of the day. The demand placed on PNICC was substantial and continued into the out-of-hours arrangements. On Tuesday 09 August, requests from other forces began to arrive. PNICC asked for additional staff: but it appears that some of the officers who attended had no experience of PNICC's work, and there is at least a question about whether they were adequately inducted, briefed, and given clarity about how the situation should be managed. One of those interviewed suggested that the real contingency plan for these circumstances was "to call on the Metropolitan Police". For obvious reasons, that source of help was not available this time.

4.39 The disorders in August 2011 show very clearly that slow-time, pre-planned or anticipated events should not be the only planning assumption. Consideration should be given to identifying, training and maintaining a rota of back-up staff from a wider spread of forces, who could be called on to assist when PNICC is activated in response to fast-time, spontaneous, multi-seated events. A process should also be put in place to ensure that staff arriving in PNICC are prepared to hit the ground running.

4.40 According to figures provided by ACPO, 390 PSUs were deployed at the height of the police response to the disorder. A snapshot of the maximum amount of aid provided sourced by PNICC was 89 PSUs:

- 3 to Avon and Somerset;
- 3 to Gloucestershire;
- 14 to Greater Manchester Police;
- 50 to the Metropolitan Police Service;
- 5 to Nottinghamshire Police; and
- 14 to West Midlands Police.

4.41 The relatively small proportion of the overall demand which PNICC supplied, compared with the activity at local and regional level, will have rendered it almost impossible to have a national picture of what resources remained available and where they were located. PNICC also found it difficult to link requests and ensure that assets were delivered quickly.

4.42 PNICC is essentially a reactive tool: it is activated only at the request of a police force which needs mutual aid, and there is no obligation on forces to engage

[63] PNICC draft terms of reference – dated June 2011.

with PNICC as other resourcing problems arise. PNICC does not seek to balance demand from forces for help. Neither does it maintain contact with mobilised resources to identify their location, monitor estimated times of arrival or redirect resources in cases of urgency.

4.43 The current national mobilisation formula (which identifies 297 public order trained PSUs) was agreed at ACPO Cabinet on 21 June 2010 (and is referred to as the **Sim formula**). PNICC is aware of each force's commitment: but they do not use it to meet demand requests, instead relying on phoning known contacts to establish what is available. Although absolutely critical for the management of fast-time events, there is no prescribed or mandated response time within the mobilisation guidance. Forces are only required to inform PNICC on the availability of their resources if they have a local event within their own force area which would inhibit provision of their mutual aid deployment. Interviews suggest that this is rarely done.

4.44 Taken together, these factors mean that the Police Service's ability to support a national-level response in situations as fast moving as the August disorders is limited. HMIC considers that the interplay between the regional and national levels of response means that unless changes are made, the national level will always be at risk of using out-of-date information.

4.45 We consider that in the future, arrangements must ensure the initial response is planned, rather than left to chance. Better information (an all source hub) and an improved central infrastructure (PNICC) are only part of the solution. Further work is required to set any national response on a firm footing. This should be supported by a resourcing and information system and appropriate IT, in order to enable a clear picture of:

- the capability and readiness of resources to respond to mutual aid requests;
- what is happening and the means of using that information to assess the relative importance and urgency of requests for aid; and
- the use of available resources so as to avoid the inefficiencies „built in' to requiring officers to travel extremely long distances, which degrade their ability to be deployed on arrival. The need for rest, accommodation and so forth must be factored in.

4.46 Revised arrangements should be put in place immediately and exercised regularly. Of course, the local accountability of chief officers and their operational independence has to be carefully considered – PNICC can support, it can co-ordinate if chief constables agree, but it cannot direct. As was demonstrated during August, chief constables weighed the costs and benefits and, as far as possible, supported the common good.

4.47 Although one of PNICC's core roles is to provide information to the ACPO President to enable Ministers to be briefed on what is happening, it does not itself have an information or intelligence arm. In fairness this national need is run on a shoestring: in August 2011 this appears to have contributed to a sense that in the initial stages it was, as one commentator said, a bit "left hand, right hand". It also contributed to a situation in which ACPO was unable to respond to requests from Government for basic information (numbers arrested, officers injured, officers on duty etc) without special effort.

4.48 The Secretary of State will always need this information in order to fulfil their responsibilities to Parliament. In a crisis which continues over a period, they will need up-to-date information as events unfold. The Police Service must be in a position to respond. Providing the information for this, and keeping senior officers informed of the developing situation, means that any future PNICC should be connected to an „all source hub' that acts to help the national effort.

Signs of overstretch

4.49 Although HMIC has not been able to secure data from forces to test how stretched they were in terms of the overall number of officers deployed, there are signs that, with the approach being taken, the police would have been sorely stretched if the disorder in August 2011 had spread further. For example:

- PSU officers worked 12-hour shifts in London from 09 August 2011 to 12 August 2011;
- rostered shifts were significantly (and unexpectedly) stretched: some MPS response officers who were due to work a 15:00hrs to 23:00hrs shift on Monday 08 August did not in fact finish until 07:00hrs on Tuesday 09 August; and
- other officers were re-called to duty and working very long hours, making ad-hoc arrangements for refreshments and accommodation (which clearly raises, in addition to the cost factor, issues surrounding welfare and health and safety).

Conclusion

4.50 When those determined on violence galvanise themselves at short notice to attack the community, early decisive intervention through effective **local mobilisation** offers the best opportunity of stopping the spread of rioting in its tracks, before it gathers damaging momentum locally and in the media. There will always be a period of delay (however short) while the police organise a sufficient mass of officers to effectively counter the disorder. The issue for the police is how to minimise this delay. Our analysis indicates that the initial response to disorder is limited by the number of officers visible and available at the time. This varies between forces, days of the week and times of day. The initial response can be boosted by around 30% by moving to 12-hour shifts for the duration of the disorder. Over time, further reinforcements might be drawn from specialist, middle and back office functions – although again, the capacity derived from this varies considerably between forces and at different times of the week.

4.51 The mobilisation of resources to pre-empt or deal with disorder did not occur as quickly as it should have done on 06 August in London. Over 800 officers were in place for 07 August but even these numbers did not prove sufficient. Some other forces (notably West Midlands, Merseyside and to a degree GMP) anticipated disorder in their areas. Other forces were more hesitant.

4.52 Good work around **national mobilisation** was eventually accomplished by the Police National Information and Co-ordination Centre (PNICC). In the meantime informal mechanisms between chief officers were being employed.

4.53 The co-ordination at local, regional and national levels needs to improve. The Police Service might be able to achieve this if:

- each force has an effective duties/HR system which accurately informs senior officers of skills and „real time' availability;
- waves of support from officers who are not on response and neighbourhood duties can be mobilised to provide additional officers on the ground;
- consideration is given to triggering 12-hour shifts in response to critical issues, which potentially will increase available officer numbers by a third – particularly important at times of the week when numbers available are smaller;
- each force has a tried and tested local mobilisation plan with a tiered and timed response to ensure resilience;
- efforts to establish regional mobilisation arrangements, are finalised and aligned to the process operated by PNICC;
- the national mobilisation mechanism, PNICC, is fully understood and supported by all potential users;[64] and
- ACPO ensures that PNICC's terms of reference and working practice match the demands of contemporary policing and that they are resourced, capable and supported to ensure the police succeed on the day – to protect us all.

4.54 As set out in the previous chapter, the experience in August indicates that the current national agreement to provide 297 PSUs[65] should be reassessed. This reassessment might consider not just the nature of the threat, the number of officers available and the proportion of these who should have specialist training in public order, but also the speed with which they should be deployed. In the next chapter HMIC consider the tactics they might use. These issues are all inter-related; if police learn the lessons from August and are able to develop better local mobilisation, a suite of rapid response tactics and a realistic agreement on the number of public order trained officers which should be available, then fewer officers might be required to achieve the desired outcomes.

[64] This should include police authorities until November 2012, and Police and Crime Commissioners (PCCs) after 2012.

[65] Public Order Risk Matrix Project set the national public order requirement for England and Wales at 297 PSUs (agreed at Chief Constables' Cabinet, Summer 2010).

5: Police tactics: Out of the manual and on to the streets

This chapter looks at the tactics available to the police to maintain and restore order to the streets. It goes on to explore the extent to which they are trained and ready to use, which is critical if they are to have meaning. The chapter then looks at tactical responsiveness and the readiness of police forces to adapt tactics to swiftly changing circumstances and real-time events that differ markedly from the tactical training.

The deployment of police tactics during the August disorders

5.1 Police forces faced different challenges at different times, in different areas, with varying levels of resources available. There was not a „one size fits all' response to the disorder. The response to concerted attacks on outnumbered police lines, for example, needed to be different to the tactics employed to combat small groups of highly mobile looters. Early preventative measures by neighbourhood teams (as deployed in August) and strong communication strategies are part of the public order lexicon.

5.2 When having to respond to the rare and unexpected, preventative tactics are deployed to inhibit escalation: but there will always be a time delay as specialist resources are accumulated. Containment is one thing; the impact on our communities is far and away the most important issue and only serves to illustrate the importance of planning and preparation in order to support the real time operational flexibility. That preparation also has to address the need to remove and/or reduce those factors that inhibit „standing-up' a level of response which would provide commanders with the widest range of options to deal with disorder, and so with their best chances of success.

5.3 In London, the Metropolitan Police mobilised additional force resources at 21:33hrs on Saturday 06 August to deal with the issues in Tottenham. However, from the evidence of commanders on the ground there were simply not enough people to really begin to exert a measure of control until 04:00hrs on Sunday 07 August. In the words of the Metropolitan Police Silver Commander,[66] they „simply did not have enough officers to do the things he wanted to do'. For the 50 or so officers experiencing the severe violence in the Tottenham High Road this meant no relief for at least eight hours.

5.4 HMIC found clear evidence amongst the forces reviewed of firm intentions to regain the streets, making use of:

- Targeted arrests: Intervening with numbers of officers to directly „extract' those engaging in criminal activities. What was quickly evident in each force area on the Monday and Tuesday is that tactical options of

[66] The public order Silver Commander develops the tactical plan, commands and coordinates the overall tactical response of an operation, in accordance with the strategic objectives set by Gold. Tactical plans set the method of deploying police resources to meet specific objectives.

containment and dispersal (which have been more or less effective in a variety of pre-planned public order operations) were not effective due to the spread and nature of the disorder and the mindset of the rioters. Had there been more specialist trained, equipped officers available to provide an early intervention this might have been a different experience. Simple dispersal was not always effective with highly mobile crowds forming (enabled by communications including the use of social media) and then dissipating rapidly. Indeed, in some areas dispersal tactics simply displaced looting to the fringes of main retail areas – in hindsight spreading the problem rather than resolving it. Almost all of the commanders interviewed recognised that arresting suspects was the only possible response once the looting had started in earnest. The „arrest' approach resulted in 116 arrests on the first night of disorder in the West Midlands.

- Vehicle tactics: Protected vehicles – notably the use of Jankels[67] in the MPS – were used to good effect to take back ground from those intent on criminality. In the early hours of Sunday 07 August, vehicles were used to clear road barricades to assist the Fire Service in getting to a large fire. The availability of such specialist equipment is limited and even if commanders had wished to deploy them they would not have had the ready access to do so. The Metropolitan Police has 12 armoured vehicles, West Yorkshire Police has seven, and West Midlands Police five. All are capable of supporting the deployment of AEP officers. Greater Manchester Police has five armoured vehicles.
- Preventative activity: Working with partners, the police cut off access to areas of disorder and potential trouble spots (as both a preventative and containment tactic). There is good evidence of traffic and mounted branch officers limiting access to city centres and of forces working with transport providers to the same effect.
- Investigative strategies: Although the approach adopted did not feature an explicit and proactive crime strategy, progressively officers worked in CCTV control rooms and on the streets to spot troublemakers and make arrests. As the disorder moved into the second and third days, the mobilisation of officers across the Police Service became increasingly effective. Support was provided by senior investigating officers and detectives providing a proactive response to crimes through preparation of arrest packages and dedicated public appeals for information to assist in the swift arrest of suspects.
- Community engagement: Police forces worked with key individuals within their communities to reduce tensions and identify those involved in the disorder. The impact of good community engagement was described as "pivotal", particularly by West Midlands Police and West Yorkshire Police. The work of the community with West Midlands Police following the tragic killing of the three young men, Haroon Jahan, Shahzad Ali and Abdul Musavir, in Birmingham is a case in point.

[67] A Jankel is a heavily armoured police vehicle capable of carrying public order personnel, AEP teams, and if necessary, firearms officers.

Community-based initiatives such as Greater Manchester Police's „Shop a Looter' campaign asked the public to help identify culprits from their pictures and so bring them to justice. Their dedicated Flickr[68] photo stream generated a combined total of 1.5 million views from 09–16 August 2011. A dedicated facebook[69] disorder page received 7,400 „likes' over the same seven-day period.

- Speedy justice: The contribution of the courts sitting for 24-hour periods and the criminal justice units within the police working with the Crown Prosecution Service (CPS) allowing justice to be dispensed quickly was significant in providing an effective deterrent.

5.5 The events of August 2011 provide the Police Service with important tactical lessons, accepting the resource constraints, and the difficulties presented by the absence of plans for spontaneous, multi-seated disorder. There is evidence that, through necessity, forces mixed and matched tactics to suit the resources they had. There is a need now to reconsider previous approaches in order to address the challenges of fast-moving disorder that can quickly expose the public to danger. We need to build on these experiences and develop a range of tactics that are not wholly dependent on overwhelming police numbers to ensure the peace is not lost from the streets.

The available police tactics – trained, prepared and ready to protect the public?

Keeping the Peace

5.6 The ACPO Manual of Guidance, *Keeping the Peace*,[70] updated in January 2011, sets out the range of tactics available to the police. While providing general guidance of value (particularly in its summary of the purposes which different policing methods or equipment can usefully serve), *Keeping the Peace* does not substantively address the many real challenges of the spontaneous „flash rioting' and mass looting witnessed this summer. The Manual has been developed as a „living' document and it now needs to be reassessed so that it can usefully take account of the dangers presented by the swift co-ordination and spread of disorder (whether or not through social networking sites) and the demonstrable resilience of rioters to dispersal.

5.7 Furthermore, tactics have no use if they remain in reference documents and are untrained. If they are to be available to ground commanders on our streets, then they need to be trained, prepared and ready to protect the public.

5.8 The forces reviewed report a high level of commonality between tactics that the public will have seen quite regularly at some football matches and those used to police protests. There is much less commonality between these tactics and

[68] Flickr is an image and video hosting website

[69] Facebook is a social networking service and Web site, operated and privately owned by Facebook Inc. Users must register before using the site, after which they may create a personal profile, add other users as friends, and exchange messages.

[70] ACPO (2010) *Keeping the Peace.* Updated January 2011. Available from www.acpo.police.uk

those that are applicable to looting and rioting. For looting and rioting, police may use much higher levels of force.

5.9 Of course, as part of their preparation for beat duties, officers are trained to make arrests. However, in public order and „under fire' this is a much more difficult challenge; and the level of preparation for officers in the use of arrest tactics in public order scenarios varies widely. Ratios of three to five officers to one rioter were cited by commanders, based on their experiences, as being the police strength required to make arrests during August, depending on the level of violence offered by the detainee and the crowd.

5.10 The *Public Order Instructors' Manual for Metropolitan Police and City of London Police* points out the number needed can be as many as seven. The transport of detainees to custody centres together with provision of custody care and the subsequent investigations all present significant additional resourcing demands. These are major factors for commanders seeking to implement proactive tactics to suppress disorderly behaviour where police numbers are limited. The consequence of making arrests and escorting suspects from crime and disorder scenes is a rapid depletion in the number of deployable officers and this immediately reduces the ability of what remains of the units to deliver the range of designated tactics. This potentially creates an operational deficit. Some have considered modification to custody arrangements to reduce the haemorrhaging of officers, but this is not developed into an accepted working approach at present.

5.11 HMIC found little or no evidence that arrest training encapsulates the real practicalities. When arrests are specifically trained the „offender; is compliant and the procedure is usually simply carried out by two officers. In forces where arrests are not trained the most common means of indicating an arrest is to tap the „offender' on the shoulder. Such an important and resource-intensive tactic needs to be properly trained in realistic scenarios.

5.12 Three of the five forces stated they have the option to use attenuating energy projectiles (AEPs, see note 2 above). Most forces train with dogs in public order; some forces do not have or train with mounted branch officers. Obviously, ongoing operations and cost can have an impact and officers in one of the forces report training with „virtual' dogs and „virtual' horses. Crucially, given the prevalence of fire incidents during the August disorder, 50% of the six forces reported that they had trained with the Fire Service prior to the August disorders, in order to familiarise frontline staff from both services with the practical and realistic challenges they would face when working together on the ground.

5.13 During the August disorders, vehicle tactics were proven to be effective in London; but the use of vehicles in a crowd situation creates obvious risks of injury. Such tactics represent a very high level of force. However proportionate and necessary at the time, serious injury (or worse) to a member of a public as a result of the deployment would jeopardise not only immediate police efforts to restore order, but potentially could have a major impact on community tensions in the following weeks and months. Consequently, vehicle tactics require a similarly high level of training and expertise.

5.14 The Metropolitan Police train qualified police drivers to use their protected carriers to form a cordon; to provide filter cordons (which allow some crowd movement); to act as a base-line of defence; and to „go forward' in a measured way to take ground. However, as a result of their experiences in August, the

Metropolitan Police are now (November 2011) training their Territorial Support Group[71] to progress dynamically in their protected vehicles, not just to take ground, but to move forward swiftly right to the scenes of disorder where officers can be immediately deployed.

5.15 This initiative represents just the sort of tactical development required of public order policing today, as described by HMIC in *Policing Public Order* (2011). The employment of rapid „go forward' tactics where the opportunities arise is potentially hugely disruptive for „rising tide' disorder before it can become established.

5.16 If such tactics are to become established, officers must have access to properly protected carriers that are equipped as befits the intended use. HMIC are informed that there are some 1,400 carriers (capable of transporting within the region of 11,000 officers) available to the Police Service. In practice, with no set specification (see para 5.23 below) their suitability varies enormously.

Realistic training

5.17 All six forces reported that even where training was provided, frequently it was not sufficiently realistic. Some officers did not, for example, train in full kit, which meant that training did not prepare them for the rigours they experienced for real. Some commanders and officers interviewed also expressed the view that training has become sterile; it focuses largely on practicing the delivery of rehearsed tactics in pre-determined scenarios, e.g. taking a junction where rioters disperse when challenged. They pressed HMIC to recommend opportunities which would allow them to use their judgement, dynamically, to problem solve, and combine tactics. The accent, they said, should be on encouraging officers to be flexible and reactive to emerging threats.

Implementing the new national training curriculum

5.18 Public order trainers expressed concerns that the new national public order training curriculum, implemented in April 2011, still allowed considerable latitude for local interpretation at force level. If true, this could have a major impact on ground commanders' ability to marshal and direct officers from different forces who are supplied to them on mutual aid. If history is any guide, variation caused by local interpretation makes matters worse: in dangerous situations, inconsistency heightens risk for everyone – both for the public and for police officers.

5.19 Words of command are a good example of this. These should have been standardised since April 2011. However, this important change has yet to be communicated to many officers and during the disorders, there are instances where this caused officers to react differently to the same command. At times of danger, this could have terrible consequences.

5.20 The National Policing Improvement Agency (NPIA) are undertaking a quality assurance review to ensure forces are consistently delivering the new training.

[71] Territorial Support Group provides support to operational policing, particularly in the area of public order policing, for which they receive additional and specialist training.

Of the nine forces so far visited, five had been assessed as non-compliant for a variety of reasons, which include:

- a failure to complete a mandated e-learning package;
- incorrect words of command; and
- the types of shields available to the officers prevented the training of certain tactics.[72]

5.21 This state of affairs must be addressed as soon as possible, with a consistent curriculum with consistent standards of training.

Ready to protect the public?

5.22 Outdated or incomplete equipment rendered some tactics unusable or less effective than they could have been:

- Three of the five forces reported that their public order vehicles were substandard, not only in terms of their protective equipment, but also their internal capacity to transport officers and their kit.
- The picture across the country is patchy: some vehicles are without steel grilles for windscreens, others without run-flat tyres, leaving them vulnerable to being isolated or damaged by missiles.
- One of the forces reviewed had made cost savings by reducing the number of vehicles to the extent that vehicles broken down for spares had to be brought back into service in August.

5.23 If we want officers to get to the scene with their kit quickly, there needs to be a fit-for-purpose fleet. The issue of vehicles, including specification, has been a topic of discussion in various national working groups for the last two years, if not more. The only guidance HMIC has found on specification is contained within the ACPO Manual of Guidance: *Public Order Standards, Tactics and Training*, which was published in 2004. This situation cannot be allowed to prevail.

5.24 Some public order equipment used in the disorders was over 20 years old and did not meet national standards. One force reported that evidence-gathering kit was locked in a training centre without 24/7 access. ACPO's own review of mobilisation issues, based on a questionnaire to forces,[73] identified a shortage of shields available to deploy tactics for arrest or dispersal. HMIC found an example where there were significant differences in protective equipment between different officers – even within the same force.

5.25 Kit, including vehicles, needs to be accessible to allow rapid mobilisation for early intervention and resolution. During the August disorders, some officers reported being inhibited because equipment was unavailable or too far away to be practical. Forces reported „critical' time being lost.

[72] Letter from Chief Constable Sue Sim to all chief constables. Dated 13 July 2011

[73] ACPO Public Order and Public Safety Working Group questionnaire on preparedness of forces (National Mobilisation to Serious Disorder), 18 August 2011.

Flexibility to protect the public – adapting tactics

5.26 A number of commanders interviewed, considered that police will need to be more flexible and have in place adaptable arrangements for delegating command. They stated that officers need to be trained to think innovatively and flexibily to ensure that life and property can be safeguarded rapidly. Some commanders considered that there were opportunities to make arrests but these were not taken, because the standard operational unit in public order, the PSU (25 officers), was unprepared to split and approach offenders from different directions. By contrast, the adaptation of vehicle tactics by the Metropolitan Police to disperse crowds in Clapham (in the London borough of Wandsworth) illustrated the type of thinking which was to play an important role in regaining the streets.

5.27 HMIC's 2011 report, *Policing Public Order,*[74] questioned whether the present command model was sufficiently responsive in fast-moving and complex situations and whether a more empowered command would allow officers to act more quickly. In workshops with commanders, it became clear to HMIC that greater authority for ground commanders did, by force of circumstances, provide more flexibility on the ground.

5.28 Encouraging this kind of more flexible model requires an investment in training and preparation ahead of disorder.

5.29 For example, in the Metropolitan Police, sergeants and inspectors can undertake a two-day PSU commander's course during which they are familiarised with command roles and responsibilities, the nature of their own role, public order tactics and relevant legislation.[75] As part of the course, all students are subject to competency-based assessments, and thereafter maintain their qualification by attending two-day public order training courses every 12 months. During the training, the contact time the inspectors have with a senior public order commander amounts to about two and a half hours. This covers briefings for four practical scenarios; monitoring of these officers as they brief in turn; and the scenarios themselves, followed by a debrief in each case. In addition to the two-day course, the Metropolitan Police is introducing further annual development for PSU commanders, because of the pivotal role they play in successful operations.

5.30 Historically, there has been no national training for PSU commanders. Some forces have developed their own in-house training, while others have no additional training; this has created a „patchwork' of capability and understanding. One public order trainer stated, "We need to do a bespoke course. Over the last few years this hasn't happened. The only training a PSU commander gets is the same as the PCs". There will need to be a significant uplift and emphasis on officers taking charge of PSUs if the devolution of command and the associated operational flexibility is to be achieved.

5.31 A new national training module for PSU commanders was completed in July 2011; this is still in the early stages of implementation. Only one force has indicated a start date to HMIC (of April 2012)

[74] HMIC (2011) *Policing Public Order.* Available from www.hmic.gov.uk

[75] In terms of Common Law, the Criminal Justice and Public Order Act 1994, Human Rights Act 1998, Public Order Act 1986

Tactical contingencies

5.32 The August disorders attracted considerable commentary on AEPs, water cannon and military support. Water cannon are especially valuable at predictable sites, and offer a lower level of force to other options. In a fast-moving environment they would be of a much more limited value.

5.33 The 1999 Patten Report[76] was critical of the use of plastic bullets in Northern Ireland, citing the deaths and injuries associated with their use and the wider impact of these tragedies amongst communities. Most of the deaths[77] resulted from head injuries, a risk heightened by the weapon's inherent inaccuracy.

5.34 Since those times, technical changes have improved both the accuracy of the weapon and reduced the physical injury caused by the round. Working with the police the Government developed attenuating energy projectiles (AEPs, see note 2 above). In keeping with the legislative requirements, AEPs have been assessed technically and medically, and are approved for use by the Home Office. They should only be used in a targeted way when absolutely necessary against individuals causing danger,[78] and not fired indiscriminately.

5.35 Since 2005, AEPs have been available as a less lethal option, to officers engaged in firearms operations. Between June 2005 and May 2009, AEPs were fired during 60 firearms incidents on mainland UK.[79] Injuries recorded range from bruising to a seriously fractured hand.

5.36 Three of the five forces visited by HMIC train to use AEPs in public order. Even where they are trained, in August 2011 their use was ruled out by the logistical requirements involved. These requirements are considerable, even where commanders considered they could have been appropriate. The Metropolitan Police presently train to deploy AEPS in public order in a minimum formation of five vehicles carrying 34 officers,[80] supported by one PSU of 25 officers in three further carriers. The logistics and equipment these numbers require would have limited their use in terms of speed, agility and capacity to attend more than a handful of locations. As is currently the case in the Metropolitan Police, this capability should be reviewed.

5.37 Water cannon are effective means of dispersal and incur fewer injuries to the public; they are effective in static and slow-moving scenarios. They provide a good tactical option to protect vulnerable areas and premises, but they have limitations (particularly in terms of deployment in the sort of disorders seen in August: which involved mobile and agile groups). There are no water cannon on mainland UK; they cost in excess of £1m, and are deployed in twos for effective

[76] The Patten Review (2009) *A New Beginning: Policing In Northern Ireland – The Report of the Independent Commission on Policing for Northern Ireland*.

[77] Eleven deaths have been attributed to plastic baton rounds in Northern Ireland since 1981 (and five before that). The most recent fatality was in 1989. Nearly half of those killed were children, and one a woman.

[78] ACPO (2010) *Keeping the Peace* (Appendix 1 Tactical Options – AEP Officers): individuals posing a specific threat to protect life, prevent serious injury or prevent serious damage to property (in circumstances likely to lead to loss of life/serious injury) during serious public disorder. Available from www.acpo.police.uk

[79] From 01 June 2005 to 31 May 2009. Home Office data.

[80] These 34 officers comprise AEP gunners, support and command personnel.

control. They require the protection of PSU officers and access to a water supply is a consideration (since they can empty in a matter of minutes if used continuously).

5.38 HMIC's public opinion survey reveals that the public support the idea of the use of water cannon and AEPs in public order situations (more so of water cannon);[81] but they both have limitations and are not a panacea.

5.39 None of this is to say that water cannon would not have some wider tactical use and inhibiting effect – indeed, they are listed as a tactical option in the ACPO manual, *Keeping the Peace*; but before any such radical shift in policing style is made available on the mainland this option requires very detailed discussion, consultation and consideration.

Military support

5.40 The possibility of military personnel providing support for the Police Service when it is stretched, as in the circumstances of August 2011, has been raised.

5.41 The British model of civilian policing by consent (i.e. policing to win support using restrained but sufficient force to maintain civil order for the public) is a deliberate choice, made at the time of Robert Peel's reforms and maintained by subsequent generations. Peel's Metropolitan Police were explicitly given the responsibility to keep order, and dressed in blue to make a clear distinction between them and the Redcoats (ie the British army), who had previously been the only reliable force consistently available to the state for this purpose.

5.42 The military were of course deployed in Northern Ireland in support of the civil powers until 2007, supporting the police in managing public order. As a result, they were trained in public order tactics, including the use of baton rounds (the predecessor to AEPs). The military has developed wider experience in supporting the civil authorities by providing personnel and equipment in high profile events including plane crashes, flooding and the 2001 foot-and-mouth outbreak. They have also worked with the police in operations on British soil where the level of force that they can bring to situations was necessary to defend our national security.

5.43 The police and military are therefore not unused to working together. However, it is difficult at present to conceive of a purely public order situation in which the level of force for which the military are currently trained in and equipped to use would be justified. However, senior level exploration of the support that the military could provide has begun.[82] This will consider a range of options: for example, to take over logistical roles to free police officers for public order duties on the street, as well as the constitutional, legal and resource considerations. It will of course build on existing arrangements for civil emergencies.

[81] See Annex B.

[82] Meeting with Chief of the General Staff, Commissioner of Police for the Metropolis, President of ACPO and HMCIC on 18 November 2011, where it was agreed that further scoping and planning work would be undertaken.

Crime strategies

5.44 One emerging learning point for the police is the need to develop explicit **crime strategies** during disorders which can inform the development of pre-emptive tactics. In August 2011, crime strategies were, in the main, reactive and only deployed once the disorder was brought under control. The learning of all the forces involved on this subject is already being taken forward by Chief Constable Jon Murphy, the ACPO lead on crime matters.

Pre-emptive policing

5.45 HMIC asked the forces which police the areas containing the 15 largest cities in England and Wales about their deployment of resources during August 2011. Those forces that did not experience any significant disorder all took steps to increase their presence on the streets: but none was able to evidence a substantively different approach to those forces which did experience high levels of disorder (for instance, in terms of an early surge in the numbers of officers deployed). Nor did this reveal some especially new or novel approach in terms of tactics that were not considered by forces that did experience disorder, or which experienced different degrees of disorder.

5.46 This finding however should not detract from the efforts made by forces to conduct early engagement with communities and potential troublemakers in order to achieve early resolution and maintain the peace. This is especially important as „copycat' activity was a real possibility: and accordingly, several chief officers acted on the principle that "if it is happening in London, it could happen here".

5.47 Early engagement in the form of proactive contact with influential local key figures *and* a deterrent presence at key locations remains as important for serious disorder as it is for everyday, significant, but isolated incidents. There is good evidence in some places of the positive use of social media and of neighbourhood policing-led engagement with both key networks of individuals and with the local media in order to publicise deterrent messages, as well as to support fact-based reporting which could help quell rumours and provide reassurance to a concerned public.

5.48 Stop and search can act as a preventative tactic and its use can form part of an early intervention strategy. In the forces visited as part of this review, section 60[83] stop and search authorisations were only put in place after the disorder commenced (see table on next page). One area where this section 60 authority was in place recorded just 13 stop-and-search submissions for a 12-day period even though it within one of its disorder locations.

[83] Section 60 Criminal Justice and Public Order Act 1994 gives police the right to search people in a defined area at a specific time when they believe, with good reason, that: there is the possibility of serious violence; or that a person is carrying a dangerous object or offensive weapon; or an incident involving serious violence has taken place and a dangerous instrument or offensive weapon used in the incident is being carried in the locality. This law has to be authorised by a senior officer.

Force	Disorder Began		Sec 60 authorised	
	Date	Time	Date	Time
Greater Manchester Police	09/08/2011	15:19	09/08/2011	15:53
West Yorkshire Police	08/08/2011	19:13	09/08/2011	01:46
Nottinghamshire Police	08/08/2011	23:27	09/08/2011	00:20
West Midlands Police	08/08/2011	18:27	09/08/2011 (Birmingham East)	16:32
			10/08/2011 (Birmingham West & Central)	16:55
			10/08/2011 (Coventry and Solihull)	21:05
Metropolitan Police Service	06/08/2011	20:20	06/08/2011 (Forcewide)	23:42

Keeping the public informed: "Silence is not an option"[84]

5.49 Previous experience has shown that how and when police communicate with the community during times of significant tension can have a significant impact on how events progress.

5.50 It is clear that that the Metropolitan Police stalled in its communications both with the local community and with the national press in the immediate aftermath of the shooting of Mark Duggan on Thursday 04 August, and did not recover until disorder had become established. There may be a number of reasons for this: but the result was that the field was left open to speculation and rumour about both the shooting and the developing disorder. This situation was exacerbated by the mistaken statements made by the IPCC.[85]

5.51 On the morning of Friday 05 August at about 10:30 the London *Evening Standard* became aware of a story concerning the shooting from an alleged eye witness that the man killed by police was shot as he lay on the ground: "about three or four police officers had both men pinned on the ground at gunpoint. There were really big guns and then I heard four loud shots. The police shot him

[84] Chief Constable Andrew Trotter, British Transport Police – ACPO lead, Communications Advisory Group interview with HMIC 19 October 2011.

[85] See, for example, *Mirror* (04 August 2011) „Cops shoot dead gunman in North London after police officer is shot', which includes the line „An IPCC spokesman said: "We do not know the order the shots were fired. We understand the officer was shot first before the male was shot"; BBC (12 August 2011) „Mark Duggan death: IPCC "may have misled journalists'. http://www.bbc.co.uk/news/uk-england-london-14510329

on the floor and later I hear the man was dead." The paper contacted the Metropolitan Police for their comment on this but claimed that no explanation was forthcoming, on the grounds that the matter was under investigation by the IPCC.

5.52 At the same time, a number of press agencies and news outlets had been looking for details on the story, including London Tonight which had heard that a child was involved. In addition, „police sources' had been quoted alleging that Mark Duggan was a well-known gangster,[86] with sources from the community reacting against this suggestion.

5.53 At 10:47 on Friday 05 August, Tottenham MP the Rt Hon David Lammy, who had visited the Ferry Lane scene of Mark Duggan's death, released a press statement to the Associated Press Network:

> *"I am shocked and deeply worried by this news. There is now a mood of anxiety in the local community but everyone must remain calm. It is encouraging that the Independent Police Complaints Commission has immediately taken over the investigation. There is a need to clarify the facts and to move quickly to allay fears. It is very important that our community remains calm and allows the investigation to take its course."*

This pattern appears to have continued on Saturday 06 August. Details were coming out from the community and being reported in the media with no authoritative reply from the Metropolitan Police or the IPCC.[87] Indeed, the inflammatory rumours were circulating for most of the weekend before the IPCC published a statement (at 18:25hrs on Sunday 07 August 2011).

5.54 The IPCC and ACPO have a joint protocol (introduced in March 2009) to deal with this kind of circumstance, which outlines the need to make as many facts available as possible to defeat rumour and inform communities.

5.55 It states that *„the IPCC expects to work with the police service if necessary to ensure that the public are reassured that the facts of the incident will be fully and properly investigated.'* In a BBC radio interview broadcast on Thursday 25 August 2011, Deborah Glass of the IPCC referred to the *„very clear protocol in place to make it clear that the police are not gagged when the IPCC is involved in an investigation.'* The protocol goes on to state:

- (1.4) This protocol exists to ensure that the roles and responsibilities for media handling between the IPCC and the police are clearly understood.
- (5.5) Referral to the IPCC does not preclude comment or a response to the media by a police service, nor should referral be presented as a reason for a lack of a response to questions from the media

[86] See for instance *Telegraph* (04 August 2011), „Man killed in shooting incident involving police officer', which includes the line: „Police sources said the dead man was a "well known gangster" who had been under surveillance by officers investigating gun crime in a pre-planned operation in Tottenham Hale.' Available from www.telegraph.co.uk

[87] The IPCC released three earlier press statements: on 04 August following the fatal shooting of Mark Duggan; an appeal for witnesses on 05 August; and a further statement regarding the shooting, contact with the family acknowledging "that people need answers about what happened" on 06 August.

- (8.2) The police service remains responsible for media strategy for all other matters connected with police operations. In its own media strategy the police service should ensure that any information put out is factually accurate and keep records of all media briefings, whether on or off the record.

5.56 However, HMIC found this protocol to be problematic in terms of application amongst police officers. There may be several reasons for this, including reluctance after previous criticism of releasing unsubstantiated and inaccurate descriptions of events.

5.57 These issues are not new. The police may not be „gagged', but there is a hesitancy to make any statement when the matters at the heart of the event are being investigated by the IPCC. Thus in its 2009 report into the G20 protests[88] HMIC identified the "uncertainty and dilemmas around using potentially sensitive information connected with death or injury at public order events", concluding that "if they [the police] say nothing speculation may become rife". Referring back to the handling of public statements by the Metropolitan Police following the fatal shooting of Jean Charles de Menezes in July 2005, the report went on to state that "this dilemma applies to other aspects of policing."

5.58 To overcome this confusion, the 2009 report recommended that the Metropolitan Police and ACPO, in liaison with others, should: "Agree principles regarding the police use of potentially sensitive information which may later become evidence in legal proceedings."

5.59 To date, there is no evidence that this has progressed by either ACPO or the Metropolitan Police. Progress against this outstanding HMIC recommendation (in dialogue with the IPCC) is essential. The Home Office is best placed to resolve this key issue so that communication with the public is not diminished with such tragic results.

Conclusion

Public order tactics

5.60 The ACPO manual *Keeping the Peace*[89] notionally provides the Police Service with a wide range of tactics to deal with public disorder, ranging from normal policing that promotes close links with communities through to the use of AEPs.

5.61 However, beyond the basics these tactics are not all widely accessible to every force, and some (for instance, water cannon) are simply not available at all. Therefore for all practical purposes a number of these tactics remain as aspirations, as opposed to practicable.

5.62 Other factors which inhibited the effective use of tactical options include:

- the level and amount of **training**; and
- access to **equipment**.

Each of these is described in more detail below.

[88] HMIC (2009) *Adapting to Protest*. Available from www.hmic.gov.uk

[89] ACPO (2010) *Keeping the Peace*. Available from www.acpo.police.uk

Training

5.63 On average, Level 2 trained officers[90] (who form the bulk of public order trained resources) receive two–three days' training a year. The scenes witnessed in August raise serious doubts about whether this is sufficient to protect the public.

5.64 In addition, not all forces are trained in all tactics, which limited the options available to commanders on the ground. A number of officers interviewed also stressed the need to move beyond „set piece' training to more dynamic, scenario-based simulations, which are built around the likely dangers faced in a public order environment. One option is to train the dedicated public order units in all tactics, so they have the skills needed to tackle all levels of disorder.

Equipment

5.65 Kit, including vehicles, needs to be available and accessible if tactics are to be transferred from the pages of the manual to the streets of our towns and cities. During the August disorders, we found instances when officers were inhibited because equipment was not available in sufficient numbers or readily accessible. On some occasions, the fact that disorder was breaking out in multiple, scattered locations meant that kit was not readily to hand; in other places, equipment was available but did not provide the necessary protection (e.g. vehicles without reinforced glass or steel grilles).

Arrest tactics

5.66 In the course of this review, police estimated that they need to outnumber rioters by three or five to one if they are to use standard tactics to overcome the type of multi-location, travelling disorder seen in August – a much higher level of resource than is needed to hold a line and protect territory. These numbers are needed to enable police officers to „go forward', tackle offenders, and make arrests (if necessary) in the knowledge that they have sufficient numbers of their colleagues behind them to ensure they do not get outflanked by the mob, and into serious trouble.

Tactical development – next steps

5.67 Tactics need to be framed around clear strategic intentions and available resources. However, we found that a combination of factors, including the cost of training and equipment, and competing priorities, has meant the Police Service has had to make hard choices about what tactics they train officers in. As a consequence there are gaps in the type of tactics trained, the way they are deployed and shortcomings in access to equipment. This, combined with the confidence issue on the use of force (see below, para 6.11ff) inhibited the effective use of tactical options. In times of danger to the public and property, this is not acceptable.

[90] These are PSU Officers who have been trained to be competent in a mutual aid role. Level 1 Trained Officers are Level 2 Trained officers who have received enhanced training in specialist tactics; all other officers trained in basic cordon tactics are at Level 3.

5.68 Even with the best system, modification of tactics takes time. Mobile „go forward' tactics need to be carefully examined, with the aim of making them adaptable if the public need to be protected. Currently, tactical development is driven via the sterling efforts of the ACPO Public Order and Public Safety Committee, supported by the National Policing Improvement Agency (soon to be dissolved): but forces do not always accept the outcomes of the national committee, nor do they necessarily deliver their tactics in a consistent way. When officers are drawn from across the country to deal with disorder, it is essential that they use the same tactics and equipment.[91]

Leadership

5.69 Commanders on the ground need the authority to adapt their tactics as necessary. Local leadership that encourages ''mix and match' tactics *in extremis* can work and disrupt. For example, one commander took approximately 20 staff to his town centre to prevent disorder. These officers had only basic training; many were probationers or special constables. Despite missiles being thrown, they advanced with batons drawn – and dispersed the group that had gathered. Elsewhere neighbourhood officers were deployed into the town's CCTV room to identify offenders using their local knowledge.

5.70 Currently the agreement[92] on public order relies upon the understanding of public order requirements and the commitment of individual chief officers. Some are dedicated to this, and even in times of austerity they personally support the investment, even though the importance of doing so may not be fully understood locally by the public. For example, on 19 August, the *Yorkshire Post* conducted an online survey which asked „Should Yorkshire officers come back from London?': 68% of the respondents said „Yes'.

Community engagement

5.71 Early engagement – in the form of proactive contact with influential local key figures and a deterrent presence around key locations – remains as important for riots as for everyday significant (but isolated) incidents. It is a „must do', especially where the preservation of law and order is threatened. The MPS system for monitoring community tension (the Community Impact Assessment System) faltered in Tottenham, when it should have provided many more indicators of the levels of tension and rumour circulating in the local community.

5.72 We are aware that new communication channels also create „instant communities', facilitated by social media, which are not susceptible to this traditional kind of engagement. It is imperative that the Police Service is able to embrace these new developments and maintain the existing community contacts.

[91] In police terms, this means „interoperability' – the ability to work together well, requiring common characteristics such as consistent command and control, compatible communication systems, shared language, tactics and equipment.

[92] October 2010 Chief Constables' Council paper by CC Sue Sim set the national public order requirement at 297 PSUs (the Sim formula). Chief Constable Council briefing paper Summer 2010.

The military and the police

5.73 Any support by the military to the police in times of disorder or other stretching event must be carefully thought through. Currently, military capacity is limited, and there would need to be (as a minimum) a degree of familiarisation if they are to provide off-street support, guarding of essential infrastructure or other tasks. Further discussions have been initiated between the President of ACPO, the Commissioner of the MPS and the Chief of the General Staff to consider future options, together with any attendant constitutional, legal or other issues.

5.74 The appetite for risk and change will determine the approach selected and enable a reasonable estimate to be made in terms of cost and impact. This work can be undertaken once an approach to public order is determined.

6: The use of force

6.1 Senior politicians expressed concerns about the robustness of police tactics.[93] Public polling conducted for this review on behalf of HMIC found that 43% of those polled thought that the amount of force used by the police was „about right' whilst 49% felt police used „too little', with the proportion giving the latter answer higher in affected areas.[94]

6.2 The widely recognised fundamental features of the British policing model are that in style "it should be independent, approachable; founded on respect for rights and accountable; policing by the people for the people" (Peel).[95] On occasions, in the execution of a constable's duty, it will be necessary for the officer to use force to effect their lawful duties. In *The Politics of Police*, Robert Reiner states, "the service they [the police] are professionally called up to provide is the capacity for decisive action".[96] Subsequently he has observed "what unites the bewildering miscellany of police jobs is the use of legitimate force."[97]

6.3 Police are entitled to use force in a wide variety of circumstances, and in some circumstances they will be obliged to do so. Any use of force must have a lawful foundation in either statute or the common law; it must be in the pursuit of a lawful objective; and it must be reasonable and no more than is necessary in the circumstances. It is therefore essential that police officers are equipped to identify when such situations arise and the level of force required.

6.4 This was succinctly explained in HMIC's 2009 report, *Nurturing the British Model:*

> *"The use of force by police officers raises fundamental human rights issues. Allegations of improper or excessive use of force by the police undermine the legitimacy of police action and reduce public confidence in the police. It is critical that all police officers are absolutely clear about the circumstances in which they can use force and the thresholds that must be met before they use any level of force."*[98]

[93] For example, the Prime Minister's statement on restoring order to cities, 09 August 2011, http://www.number10.gov.uk/news/pm-statement-on-restoring-order/ and the Home Secretary's speech on riots, 11 August 2011 http://www.homeoffice.gov.uk/media-centre/speeches/riots-speech

[94] Respondents were asked: „Overall, in dealing with the riots and order, do you think the police used too much force/about the right amount of force/too little force/don't know'. Four percent thought „too much'; 43% „about right'; 49% too little; and 4% „don't know'. See Annex B for more details.

[95] HMIC (2009) *Adapting to Protest – Nurturing the British Model of Policing*, p.19. Available from www.hmic.gov.uk

[96] Robert Reiner (1974) *Politics of the Police*, p.215.

[97] Robert Reiner (2011) „Let's admit it: most police work does not include catching criminals.' *Guardian*, 28 October. Available from www.guardian.co.uk

[98] HMIC (2009) *Nurturing the British Model*, p.109. Available from www.hmic.gov.uk

6.5 Discussion and controversy in relation to the use of force are not new. Indeed, it is a subject matter that HMIC has visited three times since 2009: in *Adapting to Protest* (July 2009), *Nurturing the British Model* (November 2009) and *Policing Public Order*[99] (February 2011).

6.6 *Adapting to Protest* concluded that "there was a lack of clarity around the approach to, and corporate oversight of, the use of force in public order policing".[100]

6.7 A national position on the use of force in public order policing was agreed by the Metropolitan Police and ACPO in August 2010.[101] However, the HMIC report, *Policing Public Order,* found evidence that the uncertainty into the use of force had persisted, and identified:

> *"In* Nurturing the British Model*, HMIC found a lack of common view in the use of force; this is unhelpful to the public and officers on the ground. The report recommended that ACPO, the Home Office and the National Policing Improvement Agency (NPIA) agree an overarching set of principles on the use of force by police that cover all circumstances and fields of policing. This would ensure that officers receive a consistent message from the outset: in their initial training, in their briefings and throughout their careers as they enhance their skills and develop and train for more specialist roles. This has not been pursued yet."*[102]

6.8 Officers and commanders often have to make swift judgements, sometimes in seconds; they are accountable to law for their use of force and the resulting cases will be heard in courts many months later, when significantly more facts may be known. At the very least, the Police Service should provide total clarity to police officers, supporting them in making decisions in the most difficult of circumstances.

6.9 In a much shorter timeframe than a case may be resolved in court, public opinion may quickly shift for or against the actions taken by police. The conduct of officers can and does have an immediate effect on public confidence, both locally and in the Service as a whole. If the levels of force used by police are perceived to be excessive of punitive in their application, public support quickly falls away. There is evidence that officers strongly believe this to be the case and that some think this in a „trial by media' they have no voice and will not be supported. This gives rise to the widely held belief amongst police officers that they will be „damned if you do, damned if you don't'.

6.10 Of course, policing is not just about public support. By definition not everyone they arrest is supportive. Officers constantly have to work to win public confidence, but in their use of force they are accountable to the courts and the rule of law. Perceptions apart, they must act lawfully.

[99] HMIC (2011) *Policing Public Order.* Available from www.hmic.gov.uk

[100] HMIC (2009) *Nurturing the British Model*, p.110. Available from www.hmic.gov.uk

[101] HMIC (2011) *Policing Public Order*, p.18. Available from www.hmic.gov.uk

[102] HMIC (2011) *Policing Public Order*, pp.8–9. Available from www.hmic.gov.uk

Confidence in themselves

6.11 In addition to these important factors, this review's overriding finding in this area is that the police (both officers and commanders) can lack confidence. This expression of self-doubt has to be balanced with the many acts of leadership, direction and bravery that officers displayed during those difficult days in August.

6.12 However, debate and comment can be polarised on whether police are taking a „hard' or „softly softly' approach. For some, this is expressed as "if we use force we are not confident we will be supported with all the media attention and the threat of legal action", by others, that somehow "the pendulum has swung the other way" – one minute being "soft on protestors and now being hard on rioters". Both officers and commanders expressed frustration, and some cynicism, about the political and public desire for a tough policing response. They believe that, were something unfortunate to happen, that same political and public support would fall away very quickly.

6.13 Criticisms of police following the G20 protests, including that they were excessively heavy-handed, have been cited by officers as having a direct impact on their thinking. Through *Adapting to Protest* and subsequent reports, HMIC has been at the forefront of recommending a change of approach to policing protest, to adapting tactics swiftly to changing circumstances, and for police to always act legitimately and within the British Model of Policing.

6.14 Both questions – „Will I be supported?' and „Which way has the pendulum swung?' – are understandable. Dissent and disorder are different in character. Whilst they may overlap they demand customised treatment: professional preparation which is anchored in the continuing desire to police by consent and in winning the support of as many of the public as possible, using restrained but sufficient force to maintain civil order for the public. Developing this confidence, in our view, requires good leadership and a commitment to support officers. However, having visited this issue several times, and in the light of the public order difficulties of November 2010 and August 2011, the surrounding debate, and the serious harm caused this summer, we believe that use of force in these circumstances now needs formal acknowledgement by politicians and those involved in police governance through agreed „rules of engagement'.

6.15 HMIC found officers continually referring to:

- an absence of senior direction on the use of force; and
- the need to adjust their public order training to test their legal understanding, not just in a formal test but in realistic and dynamic situations.

6.16 The fact that these concerns were expressed by officers from across all five of the forces visited as part of this review reinforces the fact that this situation cannot be ignored by police leaders. It is a priority for the whole Service, and not just those chief officers who work hard to assemble and promulgate national guidance.

6.17 During the course of this review HMIC discovered, by talking with officers and commanders, that they were only required to know or be tested on their powers to use force in isolated cases during their formal training cases. In effect, they stated: „If your officers don't know the law and their powers, you will still pass the public order training course.' Only one force visited by HMIC demonstrated

a fully tested requirement for officers to know their powers and responsibilities in relation to the use of force. Furthermore, in this force, where knowledge was lacking, they were set professional objectives to remedy this situation.

6.18 Otherwise, this attitude contrasts sharply with the regular officers and soldiers in the British Army, who are tested annually on their knowledge in relation to use of force, rules of engagement and the law of armed conflict.[103]

The law

6.19 The law on the use of force has a number of facets and, from time to time, these are influenced and informed by new laws and cases stated. In response to the continuing difficulties and divergences of views expressed on the subject, HMIC commissioned a comprehensive legal examination of the law, and the expectations of the courts, in relation to the use of force.[104]

6.20 This advice is summarised below in the ten principles contained in the boxed text on the next page. Recognising that these are comprehensive and detailed in practical terms, and unlikely to be recalled by officers in the „heat of the moment' in fast moving, difficult and complex circumstances, these have been boiled down into three core questions for officers. These are applicable in *all spheres* of policing activity: not just in public order scenarios.

[103] UK Army Military Annual Training Test 7 (Operational Law Policy Statement).

[104] Attached at Annex C.

Ten key principles governing the use of force by the Police Service

1. Police officers owe a general duty to protect persons and property, to preserve order, to prevent the commission of offences and, where an offence has been committed, to take measures to bring the offender to justice;
2. Police officers may, consistent with this duty, use force in the exercise of particular statutory powers, for the prevention of crime or in effecting a lawful arrest. They may also do so in self defence or the defence of others, to stop or prevent an imminent breach of the peace, and to protect property;
3. Police officers shall, as far as possible, apply non-violent methods before resorting to any use of force. They should use force only when other methods have proved ineffective, or when it is honestly and reasonably judged that there is no realistic prospect of achieving the lawful objective identified without force;
4. When force is used it shall be exercised with restraint. It shall be the minimum honestly and reasonably judged to be necessary to attain the lawful objective;
5. Lethal or potentially lethal force should only be used when absolutely necessary in self-defence, or in the defence of others against the threat of death or serious injury;
6. Any decision relating to the use of force which may affect children, or other vulnerable persons, must take into account the implications of such status including, in particular, the potentially greater impact of force on them;
7. Police officers should plan and control operations to minimise, to the greatest extent possible, recourse to lethal force, and to provide for the adoption of a consistent approach to the use of force by all officers. Such planning and control will include the provision to officers of a sufficient range of non-lethal equipment and the availability of adequate medical expertise to respond to harm caused by the use of force;
8. Individual officers are accountable and responsible for any use of force, and must be able to justify their actions in law;
9. In order to promote accountability and best practice all decisions relating to the use of force, and all instances of the use of force, should be reported and recorded either contemporaneously, or as soon as reasonably practicable;
10. Any decision relating to the use of force by police officers must have regard to the duty of care owed by the relevant police service to each individual police officer in the discharge of his duties. Deployment of police officers in a public order context where force may be used can carry grave risks to their own safety, and so must be the subject of rigorous control for that reason also.

The three core questions for police (as to when force may be used, and to what extent)

- Would the use of force have a lawful objective (e.g. the prevention of injury to others or damage to property, or the effecting of a lawful arrest) and, if so, how immediate and grave is the threat posed?
- Are there any means, short of the use of force, capable of attaining the lawful objective identified?
- Having regard to the nature and gravity of the threat, and the potential for adverse consequences to arise from the use of force (including the risk of escalation and the exposure of others to harm), what is the minimum level of force required to attain the objective identified, and would the use of that level of force be proportionate or excessive?

6.21 A police officer asking each of these three questions, and acting according to the answers, will be likely to identify the correct considerations governing the use of force, and therefore to be acting lawfully.

Applying the law in real-life scenarios

6.22 In seeking a comprehensive statement of intent, and to assist commanders and officers in the field, HMIC selected a range of scenarios which the public will recognise from clips of news footage seen in the disorders of August 2011, and outlined the range of tactical options available (in the table on the next page). Of course, the tactics described are not mutually exclusive, nor are they intended to be formulaic or comprehensive in every respect: the choices made by commanders will always be matters of fine judgement. The tactics cited are not the only options available to a police commander and those with experience will know that each of the situations described has to be viewed in the context of many competing and difficult issues. HMIC rehearsed these scenarios with a group of commanders, PSU commanders and tactical advisors from across the country, all of whom had experienced the serious violence and disorder at first hand.

6.23 What will surprise many officers are the relatively high levels of force that the law allows them to consider in such scenarios. Of course, these considerations are rarely simple, and decisions have to acknowledge the level of danger to the public; the consequences of not using force; and the consequences of the use of high levels of force – i.e. the potential for escalation by rioters, and community reaction.

6.24 In this vein, the first use of AEPs or water cannon in public order on mainland UK will be intensely scrutinised. It will certainly enter the history books, but it will also enter the enduring memory of the affected communities.

6.25 Police know from experience that putting too many officers into a situation can actually encourage crowds to gather and raise tensions. For this reason commanders have to remain alert to all the complexities of action and reaction.

Range of options (subject to circumstances)

	Scenario	Tactical considerations
1	Flash burglary rioting	Warning Containment Dispersal Arrest
2	Barricades across road	Warning Negotiation Use of S.14 Public Order Act directions Dismantle barrier Dispersal Arrest
3	Groups gathering	Warning Negotiation Use of S.14 Public Order Act directions Containment Arrest Mounted Branch
4	Barricades and missiles used	Warning Dismantle barrier Vehicle Tactics Containment Arrest Water Cannon Possibly AEP
5	Petrol bombs thrown	Warning Vehicle Tactics Containment Arrest Water Cannon Possibly AEP
6	Violent attacks on the public in the presence of police	Warning Vehicle Tactics Arrest Water Cannon Possibly AEP
7	Arson attacks on building	Warning Vehicle Tactics Arrest Water Cannon Possibly AEP Possibly Firearms
8	Threats to fire and ambulance	Warning Vehicle Tactics Arrest Water Cannon Possibly AEP
9	Firearms directed at police	Warning Containment Negotiation Arrest Firearms

10	Vehicles driven at police	Warning Withdrawal Road blocks Vehicle immobilisation including - tyre immobilisation tactic Arrest

6.26 In all of these situations, police commanders will have to consider the justification for the use of force, and also the extent of available police resources; the numbers of personnel, the adequacy of their training and the range and quantity of equipment available.

Conclusion

6.27 Senior politicians expressed concerns about the robustness of police tactics; and public polling conducted for this review found nearly half of those surveyed (49%) felt police did not use enough force, although 43% thought they got it „about right'. There appears therefore to be a potential mismatch between the level of force used by police on the ground in August and the expectations of the public and their political representatives.

6.28 Whilst many officers did the best they could, we found a lack of confidence in applying the law on the use of force. „Minimum force' is not sufficiently understood as "the minimum *necessary* to achieve the lawful objective". This reflects a lack of training of both officers in PSUs and their commanders. The thoroughness of training on use of force in police forces is limited and variable. Public order training for events that may only occur once in a decade competes with other priorities. In some instances in August this manifested itself in a lack of engagement by police with the offenders. Police need to be clear about the circumstances in which the more forceful police tactics can be considered: that is, about the rules of engagement.

6.29 HMIC commissioned a comprehensive examination of the law, and stated cases to assist officers to make decisions in realistic scenarios. This Review has identified „Ten Key Principles' governing the use of force by the Police Service, and „Three Core Questions' which all officers should consider in determining when to use force, and to what extent.

Conclusion and recommendations

The maintenance of order is a basic requirement for any civilised community to prosper, and part of the policing purpose. The learning from events in August 2011 is too important to ignore.

The lessons in this report suggest that a swift response by well-trained local police is critical to disrupting the spread of disorder. But tackling disorder is not purely a local problem. When help arrives it will often come from other forces and it is essential that they have the same tactics, training and equipment so that officers can work together as one team. When, as was the case in August 2011, disorder breaks out in multiple locations it is in the public interest for resource deployments to be co-ordinated nationally. The lessons in this report have identified the need to improve both the local and the national response. Police and Government need to engage quickly and reach an understanding on the way forward.

Given the colossal cost of repairing the damage, those members of the public affected by the disorder in August may well support the investment that would be needed to improve police training and equipment. However, HMIC recognises that learning these lessons may in practice require some trade-offs between an improvement to the police response to disorder and other police priorities. HMIC suggest that where these trade-offs are made, they are made clear to the public.

Police therefore need to be better prepared, trained and ready to protect the public. To help them achieve this, HMIC recommends that there should be **a new national framework for resolving public disorder**. This should set out clear expectations around the importance to be attached to early resolution of disorder; details of the planning required to ensure forces are prepared for national disorders (e.g. how officers will be mobilised); and the circumstances in which a range of tactics (including the use of vehicles,[105] water cannon and attenuating energy projectiles[106]) can be considered. This could provide clear, helpful **rules of engagement** for use in the future.

To develop this framework, there would need to be a mature debate between those charged with the governance of the police, the Home Office and chief police officers about the relative priority attached to maintaining civil order compared to other policing demands; what is affordable in the current fiscal climate; and the scenarios that should be rehearsed in preparation for the real thing and escalation to COBR[107].

[105] Examples of vehicle tactics are given at paras 5.14ff.

[106] Attenuating energy projectiles (AEPs) are the currently approved successor to „baton rounds' (and they are sometimes referred to by this name). They have been designed, tested and approved to reduce the likelihood of injury to vulnerable areas of the body. They are used with a „baton gun', which has a good quality „red dot' sighting system for improved accuracy.

[107] Cabinet Office Briefing Rooms: Meetings where Government policy and strategy is determined in relation to an emergency. It can also arrange for specialist assistance to the Police.

The framework would be supported by:

- A central information „all source' hub, which would help police in anticipating and dealing with disorder;
- Agreed and trained tactics – which had been aired publically, debated and understood by those in police governance roles, [108] and which work in practice as well as in theory; and
- More efficient mobilisation.

Each of these points is discussed in more detail below.

1. A central information „all source' hub

Following the death of Mark Duggan, police became aware of rumours within the local community that he had been „executed' by the police. However, rioting was well underway before these were publicly challenged (in a statement issued by the Independent Police Complaints Commission (IPCC)).

Social media channels enabled individuals intent on criminal disorder to form communities, share their plans and organise on the streets: but police systems for tapping into this information source are not well developed compared to those used by parts of the commercial sector. In truth, police were at times overwhelmed with information.

National work to collate and analyse information on community tension was detached from other sources of information and, as far as we can establish, did not inform the police's picture of events as they unfolded.

Police need a central information hub to help them anticipate disorder by drawing together all available information, including from direct contact with members of the community and social media monitoring. It would not be a panacea, nor a substitute for strong local community engagement (**the fundamental building block**, which failed for a time in some places in August): but it would help the police gain a better understanding of their operating environment. Such a hub would also help PNICC[109] prioritise assistance to forces, and could become a useful resource for all emergency services in a range of scenarios – not just public order.

2. Agreed tactics

Tactics must work in practice as well as in theory. Current guidance allows for a graduated use of force in order to protect the public: but we found that in practice some of the more forceful tactics were not available to commanders during the August disorders, because of insufficient training, equipment and officer numbers deployed.

[108] This will include a critical role for police authorities and the Association of Police Authorities until November 2012, and for Police and Crime Commissioners (PCCs) after 2012 at a national level)

[109] In times of national need, the Association of Chief Police Officers (ACPO) co-ordinates the strategic policing response on behalf of all chief officers. This is facilitated through the ACPO Police National Information Co-ordination Centre (PNICC).

For example:

- Some forces ran out of round shields (which are needed to „go forward' and tackle offenders).
- No force in England and Wales has water cannon.
- Not all forces train to use AEPs in public order situations; and current logistical support requirements severely limit their use in any case.
- In some cases equipment was available but substandard: for example, vehicles did not have reinforced glass, steel grilles or run-flat tyres (which would allow them to be driven over broken glass). Protective equipment for officers varied even within the same force.
- Police estimate they need to outnumber rioters by three or five to one if they are to make arrests and disperse groups – a much higher level of resource than is needed to hold a line and protect territory. This meant that arrest as a tactic was impossible in some circumstances.

Before the number of officers who should be given specialist public order training can be determined, the national threat needs to be reassessed in the light of the August riots, and expectations around mobilisation and tactics agreed. HMIC recognises that, in practice, determining this number may need to be an iterative process in order to ensure the requirement is affordable.

Public order tactics must have consent. The original British policing model attributed to Sir Robert Peel places a high value on tolerance and winning the consent of the public. Policing by consent means securing co-operation in observing the law from as many members of the public as possible. Public co-operation reduces with the use of physical force, and so the British model is to use persuasion, advice and warning in the first instance; if this is insufficient, they then use the minimum level of physical force necessary to achieve the objective. The most compelling demonstration of this model is that the British police are unarmed.

The force used by the police in tackling disorder therefore needs to be commensurate with what is needed to protect the public. However, during August concerns and uncertainties emerged that need resolving. Some politicians expressed concerns that the police were not „robust' enough;[110] and the survey work carried out as part of this review showed that the public most directly affected are more likely to share this opinion.[111]

Officers and their commanders took action to bring disorder to an end. However, we found that some were uncertain about the level of force and tactics that can be used lawfully during disorder. Their training on this had been insufficient; they therefore erred on the safe side, using less forceful tactics, and

[110] For example, the Prime Minister's statement on restoring order to cities, 09 August 2011, http://www.number10.gov.uk/news/pm-statement-on-restoring-order/; the Home Secretary's speech on riots, 11 August 2011 http://www.homeoffice.gov.uk/media-centre/speeches/riots-speech

[111] Respondents were asked: „Overall, in dealing with the riots and order, do you think the police used too much force/about the right amount of force/too little force/don't know?' Four percent thought „too much'; 43% „about right'; 49% too little; and 4% „don't know'.

standing their ground rather than going forward to tackle disorder, as they waited for arrival of reinforcements which would allow them to tackle disorder through weight of officer numbers.

Some suggest this uncertainty increased after criticism following the 2009 G20 protests. Officers recognise that a single act of what could later be regarded as „punitive force' can quickly change the public mood. This then is the dilemma public order commanders face. For example, when faced with rioters setting fire to buildings in urban areas, there are clear trade-offs between the risks associated with waiting until enough officers can be mustered to subdue the situation less forcefully, and the use of protected vehicle tactics or AEPs to stop those involved.

In order to use appropriate levels of force swiftly, decisively and with confidence, officers need to know both that they are acting lawfully and that they are likely to have a substantial level of support from most people in the communities they police. The events of August suggest that improved officer training in the law is necessary, but will not be enough on its own. There is also a need to develop a shared understanding between police and (through their elected representatives) the public of the tactics that might be used in different scenarios and the associated levels of preparation. HMIC recommends that this is set out in **rules of engagement** (see page 88) within the new national framework.

Reaching such an understanding will involve looking at the range of force that could be legitimately considered by officers in order to protect the public. Any escalation in the use of force needs to be carefully calibrated against the particular circumstances officers face.

Officers need training in these tactics. They need to gain experience in exercising their duty to protect people by „going forward' where necessary, rather than the „stand, hold and protect' tactic which is the focus of much training. They need to practise tackling disorder in scenarios that test their ability to adapt to unfamiliar circumstances. This training needs to be delivered consistently across England and Wales, so that forces can work together when they need to do so.

3. More efficient mobilisation

Early and decisive local intervention offers the best opportunity for stopping disorder in its tracks. However, in August 2011 we found that:

- It took many hours to mobilise and deploy local officers at strength, particularly during the first two days in London. Although the mobilisation of the Metropolitan Police was instigated on the evening of 06 August 2011, it took several hours for those resources to begin to arrive in the Tottenham area: and even then, officers on the ground did not receive reinforcement or relief for several more hours. As rioting spread across London, some forces (notably West Midlands, Merseyside, and to a degree Greater Manchester Police) did anticipate disorder in their areas; other forces were more hesitant.
- Assistance between forces was often ad hoc or informal, and the call for national assistance was not triggered early enough. Although there had

been some testing of mobilisation, this was not adequate preparation for the reality that officers faced in August (and two forces chose not to take part).

The co-ordination at local, regional and national levels therefore needs to improve.

Implementing a new framework with pace

i. Incremental national improvement

HMIC has found in previous reviews[112] that it can take up to two years or more for changes in public order tactics to reach officers in the front line. Incremental change at this pace is too slow; police cannot presume that disorders of this nature will not break out within this timescale. HMIC therefore recommends that alternative routes to effecting change are considered.

ii. A force-based, risk-assessed approach

An alternative approach is to focus reform and improvement in those forces that appear to need it most. Although many smaller forces were tested in August, it is in the main large metropolitan areas where public order risks and demands are greatest.

This would be a lower cost option than seeking to affect change in all forces together. However, there are risks in targeting those locations that were affected in August as future disorder may not necessarily affect the same areas again. Furthermore there will be increased inconsistency in operational practices which we have already identified as a factor that limits the effectiveness of officers on the ground when those from different forces are brought together.

iii. An all-force approach

An alternative would be to oblige all forces to learn the lessons set out in this report and to ask them to implement change in short order. This would offset the risks outlined above, optimise public protection from disorder but consideration needs to be given to the opportunity costs.

[112] HMIC (2011) *Policing Public Order: An overview and review of progress against the recommendations of* Adapting to Protest *and* Nurturing the British Model of Policing. Available from www.hmic.gov.uk

Rules of engagement: what tactics may be considered?

Police and the public through their elected representatives need to agree a common understanding as to what tactics might be used and when to deal with disorder. "Rules of engagement", developed in discussion with those in government, should set out which of the more forceful police tactics can be considered in different scenarios within the law. They would not alter the legal principles applicable or bind the hands of commanders but they would enable them to prepare, and their officers to make decisions in relation to the use force with greater confidence. The process of developing rules of engagement would help reconcile the need for officers to retain their operational independence while providing the public with some say in the range of tactics used to protect them. Meaningful rules of engagement should have clear objectives that can be secured with the resources and tactics available. Note, this is not a simple menu of what *will* happen, but represents what **may be considered** given the particular circumstances and the necessity and proportionality of these tactics.

By way of illustration, the table below outlines a number of real scenarios witnessed during the August disorders (and the level of force that might be used within the law– see Chapter 6).

	Warning	Containment	Dismantle Barrier	Arrest	Mounted Branch	Vehicle Tactics	Water Cannon	Possibly AEP	Possibly Firearms	Firearms	Negotiation	Withdrawal	Road Blocks	Vehicle immobilisation
Flash burglary rioting	X	X		X										
Barricades across road	X		X	X							X			
Groups gathering	X	X		X	X						X			
Barricades and missiles used	X	X	X	X		X	X	X						
Petrol bombs thrown	X	X		X		X	X	X						
Violent attacks on the public in the presence of the police	X			X		X	X	X						
Arson attacks on building	X			X		X	X	X	X					
Threats to fire and ambulance	X			X		X	X	X						
Firearms directed at police	X	X		X				X		X	X			
Vehicles driven at police	X			X								X	X	X

Next steps

Decisions about the resources allocated to public order tactics, training and equipment will always need to be balanced by consideration of other policing demands: but the level of priority currently given to this work needs re-assessing in the light of the August 2011 disorders. The balance of risks for the public has changed. HMIC proposes that our recommended new national framework for maintaining public order is a point of reference in the Strategic Policing Requirement (SPR), as is the case for serious and organised crime,

and counter terrorism.[113] The SPR provides the most appropriate vehicle for ensuring the police and Government have the same expectations about the specifics of early resolution, national mobilisation and the associated tactical capability. This would provide much-needed reassurance about police capability – not just in cases of disorder, but for other national emergencies (such as the threat of a flu pandemic or widespread flooding).

HMIC has found previously[114] that it can take two years or more for agreed changes in public order tactics to become reality on the front line. This pace is too slow – especially with the Olympics less than a year away. We therefore recommend that alternative routes to effecting change are considered. One approach could involve focusing initially on making changes in forces that police higher risk, urban areas; but in the longer term, all forces would need to adopt the new practices, so that they are able to contribute to any national requirement.

Recommendations

1. A national framework for resolving public disorder

There is a clear need to develop a national framework which can provide greater certainty for the public and the police on the approach to resolving public disorder. This framework should include clear objectives for early resolution of disorder; and **rules of engagement** which set out an agreed envelope of available tactics and of the degree of force associated with their use, that are likely to maintain public support (Recommendation owner: Home Office, ACPO, Police Governance – tri-partite body with oversight of Strategic Policing Requirement).

This would be supported by:

- **Communications after fatal or controversial incidents** – Resolve decisively the uncertain communication issues between the police and the IPCC that arise in the event of deaths attributed to the police. The current uncertainty apparently inhibited decisive statements to address inflammatory rumours circulating on Friday 05 August until the statement published by the IPCC at 18:25hrs on Sunday 07 August 2011 (HO – previously recommended by HMIC in *Adapting to Protest* 2009).
- **‚All source' hub** – Develop an „all source', fully networked public order intelligence hub, using advanced software to analyse trends in community tension (including through social media monitoring). Linked to this should be a national mobilisation capability that possesses a clear understanding of the availability of trained police and other assets to deal with disorder (PNICC).[115] This should be available before the Olympics, without

[113] The development of a Strategic Policing Requirement is required by the Police Reform and Social Responsibility Act 2011.See Home Office (2011) *Shadow Strategic Policing Requirement*. Available from www.homeoffice.gov.uk

[114] HMIC (2011) *Policing Public Order: An overview and review of progress against the recommendations of* Adapting to Protest *and* Nurturing the British Model of Policing. Available from www.hmic.gov.uk

[115] Police National Information and Coordination Centre. See note 109 above.

damaging the present (very limited) arrangements for public order intelligence. Clearly this will cost money: but this could be offset (in part) and fast-tracked, by temporarily „seconding in' experts from industry to assist. (ACPO / MPS / HO)

2. Mobilisation

Local mobilisation options

Establish potential gain from immediately bolstering visible police on the streets from other police functions. HMIC envisages that this could be achieved in several waves. For example, in the first wave, increasing shift patterns from eight to twelve hours could result in a 30% increase in the number of available officers. More could be made available in a second wave by redeploying officers from back, middle office and specialist roles – although the numbers this makes available will vary both between forces and (depending on the time of the week) within them.

Flexible use of police staff could release officers from specialist and middle and back office roles to the front line.

Regional mobilisation options

Tried and tested local mobilisation plans, including target times to „stand up', should be established within 6 months. These should be integrated seamlessly with regional and national plans, as appropriate (by ACPO, reviewed by HMIC).

National mobilisation options

Building on local and regional mobilisation arrangements, the national mobilisation plan should be revisited so that it includes response times (not presently the case), and can be tested at periods most likely to be associated with disorder (by ACPO, reviewed by HMIC).

Reference has been made to possible support provided by *military personnel*. The military have provided assistance to the police in a range of circumstances (including for example dealing with flooding) under arrangements known as Military Aid to the Civil Power (MACP). Discussions should be taken forward that identify thresholds and the nature of support which could be provided *in extremis* to release police officers and staff in middle and back office functions so that they could be fully deployed as part of the public order effort. (MPS, ACPO, Ministry of Defence).

3. Review of tactics

A review of police tactics should take place to identify a useable, mobile set of „go forward' tactics. These should be trained to nationally consistent standards and include the capability to use a range of levels of force (given different scenarios) to save lives, protect the public and disrupt criminality, if disorder becomes established. These tactics should be informed by the law on public order and the use of force (see Chapter 6) to enable officers and commanders

to be both professionally confident and competent in the use of their powers to keep the peace.

Tactics are dependent on kit being available. The location of relevant kit and equipment must therefore be considered at a strategic level to maximise availability and responsiveness when needed. (MPS/ACPO)

4. Analysis of training approach and content

An analysis of the current training regime for public order should be undertaken to ensure officers are provided with opportunities to practise realistic scenarios that reflect the present requirement for flexible, „go forward' tactics in response to scenes of disorder to protect the public. This approach would represent a significant shift from the current reliance on orchestrated, well-rehearsed, single site set-piece training. Again, this training should be delivered to a nationally agreed and consistent level. (NPIA[116] or the successor arrangements).

Once police and Government have chosen how they propose to go about responding to and implementing these recommendations, HMIC will assist in determining the cost.

[116] The National Policing Improvement Agency (NPIA) provides a large portfolio of products and services designed to support the police service and wider policing family in the UK and internationally.

Annex A: Review terms of reference

1. BACKGROUND

Following the fatal shooting of Mark Duggan by police on 4 August 2011, a peaceful march demanding justice for Mr Duggan's family was held in Tottenham, north London, on 6 August 2011. Two police cars parked in the vicinity of Tottenham Police station were later attacked and set alight, and riots broke out in which windows were smashed, shops looted, and buildings and a bus set on fire. In the ensuing days, disorder and looting spread across the Capital and to other towns and cities across England and Wales.

On 15 August, the Secretary of State, Rt Hon Theresa May MP, wrote to HMCIC, Sir Denis O'Connor, stating her desire for ensuring that:

> *"the public order policing response is as effective as it can be."*

And requesting that:

> *"you conduct further work to support clearer guidance to forces on the size of deployments, the need for mutual aid, pre-emptive action, public order tactics, the number of officers (including commanders) trained in public order policing and an appropriate arrests policy."*

2. SCOPE

HMIC will examine the existing systems that generate support, both human and technical, to meet public order policing requirements. This review will include the need for further guidance, mutual aid, pre-emptive action, tactics – and their adaptability, training, and arrests policies, but will also examine the fundamental and underlying requirement for information and intelligence to inform decision-making.

In terms of the current police manual of guidance for public order, *Keeping the Peace 2010*, HMIC will look at the state of the current content in terms of the priority its gives to the maintenance of order, the critical mass required to achieve and deploy tactics successfully, the use of force by police, kit and equipment, and the management of intelligence.

Practice amongst all Home Office forces and the British Transport Police will come within the scope of HMIC's review. The Secretary of State will also be approached in order that HMIC may examine the role and contribution of the National Policing Improvement Agency (NPIA).

3. AIM AND OBJECTIVES

To consider the guidance and ability of the police to assemble, deploy and support officers with a range of options to keep the Peace, where necessary, to enforce order, and make recommendations accordingly.

The following lines of enquiry have been identified to meet the requirements of this commission and that of HMIC's responsibility under the Public Sector Equality Duty:

- assembling a critical mass – in terms of both normal policing to reassure and prevent crime and public order trained officers
- consideration of the current „formula' for mobilisation
- the „PNICC' system that supports inter-force mobilisation
- the numbers of trained officers this can yield, with particular reference to 6 - 10 August 2011
- the training and costs associated with different levels of critical mass
- use of force – the Law
- training on the use of force at a level that ensures an understanding of the use of „proportionate force' by police officers, and members of the public
- the escalation of force by police through the various tactical options together with the implications of transferring the range of tactics described in *Keeping the Peace* to the streets
- the logistical requirements
- equipment: shields, vehicles, horse, dogs, baton guns
- issues of consistency (and the impact on „Interoperability')
- intelligence: local and national approaches to the need to gather public order intelligence, including that from social media, and in certain circumstances to counter it at local and national level
- how is the information and intelligence available best co-ordinated within the Service
- communication and order maintenance; the need for the public to be briefed and reassured of police intentions, and the exercise of care as to the facts in such cases

The above will be founded on a clear narrative of the initial events, the outbreak of disorder, the sequence that followed in other cities and the build up of resources.

4. METHODOLOGY

The objectives will be achieved via the following:

- Visiting 5 forces who have experienced various levels of disorder:
    - West Yorkshire Police
    - West Midlands Police
    - Greater Manchester Police
    - Nottinghamshire Police
    - Metropolitan Police Service
- Conducting interviews with relevant personnel – national policy leads, commanders, public order practitioners, intelligence staff and community officers.

- Accessing and interrogating the data compiled by force internal reviews into the disturbances.
- Financial modelling of public order resources against a range of scenarios.

5. PRODUCT

A report with options will be delivered to the Secretary of State week commencing 31 October 2011.

Annex B: Public perceptions of the policing response to the riots

HMIC is publishing the full results from the public perceptions survey alongside this report, at www.hmic.gov.uk/data. This annex summarises the methodology and sets out the key findings.

Research methodology

HMIC's public survey work comprised telephone interviews with:

- a nationally representative sample of 1,000 adults living in England and Wales; and
- a further 1,000 residents of areas affected by the riots (West Midlands, West Yorkshire, Manchester, Nottingham, Croydon, Haringey), identified by postcode.

The same questions were answered by all 2,000 respondents.

Interviews were conducted between 16 and 18 September 2011.

Perceptions of police overall

Two-thirds (66%) of all respondents rate the job of the police in their **local area** as „excellent' or „good'. Only 9% think it's poor. In areas that were most heavily affected by the riots, people tend to be slightly more critical (15% give it a „poor' rating in Haringey, and 14% in Croydon).

Three in five (60%) of all respondents think the police are dong an excellent/good job at a **national level**; one in ten (10% rate it as „poor').

Personal experience of riots

Thirteen percent of people overall personally experienced „rioting or disorder in my local area'; 29% had family or friends for whom this was the case. Around a quarter of those located in the West Midlands, Croydon and Haringey had personal experience of the rioting and disorder.

More than half of all people (54%) were **worried** during the riot period. People in riot-affected areas were more likely to be very worried than those in unaffected areas (25% vs 15%); however the numbers who were „fairly worried' are around the same in riot and non-riot affected areas (35% and 33%).

In terms of what these people were worried about, the top rated answer was fear for family or friends; in second place, **two in five people (39%) were either very or fairly worried that the police might not be able to keep control in their local area.** Interestingly, this worry was more widespread than fear of „your own home being damaged', „being personally intimidated' or „or being personally injured': a hypothesis could be that these three things would not happen until after police control in the area had been lost.

Police response to riots: critical mass

Eighty-three percent of all respondents credit the police with helping to bring the riots, making them the most cited organisation to do so – although 60% think this could have been done more quickly, a total which goes up in the most affected areas. Overall, there is a perception (63%) that **initially there were too few police at the riot scenes, but that by the end the number was right** (68% agreement).

Tactics

People felt very strongly about measures that **should** have been taken to deal with rioting. Almost all methods listed were strongly supported (by more than three-quarters of respondents); the exception is the use of firearms – although 33% of people also thought this tactic should be used.

The public thought the police had used more forceful tactics than they actually were (e.g. 23% thought the police were already using water cannon). This is the background to the finding **that almost half (49%) of respondents believed that too little force was used to deal with the events** (with those in Haringey and Croydon more likely to think this, at 56% and 57%).

This could have implications for review work around the area of „training on the use of force at a level that ensures an understanding of the use of „proportionate force by police officers, and members of the public' (Terms of Reference); the results seem to imply the public are happy for use of escalating force.

Provision of information

Only one in six (17%) of all respondents claim that they were provided with information by the police (this is higher in younger age groups: this might be because of the widespread use of Twitter by the police in some areas, eg GMP). The vast majority of those who got information found it reassuring. There is no difference when it comes to finding information reassuring depending on where the information was acquired (e.g. TV, newspapers, internet, etc).

TV is both the main way people actually received and preferred to receive information from the police. However, those who got their information from TV or a national newspaper were less likely to have personally experienced the rioting than those who used the internet. Linked to this, there is correlation between those who personally experienced the riots and those who got their information from the internet (35%) and word-of-mouth (32%). This could suggest that those who are directly affected actively seek out more immediate information, and may imply that forces should focus some efforts on online communications (as well as television) when such events are occurring.

The results of this set of questions (combined with data on the media consumption of respondents) could feed into the line of enquiry on „communication and order maintenance: the need for the public to be briefed and reassured of police intentions, and the exercise of care as to the fact in such cases' (Terms of Reference).

Main differences between force areas

There is some evidence to suggest that public support for the police and belief that they did a satisfactory job in policing the riots is higher in GMP and Nottingham, and lowest in Haringey and Croydon:

- in Croydon and Haringey were the most worried (69% and 70% respectively) about the riots; Nottingham and Manchester were the least worried (47% and 52%).
- People in Haringey and Croydon were less satisfied with the police response time (68% and 72%) and are more likely to believe that the police could have restored order more quickly. Manchester and Nottingham come out best, with 53% of people not satisfied with the police response time.
- People in West Yorkshire were most likely to think that the right amount of force had been used (54%), followed by Manchester (48%).

Annex C: Advice on the use of force by police in the context of civil unrest and riot

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BLACKSTONE CHAMBERS

24 NOVEMBER 2011

ADVICE

Introduction

1. In early August 2011 serious civil disturbances occurred in a number of towns and cities across England, following the fatal shooting of one individual in Tottenham, in North London. These disturbances caused loss of life, serious personal injury and serious damage to property. They also led to widespread, and serious, public concern.

2. The immediate aftermath of these incidents led to calls by, amongst others, the Prime Minister, for more "*robust*" policing. There was also press speculation as to whether police in Great Britain could make use of "*Attenuating Energy Projectiles*" ("*AEPs*", sometimes referred to as "*plastic bullets*") or water cannons, in similar situations in the future.

3. Against this background, on 15 August 2011, the Secretary of State for the Home Department wrote to Her Majesty's Inspectorate of Constabulary ("HMIC") and requested that it conduct further work to support:

> *"Clearer guidance to forces on the size of deployments, the need for mutual aid, pre-emptive action, public order tactics, the number of officers (including commanders) trained in public order policing and an appropriate arrests policy."*

4. The potential need for further guidance to deal with events such as those which occurred in August 2011 is further illustrated by consideration of the principal 2 guidance from the Association of Chief Police Officers ("ACPO") in relation to public order. The most recent manual: "*Manual of Guidance on Keeping the Peace*" published in August 2010 ("the ACPO 2010 Manual") focuses principally on public order in connection with protests, of which at least some significant advance notice is available, and where the exercise of important democratic freedoms will be in play. While providing general guidance of value (particularly in Appendix 1 in its summary of the purposes which different policing methods or equipment can usefully serve), the ACPO 2010 Manual does not address more spontaneous "*flash rioting*" and mass looting of the kind seen this summer, nor does it take account of the potential for the swift coordination and spread of such disturbances through social networking sites.

5. HMIC had itself already identified the particular challenge presented by the use of social networking sights to provoke and co-ordinate disturbance and protest at unprecedented speed in its February 2011 report "*Policing Public Order*" which had come after the student protests of November and December 2010 ("HMIC 2011 Report"). In the same report HMIC reiterated its earlier call for the

agreement by ACPO, the Home Office and the National Policing Improvement Agency of "*an overarching set of principles on the use of force that cover all circumstances and fields of policing*" (p.9).

6. Against this background the HMIC published its terms of reference in response to the Home Secretary's request in September 2011.

7. This advice addresses the following matters arising out of the request and the terms of reference:

   (a) A summary statement and a series of overarching legal principles governing the use of force by police, each of which should be capable of agreement;

   (b) A sequence of core questions which should provide police officers with a practical means of identifying the extent to which the use of force may be permissible in any given situation;

   (c) The application of those principles and questions to a range of different factual scenarios identified by HMIC, and exemplifying some of the difficulties encountered by police officers in responding to the events of August 2011.

8. As will be apparent this advice is concerned only with the legal powers and constraints relating to the use of force by police officers. Matters of policy and policing tactics (whether in relation to funding issues, adequacy of police resources and training, or issues as potentially controversial as, for example, whether it could ever be considered appropriate to deploy live firearms in response to an uncontained public order threat) are beyond the strict scope of the advice. It is, however, obvious that these areas cannot be entirely separated. Any consideration of, for example, the Public Order Instructors' Manual for the Metropolitan Police and City of London Police illustrates quite how significant resource issues (and particularly the availability of adequate numbers of adequately trained police officers) may be in responding to public order disturbances. The same conclusion was reached by the Home Affairs Select Committee in its report into the G20 Protests.

Overarching legal principles

9. Police officers are entitled to use force in a wide variety of circumstances, and in some circumstances they will be obliged to do so, but any use of force must have a lawful foundation in either statute or the common law, it must be in the pursuit of a lawful objective, and it must be reasonable and no more than is necessary in the circumstances. These constraints reflect the long established requirements of both the common law, domestic legislation regulating police conduct, and the European Convention of Human Rights.

10. There are ten key principles which expand on this summary, and which should, along with the summary, be capable of broad agreement. They can be stated as follows:

    (a) Police officers owe a general duty to protect persons and property, to preserve order, to prevent the commission of offences and, where an offence has been committed, to take measures to bring the offender to justice[1];

[1] Again these obligations arise both at common law and under the European Convention by virtue of the positive obligations owed under Articles 2, 3 and 8. The other Convention Articles

(b) Police officers may, consistent with this duty, use force in the exercise of particular statutory powers[2], for the prevention of crime or in effecting a lawful arrest[3]. They may also do so in self defence or the defence of others[4], to stop or prevent an imminent breach of the peace[5], and to protect property;

(c) Police officers shall, as far as possible, apply non-violent methods before resorting to any use of force[6]. They should use force only when other methods have proved ineffective, or when it is honestly and reasonably judged that there is no realistic prospect of achieving the lawful objective identified without force[7];

(d) When force is used it shall be exercised with restraint. It shall be the minimum honestly and reasonably judged to be necessary to attain the lawful objective;

(e) Lethal or potentially lethal force[8] should only be used when absolutely necessary in self-defence, or in the defence of others, against the threat of death or serious injury[9];

(f) Any decision relating to the use of force which may affect children, or other vulnerable persons, must take into account the implications of such status including, in particular, the potentially greater impact of force on them[10];

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of potential relevance to the public order context are Article 5 (liberty), Articles 9-11 (religion, expression and association), Article 14 (freedom from discrimination) and Article 1 of Protocol 1 (peaceful enjoyment of property.

[2] s. 117 PACE 1984 (i.e. powers of search – ss. 1, 2 & 32, entry for the purposes of arrest – s. 17, arrest – s. 24 and following detention at police station – ss. 36, 37 & 54).

[3] s. 3 Criminal Law Act 1967.

[4] AG's Reference (No. 2) of 1983 [1984] QB 456; R v Duffy [1967] 1 QB 63.

[5] Albert v Lavin [1982] AC 546, 565.

[6] United Nations Basic Principles in the Use of Force and Firearms by Law Enforcement Officials (1990) – paragraph 4.

[7] *United Nations Basic Principles* in the Use of Force and Firearms by Law Enforcement Officials – paragraph 4. Consistent with this approach the current Public Order Instructors Manual for the Metropolitan Police and City of London Police emphasises that "*Proper and effective communication is an option that can often reduce hostility and manage conflict. Managing conflict through effective communication is a central theme of this policy*" (p. 2).

[8] There is no clearly stated definition of "*potentially lethal force*" but in one case the European Court of Human Rights has stated that it will involve consideration of the intent, type and degree of force used and appears to have equated the concept with the use of force which "*by its very nature puts life at risk*" (see *Makaratzis v Greece* where the test was met in a case concerning use of firearms in a police chase: Application No. 50385/99 20th December 2004 at paragraphs 51 & 55). The concept would include any use of firearms, and is currently treated, as a matter of police practice and guidance dating from 2005, as embracing the use of AEPs, see e.g. Police Service Northern Ireland Human Rights Report 2010 at pp. 58-59 re legal tests applicable to AEPs and firearms.

[9] UN Basic Principles paragraph 9: *"Law enforcement officials shall not use firearms against persons except in self-defence or defence of others against the imminent threat of death or serious injury… In any event intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life";* McCann v United Kingdom (1996) 21 EHRR 97; Giuliani & Gaggio v Italy, Application No. 23458/02, Grand Chamber 24 March 2011; Police Service Northern Ireland Human Rights Report 2010 at pp.58–9 re legal tests applicable to AEPs and firearms.

[10] The threat presented by a child may also be different to that presented by an adult. Article 3 of the United Nations Convention on the Rights of the Child requires that the interests of the

(g) Police officers should plan and control operations to minimise, to the greatest extent possible, recourse to lethal force, and to provide for the adoption of a consistent approach to the use of any force by all officers. Such planning and control will include the provision to officers of a sufficient range of non-lethal equipment, and the availability of adequate medical expertise to respond to harm caused by the use of force[11];

(h) Individual officers are accountable and responsible for any use of force, and must be able to justify their actions in law;

(i) In order to promote accountability and best practice, all decisions relating to the use of force, and all instances of the use of force, should be reported and recorded either contemporaneously, or as soon as reasonably practicable;

(j) Any decision relating to the use of force by police officers must have regard to the duty of care owed by the relevant police service to each individual police officer in the discharge of his duties. Deployment of police officers in a public order context where force may be used can carry grave risks to their own safety, and so must be the subject of rigorous control for that reason also[12].

Core questions

11. Consistently with these principles, in one of its earlier reports, HMIC has already correctly explained how, after the event, the lawfulness of the use of force by police officers will fall to be assessed, summarising the position in the following terms:

> *"In assessing the reasonableness of the force used [by police officers], three questions need to be asked:*
>
> 1. *Was force used to achieve a lawful objective, e.g. the prevention of crime or to make a lawful arrest?*
>
> 2. *Was the force justified in the circumstances?*
>
> (a) *Was there a need to use any force at all?*
>
> (b) *How serious was the offence which was being prevented or in respect of which an arrest was being made?*

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child should be a primary consideration in all decisions which concern them Article 3. See also Commentary on Article 3 of United Nations Code of Conduct for Law Enforcement Officials (adopted by General Assembly Resolution 34/169 of 17 December 1979). In the context of AEPs the Northern Ireland Policing Board Human Rights Advisor has expressed the view that "the younger the individual against whom an AEP is used, the stronger the justification for use will have to be. Moreover, below a certain age, it is difficult to envisage any circumstances when the use of AEPs will be justified"; see also PSNI PD 12/08 s. 7 para. 5(4)(c).

[11] McCann v United Kingdom (1996) 21 EHRR 97; Giuliani & Gaggio v Italy, Application 23458/02, Grand Chamber 24 March 2011; Gulec v Turkey 27 July 1998 at 71-73.

[12] As will be apparent from this summary of relevant principles, there is no sanction in the law for a concept of "*robustness*". On the contrary, there is a risk that reliance on such a term could lead to an inappropriate displacement of the core tests of reasonableness, necessity for the pursuit of a lawful objective, and proportionality, which lie at the heart of the lawful use of force by police.

3. *Was the force excessive in the circumstances?*

(a) What was the nature and degree of the threat posed or the force used against the officer?

(b) What was the nature and degree of force used by the officer?"[13]

12. Adapting these three questions to a prospective situation, to provide practical guidance for a police officer faced with a situation involving a public order concern, and faced with a decision as to the appropriate level of response, and whether it should include the use of force, they can usefully be re-framed as follows:

(a) Would the use of force have a lawful objective (e.g. the prevention of injury to others or damage to property, or the effecting of a lawful arrest) and, if so, how immediate and grave is the threat posed?

(b) Are there any means short of the use of force capable of attaining the lawful objective identified?

(c) Having regard to the nature and gravity of the threat, and the potential for adverse consequences to arise from the use of force (including the risk of escalation and the exposure of others to harm), what is the minimum level of force necessary to attain the objective identified, and would the use of that level of force be proportionate or excessive?

13. A Police officer asking each of these three questions, and acting according to the answers, will be likely to identify the correct considerations governing the use of force, and will be likely to act lawfully. The questions also represent, in distilled form, the substance of the ACPO Conflict Management Model[14]. They will allow a sequenced consideration of available information to establish the nature and extent of the problem faced, a threat assessment to identify the extent of risks posed (critical to ensuring that there is neither a disproportionate - and therefore unlawful - reaction, nor an under-resourced response, and whether or not an early attempt at resolution would be beneficial or potentially counter-productive in leading to an escalation), analysis of what powers are available to the police in the light of that threat assessment (including as to the range of methods and degrees of force available), consideration of tactical options, and then deployment of action decided upon.

Application of principles to particular factual scenarios

14. HMIC has identified a series of single line scenarios illustrative of the problems encountered by police officers in the recent disturbances. These are set out

[13] See "Adapting to Protest November 2009: Nurturing the British Policing Model at Appendix 3 ("HMIC November 2009 Report");

[14] See e.g. ACPO Manual of Guidance on Keeping the Peace 2010 at paragraphs 3.1-3.68. At 3.3 the CMM is summarised as follows: "Each stage of the CMM is driven by information and provides the user with an area of focus and consideration. The application of the CMM is a continuous, cyclical process which is constantly subject to review in the light of new information and assessment that will, ultimately, affect the police response. At the heart of the model is the need to return to a steady state."

below, together with observations as to how the principles and questions just summarised could apply to them.

15. The range of policing methods / equipment I have had regard to for the purposes of considering the scenarios includes containment, the use of mounted police and dogs, distraction techniques, shields, batons, water cannons, screening smoke, CS Spray, police vehicles, tasers, AEPs and live firearms.

16. I have noted, however, that significant practical problems in relation to the use of at least some of these have already been identified in the public order context[15].

Scenario 1 - "Flash rioters" engaged in a burglary within the sight of police lines

17. Applying the principles set out above to this scenario, through the prism of the three core questions identified, the following observations can be made:

(a) There would be a lawful objective present capable of justifying the use of force, namely the prevention of crime and / or the effecting of a lawful arrest (s. 3 Criminal Law Act 1967). The scenario contemplates the police witnessing criminal conduct constituting the offences of violent disorder, burglary, theft and / or criminal damage, as well as an ongoing breach of the peace;

(b) Although an express warning of the use of force in the event the activity did not cease should be provided, there would be no obvious means short of the use of force capable of attaining the lawful objectives identified.

The rioters would (it is assumed) be aware of the police presence, and would be proceeding with their criminal activity despite that knowledge. The presence of the police would itself constitute a warning that the activity should cease or force could be used. This could also be reinforced by communication through loudhailer / PA systems or the presence, if available, of police dogs and mounted police. Communication strategies will, furthermore, not be confined to the police alone and will embrace the potential use of media and community figures[16];

(c) The range of lawful responses on the part of the police would be likely to embrace containment until reinforcement had arrived to facilitate arrests, the ordinary level of force necessary to arrest an individual

[15] See e.g. Home Affairs Committee Report 2009 pp. 22 & 30 recommending that tasers not be used in large public protests; ACPO 2010 Report Appendix 1 at pp. 100-109 re difficulties associated with use of horses, dogs, water cannons, screening smoke and CS smoke. See also Public Order Instructors' Manual for Metropolitan Police and City of London Police & Public Order Officers Safety Manual (1.1) re CS Spray, dangers of asphyxia and potential impact on other officers and other bystanders, and on integrity of plastic shields.

[16] See e.g. ACPO 2010 Manual 5.1-5.48.

resisting arrest[17], and forced dispersal through a shielded advance of the police line. Precise determination of the minimum level of force necessary to attain the lawful objectives (of preventing further crime and effecting arrests), and reaching a conclusion as to whether that degree of force would be proportionate or excessive, would involve consideration of the following:

- The extent of information known about the genesis of the riot, the speed and means with which it had developed, the pattern of other comparable disturbances, and the risk of such disorder spreading to neighbouring areas if not swiftly resolved. This would be part of any threat analysis by the police, and so of any calibration of what level of response would be reasonably judged to be the minimum level of force necessary to attain the objective identified;

- Whether warnings of the potential use of force had been provided;

- The number of rioters present relative to the number of police, and the implications on this balance of an intervention to attempt arrest, carrying with it an inevitable reduction in police numbers capable of controlling the overall situation[18];

- Whether and when police reinforcements could be expected;

- Whether particular ringleaders could be identified for targeted arrest;

- Whether isolated arrests, even of non-ringleaders, might suffice to bring the activity of others to an end;

- Whether a shielded advance would be successful in achieving dispersal (having regard to available exit routes), and in preventing further criminal activity or whether it would simply move the same problem posed by the rioters to a different location.

Scenario 2 - Barricades being built on the public highway

18. This scenario would, without more, provide less justification for the use of force than Scenario 1, but it could still do so. The three core questions would fall to be considered as follows:

(a) Without more information the use of force would not necessarily have a lawful objective but, depending on the circumstances, it could do so.

The creation of a barricade does not, in and of itself, constitute an offence so as to trigger the application of s. 3 of the Criminal Law Act. It <u>may</u> do so if the elements of the offence of wilful obstruction of the highway are made out (s. 137(1) of the Highways Act 1980). There are three elements to this

[17] See e.g. Public Order Manual for Metropolitan Police and City of London Police at 5.1 et seq.

[18] The potential for use of "crowd entry tactics" to effect arrests is also addressed in the Public Order Instructors' Manual for Metropolitan Police and City of London Police at 8.1 et seq. It highlights the resource considerations which will apply because of its suggestion that up to 7 officers may be required for such an arrest. The accompanying Public Order Safety Manual identifies the same problem albeit contemplating arrests being effected by pairs of officers (5.1 et seq.). The Manual also sets out standard pressure point control techniques likely to be used in an arrest requiring reasonable force (see Section 7 et seq.).

offence: obstruction, wilfulness and the absence of any lawful authority or reasonable excuse. The first two are of course likely to be satisfied by the making of a barricade but the key issue in determining whether an offence was being committed would be very likely to be that of reasonable excuse, and whether the activity concerned could be said to be "*reasonable*"[19]. Depending on the context (e.g. use of barricades by rioters in the vicinity or elsewhere at the same time, and evidence of some form of co-ordination or „copycat' rioting) it might also be that the creation of barricades could evidence an imminent breach of the peace providing a further justification for forceful intervention;

(b) Even if intervention to prevent the creation or maintenance of a barricade could be said to have a lawful objective, such a scenario will not always justify the immediate use of force. A range of further factors would require consideration in order to answer this question. They would include the following:

- The broader context as explained above (e.g. a pattern of barricades being erected for the purposes of serious and violent disorder);

- An analysis of the nature and immediacy of any threat posed in consequence;

- The location of the barricades e.g. whether they were on a significant access road which could impair the operations of the emergency services;

- The extent of, and response to, any efforts made to resolve the issue through communication with those constructing barricades;

- The extent of proper recourse which had been made to s. 14 of the Public Order Act 1986, and the powers of the police to impose directions on an assembly where a reasonable belief existed that the assembly could result in serious public disorder, serious damage to property or serious disruption to the life of the community;

(c) If force were justified then the level appropriate would itself depend on some of the variable factors already identified, but it would be likely to be at a relatively low level, involving physical intervention consistent with ordinary arrest to remove any individuals from the site of the barricades, coupled with the use of force to dismantle the barricade itself[20].

Scenario 3 – Breaking up of groups

[19] Where the obstruction is for the purpose of some form of political demonstration further questions may arise given the potential impact of the rights of freedom of expression and freedom of assembly protected by Articles 10 and 11 of the European Convention.

[20] Subject to the surrounding situation dismantling the entirety of the barricade may, of course, not be a priority and it may be sufficient in the first instance to create a breach to allow passage. See further Public Order Instructors' Manual for Metropolitan Police and City of London Police at 5.32-5.33 and ACPO 2010 Manual at p. 104.

19. This scenario arises out of comments made in the wake of the August riots in which there was support amongst some Members of Parliament for what was described as a "*much more robust approach from the police, in terms of breaking up groups of people who were attempting to form*", and which approach was said to have "*prevented further disturbances from happening*".

20. The core questions set out above would trigger some similar questions to those just identified in the context of barricades, and would fall to be applied to this scenario in the following way:

    (a) In order to determine whether there could be a lawful objective capable of justifying the use of force at least the following further information would be required:

    - Information as to the extent of any threat of public disorder, personal injury or damage to property which the group was believed to present and the basis for such belief;

    - The nature of any response by the group to an attempted engagement by police officers, including its response to any exercise of powers under s. 14 of the Public Order Act;

    (b) Consideration of the minimum level of force capable of attaining the lawful objective identified would, again, depend on further information of the kind identified in relation to Scenario 2;

    (c) As with Scenario 2, and absent any particular information indicating e.g. that members of the group were armed, the maximum level of force likely to be justifiable would be that consistent with an ordinary arrest. Furthermore it will be appropriate to adopt other less intrusive methods first, involving at least warnings of the potential use of force, both expressly and, depending on the size of the group and the availability of resources, through the presence of Mounted Branch Deployments[21].

Scenario 4 - Barricades and missiles being used

21. This scenario is, on its face, significantly more grave than any of the previous three considered, and it would be likely to justify a higher level of force. It contemplates the perpetration of deliberate physical assaults, or attempted assaults, by a group of individuals, and, depending on the nature of the missiles and their targets, the potential for serious criminal damage and serious personal injury. The three core questions would fall to be applied as follows:

    (a) The use of force would have a clear lawful objective. It would be for the purposes of self defence and (probably) the defence of others and of property, it would be for the prevention of crime, and it would be to stop an ongoing breach of the peace;

    (b) As with Scenario 1 there would appear to be no obvious means short of the use of force capable of attaining the lawful objective identified. The rioters would, by their conduct, be making it clear that they had no intention to voluntarily desist from their activities. The fact that the disturbance was localised to a particular barricade or barricades and so

[21] See Public Order Instructors' Manual for Metropolitan Police and City of London Police at 5.35.

may have involved a degree of coordinated action might, however, increase the prospect that some form of leader might exist with whom dialogue could be attempted;

(c) As to the third question, and the degree of permissible force, a substantial level of force would be likely to be justified;

Depending on the precise circumstances a context such as this could warrant each of the methods already referred to above (containment, dispersal efforts and targeted arrests[22]), and could extend to the use of properly equipped vehicles to drive back rioters or effect targeted arrests and the use of water cannons (if available[23]) and might even extend up to the use of AEPs. It would not justify the deployment of armed officers unless a clear threat to life incapable of being addressed by AEPs was presented by the activities[24]. The criteria for use of AEPs are currently identified in ACPO Guidance as being "*where their use is judged to be necessary to reduce a serious risk of (i) loss of life or serious injury or (ii) substantial and serious damage to property where there is, or is judged to be, a sufficiently serious risk of loss of life or serious injury to justify their use*"[25]. Different wording to the same effect has been used in Northern Ireland where AEPs have been used in the public order context[26]. Another factor which the ACPO Guidance specifically identifies as being relevant to the use of AEP's is that it "*may have a profound impact on crowd dynamics with implications for public safety and order*"[27].

[22] Any use of CS Spray to facilitate an arrest of a violent or potentially violent will itself need to follow existing guidance. See e.g. Public Order Instructors' Manual for Metropolitan Police and City of London Police at 5.63, 12.1. It will also have to take account of the risk of bystanders and other officers being affected by the spray.

[23] There are currently no water cannons available on the United Kingdom mainland. They have been used in Northern Ireland and were introduced in order to provide public order commanders with a broader range of public order tactical options that might reduce reliance on, or defer resort to, AEPs (see e.g. PSNI General Order on the Deployment and Use of RCV9000 Vehicle Mounted Water Cannon).

[24] See ACPO Manual 2010, Appendix 1 pp.101-102.

[25] Amended Guidance 16 May 2005 at paragraph 1.15. The ACPO 2010 Manual at Appendix 1 p.102 summarises the criteria as requiring a conclusion that "*conventional methods of policing have failed or, because of the circumstances, are unlikely to succeed if tried*", that there is a "*potential for loss of life, serious injury or widespread destruction*", and that "*such action is likely to reduce that risk*". If the reference to "*widespread destruction*" were read as justifying the use of AEPs where there is no risk of loss of life or serious injury (either directly or likely to flow from the potentially serious property damage) this would be to understate the test. It should not, however be read in this way, not least because the same page of the Appendix states that the role of AEP Officers is to "*reduce the threat posed by specific individuals in order to protect life, prevent serious injury or prevent serious damage to property (in circumstances likely to lead to loss of life / serious injury) during serious disorder*".

[26] As explained in the Northern Ireland Policing Board Report on the Policing of the Ardoyne Parades and the Whiterock Parade (at paragraph 21) "*The AEP Impact Rounds policy requires that ... AEP impact rounds must only be used in public order situations where other methods of policing to restore or sustain order have been tried and failed, or must, from the nature of the circumstances, be unlikely to succeed if tried, and where their use is judged to be absolutely necessary to reduce a serious risk of loss of life or serious injury, or substantial and serious damage to property which is likely to cause or is judged to be likely to cause a serious risk of loss of life or serious injury*"; see also PSNI General Order 21/2005 at 4(1).

[27] See paragraph 1.8.

22. Against this background a decision on the level of force which could be lawfully used would require consideration at least the following:

- The nature of any reaction to a challenge and warnings as to the use of force, and specifically (as applicable) to the potential use of water cannon / AEPs[28];

- The nature of the missiles;

- The number of missiles apparently available to the rioters;

- The distance the rioters were apparently able to project the missiles and the extent of threat to person or property which they posed within that radius;

- The ability to target specific individuals either for arrest or with AEPs;

- The ability when using AEPs safely to target the appropriate part (below rib cage) of an individual's body;

- The distance between officers and target (having regard to existing ACPO guidance on AEPs to the effect that unless there is a serious and immediate risk to life which cannot otherwise be countered use at under 1 metre or aiming at higher part of the body cannot be justified);

- The presence or otherwise of children or other vulnerable individuals;

- The presence, within the group which would be impacted by any recourse to water cannon, of any individuals not involved in unlawful activity;

- The potential escalation of tension and adverse impact on crowd dynamics which could be caused by the use of AEPs;

- The danger that the crowd could overrun officers armed with AEPs;

- Whether it has been reasonably concluded that conventional policing methods involving containment, dispersal and targeted arrests had either failed or were likely to if tried.

23. Any situation involving the use of such missiles will also trigger careful consideration of the adequacy of equipment in the possession of Police officers first attending the scene. They could themselves be exposed to an unreasonable level of danger if they were not properly equipped and, if there is no immediate threat to others to confront, they would be justified in withdrawal to a position of containment pending the arrival of adequate resources[29].

Scenario 5 - petrol bombs being thrown (with or without cover behind barricades)

[28] ACPO Guidance makes it clear that unless circumstances do not permit then a warning of the use of AEPs through loud hailer or PA systems must be given (see e.g. 2005 Guidance at 10.1-10.5)

[29] Mounted branch police should never be used as a form of "shield" and they are likely only to be of assistance as a show of force out of range of any missiles and to facilitate individual advances before retiring to a safe distance again. See Public Order Instructors' Manual for Metropolitan Police and City of London Police at 5.34, 5.39.

24. This scenario is likely to raise very similar considerations to those just addressed in Scenario 4. Because of the threat of personal injury, and of risk to life which they create, the use of petrol bombs could warrant a high level of force up to and including AEPs. Given the potential availability (and efficacy) of AEPs it is, however, still unlikely that there could be any lawful use of firearms in such a context. The use of petrol bombs will make the availability of adequate shields imperative and may also make deployment of Mounted Branch police impractical[30].

Scenario 6 - Violent attacks on members of the public seeking to remonstrate with / stop rioters

25. As with Scenarios 4 and 5, the obligations of the police to defend both person and property would arise in this scenario as would, in all likelihood, their entitlement to act in self-defence. Again the force which could, depending on the circumstances, be justifiable and lawful, could extend up to, and including, the use of properly equipped vehicles and AEPs. A similar approach to that used for targeted arrests may also be appropriate to effect a rescue of an injured or vulnerable member of the public[31].

26. There would be no doubt that the protection of other members of the public would constitute a lawful objective which would, in principle, be capable of justifying the use of force.

27. So far as the second core question is concerned it is unlikely that means short of the use of force would be capable of attaining the lawful objective identified, at least at the stage at which a member of the public was under attack. It might also be necessary for police officers to use force to create a sterile area around an injured member of the public to allow safe removal or access for emergency services.

28. The correct approach to the third question would, again, depend upon the nature of further information available (including the nature and extent of violence being deployed and the availability of sufficient number of police numbers / vehicles to allow a physical intervention to occur) but it could extend up to, and include, the use of AEPs. Certainly the level violence against directed against some ordinary members of the public in the August riots would have been sufficient to warrant such measures. A further point which this scenario illustrates, however, is the risk that would be associated with the use of water cannon and, to at least some extent AEPs, as, by definition, this scenario contemplates the presence, at the same approximate physical location, of individuals engaged in violent criminal conduct and their victims.

Scenario 7 - Arson attacks on commercial buildings with linkage to residential dwellings

[30] See Public Order Instructors' Manual for Metropolitan Police and City of London Police at 5.34, 7.7-7.10.

[31] See discussion of Crowd Entry Tactics at 8.1 et seq. in Public Order Instructors' Manual for Metropolitan Police and City of London Police.

29. This conduct would clearly constitute a threat of serious injury or to life and would justify the use of force. Given the immediacy of the risk and the gravity of the consequences it would be likely to justify at least the use of AEPs targeted at specific individuals in order to bring about the cessation of the conduct, and potentially the use of firearms (subject to the serious policy issue identified earlier in this advice). It would also be likely to justify forceful dispersal methods up to and including water cannon if this were necessary to allow emergency services sufficiently fast access to the scene. Addressing each of the core questions in turn:

(a) There would clearly be a lawful objective capable of justifying the use of force (the prevention of serious crime and the protection of person and property from very serious harm and damage);

(b) The immediacy and gravity of the threat would indicate that there were no real means short of the use of force capable of attaining the lawful objective identified;

(c) The precise level of force which could properly be characterised as the minimum necessary, and as proportionate, would depend upon various factors including those already referred to (particularly under Scenarios 4 to 6) as well as the proximity of police officers to the individual arsonists concerned, the number involved, and the presence or otherwise of innocent bystanders.

Scenario 8 - Threats to fire and ambulance services intervening to deal with fire or to protect injured

30. This scenario raises very similar considerations to those addressed under Scenario 6 above. The fire and ambulance services would be acting lawfully in their interventions and, like ordinary members of the public, would be entitled to look to the police for protection in their work. It would not, furthermore, be open to police officers to seek to exclude fire and ambulance services from a particular area in the same way as it would members of the public.

Scenario 9 - Firearms directed at Police officers

31. This is a case in which it is possible that the intentional use of lethal force could be justified as an absolute necessity in self defence, or to protect the lives of others. The ACPO Guidance on the Management, Command and Deployment of Armed Officers and other relevant Home Office guidance would apply. It should be noted that this guidance does not suggest that it is inevitable that the correct response to an individual in possession of firearms will be through deployment of armed officers. It simply indicates that it may be necessary for this to occur[32]. So far as the core questions are concerned:

(a) There would, on any view, be a lawful objective to the use of force;

(b) The further information which would dictate how the second and third questions fell to be answered would include the following:

[32] See e.g. Home Office Code of Practice on Police Use of Firearms and Less Lethal Weapons.

- The ability or otherwise of Police officers to contain the threat posed by the individual in possession of firearms;

- The extent of threat presented both to Police officers and others;

- The response of the individual concerned to any warnings or attempts at mediation / negotiation.

Scenario 10 - Driving of vehicles at Police officers

32. Again, such instances could justify the use of lethal force in self defence, or to protect the lives of others. Consideration of the relevant circumstances would, however, require there to be careful consideration of whether alternative measures were available (e.g. withdrawal, creation of road blocks) and existing ACPO guidance on the use of firearms would apply. This provides, for example, for the use of particular forms of ammunition capable of effective use in vehicle stopping and immobilisation[33].

Conclusion

33. Police officers already have significant powers entitling them to use reasonable force in responding to a breakdown in public order such as that which occurred in August 2011. The summary statement relating to the use of reasonable force, and the ten principles identified above should be capable of broad agreement in accordance with HMIC's previous recommendations. The three core questions which flow from them should also assist police officers in providing further clarity as to when, and to what extent, such force can be used.

34. The practical reality as to the range of responses open to Police officers in responding to disturbances of the kind seen earlier this year will, however, also be very significantly impacted upon by the extent of police resources made available in terms of numbers of personnel, the extent to which such personnel have been adequately trained in relation to public order issues, and by the range and quantity of equipment available. These are matters of policy outside the scope of this advice.

TIMOTHY OTTY QC

BLACKSTONE CHAMBERS

24 November 2011.

[33] 2010 Manual of Guidance on the Management, Command and Deployment of Armed Officers at paragraphs 3.75-3.77.

Annex D: Timeline of events

Force Policing Area	Incident Date	Incident Day/Time	Detail
Metropolitan Police Service - Tottenham	04 Aug	Thursday PM	Mark Duggan is shot by police in Ferry Lane, Tottenham. Tension starts to grow in parts of the Broadwater Farm Estate.
Metropolitan Police Service - Tottenham	05 Aug	Friday 10:47	David Lammy releases a statement commenting on the Ferry Lane shooting; the London *Evening Standard* runs a story which includes the line „one eyewitness claimed the suspect is killed as he lay on the ground.'
Metropolitan Police Service - Tottenham	05 Aug	Friday 13:00	MPS launched Operation Atemoya to manage the community tensions. Tensions assessed as "above normal".
Metropolitan Police Service - Tottenham	06 Aug	Saturday 08:35	Information received that a march on Tottenham Police Station is being planned for midday, linked to the police shooting.
Metropolitan Police Service - Tottenham	06 Aug	Saturday 14:51	PSUs are released as the demonstration has not materialised.
Metropolitan Police Service - Tottenham	06 Aug	Saturday 17:33	Approx 100 protestors arrive at Tottenham Police Station.
Metropolitan Police Service - Tottenham	06 Aug	Saturday 18:58	Request for Commissioners Reserves (PSU) to scene.
Metropolitan Police Service - Tottenham	06 Aug	Saturday 19:00 - 21:00	Deceased male's family attends the police station to make a complaint. Information is received that Tottenham Police Station would be fire bombed. The Police station is attacked and the ground floor evacuated for safety reasons. Bottles and bricks are thrown at police carriers as disorder breaks out, with police cars wrecked and set on fire. Fire station access blocked by burning cars.
Metropolitan Police Service - Tottenham	06 Aug	Saturday 21:09	Resources utilised: A PSU from Commissioners Reserve (TSG), and 2 Serials from Operation Blunt and local patrols units. Second PSU from the Commissioners Reserve (TSG) arrive at the scene at 21:15.
Metropolitan Police Service - Tottenham	06 Aug	Saturday PM	Bus set alight, with banks, shops and other commercial premises attacked. Windows are smashed with some looting occurring.

Metropolitan Police Service - Tottenham	07 Aug	Sunday 00:20 - 03:00	Cars are hijacked by youths armed with bricks, bats and knives. Roads blocked by burning vehicles, bollards and other materials near Wood Green shopping centre. 100s of males force their way into shops and attack passing cars. 100+ people wearing masks attack the job centre and council building in Hampden Lane and shops in Wood Green High Road. With no police presence. 200+ people loot shops on Tottenham Hale Retail Park. Computers, TVs and other electronics are wheeled away in trolleys.
Metropolitan Police Service - Tottenham	07 Aug	Sunday 03:37 - 04:35	Probation office is set on fire. Male threatened by group who hold a gun to his head asking "are you police?" During the evening 3 other people report seeing youths with guns.
Metropolitan Police Service	07 Aug	Sunday 06:00	Full command team, 33 PSUs (around 825 officers) and other assets (such as mounted branch, dogs and firearms officers) are put in place.
Metropolitan Police Service - Tottenham	07 Aug	Sunday AM	The disturbance at Tottenham Hale subsides with the area cleared at around 6am. Ten police officers are injured during the unrest, and forty two people are arrested for offences including violent disorder, burglary and theft.
West Midlands Police	07 Aug	Sunday Midday	Operation Cedar launched with Command Structure. Seven PSUs available.
Metropolitan Police Service - Enfield	07 Aug	Sunday 12:28	Information received advising that youths are going to meet at 1600hrs in Enfield and that there will be further riots in Hackney, Tottenham and Walthamstow.
Metropolitan Police Service - Enfield	07 Aug	Sunday 15:00 - 15:59	First group of youths identified at Enfield railway station. Section 60 authorised for the whole of the borough from 1525hrs. Info that 200-300 people are to converge in East Croydon in the evening.
Metropolitan Police Service - Enfield	07 Aug	Sunday 16:00 - 17:00	Information that South London gangs are putting their rivalry aside and working together to cause trouble in Enfield. Approximately 20 gang members are sighted in Enfield. BTP requested police resources for the railway station following the arrival of a large group of youths. A large group are reported congregating in Enfield town centre.
Metropolitan Police Service - Enfield	07 Aug	Sunday 17:00	Single Serial of 1 Sgt and 6 PCs with no shields monitored the gathering. Officers at scene request more resources.
West Yorkshire Police	07 Aug	Sunday 17:00	3 x PSUs plus specialist support for 5 days sent to London.

Metropolitan Police Service - Enfield	07 Aug	Sunday 17:00 - 19:00	Bricks thrown at police vehicles. Four additional police serials arrive in area tasked with stop checking youths. 100-150 youths hooded up damage shops in the town centre. A separate group of 50-60 youths block the road and throw missiles at police patrols. Officers are forced to abandon their vehicle and withdraw. All non public order police resources are withdrawn from the town, replaced by PSU serials. Another large group of youths are identified in the area carrying bricks and with their faces covered.
Metropolitan Police Service - Enfield	07 Aug	Sunday 19:24 - 20:59	Critical Incident Declared. Male reported to have a serious injury after being stabbed. 200-300 youths try to gain entry to bank. 30 males seen walking down the road with bottles and other items in their hands, faces covered with bandanas and scarves. 40-50 people with petrol bombs seen in Ponders End. 600+ people are in the town smashing property, they have weapons, bottles, petrol bombs and all wearing balaclavas. Some throw push bikes at windows to smash them.
Metropolitan Police Service - Enfield	07 Aug	Sunday 21:00 - 22:00	Police car is smashed by a group of approx 15 males. About 100 males exit train station along the Abbey Rd, most have their faces covered.
Metropolitan Police Service - Haringey	07 Aug	Sunday PM	Major disorder spreads to Wood Green with a 100 strong mob ransacking local electrical, clothing and jewellery stores.
Metropolitan Police Service - Enfield	08 Aug	Monday 00:02	Large fire reported at the Sony Building. On the Enfield Island village, 500 youths and adults mass.
Metropolitan Police Service - Brixton	08 Aug	Monday 01:30	Crowd of 100+ people clash with police throwing missiles at officers and looting the local shops, they are dispersed by police helicopter using night-sun lighting.
Metropolitan Police Service - Croydon	08 Aug	Monday 02:00 - 04:30	Six vehicles of youths reported around the area. Information that Croydon is going to be the next area for riots and officers are deployed to the borders. Gang breaks into a sports shop. 100+ males congregate in the town centre. All local police resources mobilised including the TSG local PSUs. Group of approx 30 seen at North End, contacted by Level 2 PSUs. Missiles are thrown at officers and vehicles, while approx 15 males rob a local store.
Greater Manchester Police	08 Aug	Monday 9:00	Launches Operation Valiant in preparation for any escalation of violence to GMP area.

Nottinghamshire Police	08 Aug	Monday 9:00	Chief Officers Team discusses incidents in London and potential for copycat events occurring locally.
PNICC - Police National Information Coordination Centre	08 Aug	Monday 09:30	20 x PSUs requested by the MPS between 08/08/2011 and 15/08/2011. PSUs sourced from Essex, Thames Valley, Kent, Cambridgeshire, Northamptonshire, Suffolk, Surrey and Sussex Forces.
Metropolitan Police Service - Croydon	08 Aug	Monday 11:52 - 13:36	Information received that Croydon is going to be targeted tonight and that 200-300 people will be converging in East Croydon this evening. Section 60 authorised.
PNICC - Police National Information Coordination Centre	08 Aug	Monday 14:13	Additional 4 PSUs requested by the MPS.
Metropolitan Police Service - Croydon	08 Aug	Monday 16:45	Hackney police support units respond to reports that groups of youths are gathering. This quickly develops into a violent confrontation as police officers are attacked with bricks and bottles and shops windows are smashed resulting in widespread looting.
West Midlands Police	08 Aug	Monday 17:00	Large group seen in Birmingham City Centre, all buses stopped entering the centre to prevent escalation.
Metropolitan Police Service - Croydon	08 Aug	Monday 17:15 - 18:30	Approx 40 people gather, with more arriving by minibuses. Group of 35 youths seen outside West Croydon BR station. Bricks thrown at officers prompting an urgent request for PSU support with shields. Crowds swell to approx 100 persons where bleach, bottles and bricks are thrown at police as shops are attacked. Youths empty bins to arm themselves. Urgent request for shields and PSU support.
Metropolitan Police Service - Ealing	08 Aug	Monday 18:18	Information received that riots will take place at 22:30 in Ealing and Wembley tonight.
Metropolitan Police Service - Croydon	08 Aug	Monday PM	A number of police officers injured, prompting authorisation of full PSU dress.
West Yorkshire Police	08 Aug	Monday 18:40 - 18:55	Male found with gunshot wounds to his face. 8 Divisional Units and Chief Constables Reserve respond. Large group gathered at the crime scene. Officers report a potential for serious disorder. All road crime, Divisional Response Units and NPT from Division attend.

Metropolitan Police Service - Croydon	08 Aug	Monday 19:00 - 19:30	Ladbrokes is attacked by persons with poles, buses are also attacked. 200-300 youths gather and shops are looted. Request for trains to be stopped at West Croydon due to the serious outbreak of disorder. 200 youths smash shops near to the station and a shopkeeper is attacked. Large group throw missiles at police vehicles in the town centre and petrol is thrown on the road. 150+ in Tamworth Rd with youths seen testing flammability of liquids to use as weapons.
Metropolitan Police Service - Croydon	08 Aug	Monday 19:00 - 19:30	Police form shield lines, but have insufficient resources to push forward. Vehicles are driven at Officers almost causing a fatality. Request for more PSUs and stinger vehicle. Group of 30 confront 3 police officers on a cordon.
West Midlands Police	08 Aug	Monday 19:23	Mobilisation: 3 PSUs within an hour, increased capability to 10 PSUs.
West Yorkshire Police	08 Aug	Monday 19:30	Increasing crowds congregate, estimated approximately 150 people. Missiles thrown at police. Conflict diminishes with the arrival of large number of police resources.
Metropolitan Police Service - Croydon	08 Aug	Monday 19:36 - 19:50	Group at Wellesley Road, approx 50-60, throw missiles in confrontation with police. 200 youths in the town centre looted shops. Approx 150 youths seen nr Lidls. Cars and shop set on fire.
West Yorkshire Police	08 Aug	Monday 19:43	Local youth bitten by police dog, leading to officers being attacked with bricks and forced to withdraw.
Metropolitan Police Service - Croydon	08 Aug	Monday 19:52	4 Serials in area. Majority of the crowd disperse, one detained in looted shop.
West Yorkshire Police	08 Aug	Monday 19:52	First fully equipped Public Order Unit (a single Serial) arrives at scene.
Metropolitan Police Service - Wandsworth	08 Aug	Monday 20:00	Thousands of residents watch youths gathering in Clapham Junction where numbers increase from 200-300, and within an hour mass looting is reported in St Johns Road area of Battersea. Many high street stores ransacked, police are slow to respond due to lack of resources and commitments elsewhere.
Metropolitan Police Service - Croydon	08 Aug	Monday 20:00 - 20:25	50+ youths masked, in possession of petrol bombs, and a machete. Youths empty bins for bottles and fill them with petrol. Large group of youths congregate, shouting and robbing people in Church Street. 2 PSU Serials deployed. Approx 100 youths are in the Central shopping centre, some armed with knives. House of Fraser and a sports shop are looted and torched. A 16yr old male is stabbed with a bottle receiving 4 stab wounds. Group of males in balaclavas

			armed with baseball bats are seen. A solicitor's office is attacked and buses set on fire.
Metropolitan Police Service - Croydon	08 Aug	Monday 20:25 - 20:45	30-40 people seen in hoods and balaclavas walking towards Uxbridge heading to Carphone Warehouse (planned meeting point). Male with gun seen taking a cash machine from Tesco. Buildings set on fire. 2 further PSUs are in attendance.
PNICC – Police National Information Coordination Centre	08 Aug	Monday 20:41	Request to scope the number of PSUs that could be sourced for immediate deployment. Later a further 15 PSUs are requested.
West Yorkshire Police	08 Aug	Monday 20:45 - 21:45	2 x PSUs arrive at scene. Missiles thrown at police in Louis Street by 15 persons with face coverings. Youths throw bricks at vehicles and car set alight. Intelligence Requirement made. Staff at petrol stations asked to report any persons buying petrol in canisters.
West Midlands Police	08 Aug	Monday 21:00	Regional units on standby requested to mobilise.
Metropolitan Police Service - Woolwich	08 Aug	Monday 21:00 - 22:00	Crowd of 200 - 300 strong commence looting throughout the town centre, setting alight several local shops including the 'Great Harry' Pub, which is burnt to the ground.
Metropolitan Police Service - Croydon	08 Aug	Monday 21:05 - 21:17	Police come under heavy attack and request backup. Police attend a report of a shooting in Warrington Road where a male is found wounded in his car, he later dies from his injuries, prompting the police to launch a murder investigation. Vehicle pushed at police lines, as 100+ youths attack police and smash up shops. Tram lines set on fire. LFB are attacked. 5 people injured by fire. Large explosion heard.
Metropolitan Police Service - Ealing	08 Aug	Monday PM	50-60 youths gather in Ealing Broadway. Large scale disorder breaks out across the borough.
Metropolitan Police Service - Croydon	08 Aug	Monday PM	PSUs regain London Road/Montague Road. Reeves furniture store set on fire and collapses onto the tram lines. Another TSG unit requested. Approx 50 people are in the High Street. Dispersal order in Thornton Heath.
Merseyside Police	08 Aug	Monday 21:16	Groups of youths start to gather, with numbers swelling to almost 200. Police vehicles and buses come under attack from stones and bottles. Shop premises are looted, with reports of several arson attacks on vehicles and commercial properties.

West Midlands Police	08 Aug	Monday PM	Significant and widespread disorder occurs in Handsworth, cars overturned and police vehicles attacked.
Metropolitan Police Service - Croydon	08 Aug	Monday 22:00 - 22:15	Police Station attacked by males with petrol and the front office is locked down. PSU detain 3 males at the scene with petrol bombs. BTP officers report serious looting in the Retail Park in Purley Way. 2 Police vehicles set on fire with vehicles burnt out in Mint Walk. Local police resources unable to contain the group as they start throwing bottles.
Metropolitan Police Service - Ealing	08 Aug	Monday 22:20	Level 2 PSU's deployed to clear streets at Castlebar. Group on Ealing Broadway start smashing windows. PSU deployed. 50+ youths attack cars and buildings set on fire.
West Yorkshire Police	08 Aug	Monday 22:40 - 22:50	Report that a group of men in balaclavas are on their way to the mosque. Approx 30 males seen running towards the park, gathering there and armed with bricks. Police intercept males attacking a youth, the group then turn on the police, injuring officers and damaging vehicles.
Metropolitan Police Service - Ealing	08 Aug	Monday 22:53 - 23:20	Police report clusters of 5-6 youths in small groups using mobile phones to organise others on Ealing Broadway. Mass looting continues on Ealing Broadway, smashing windows and looting. Staff flee the shops when attacked by youths armed with hammers and other items. Group of youths on Mattock Lane in Ealing smash cars and set some alight. Officers have to withdraw from Bond Street when attacked by crowd of 300+. 10-20 youths in Ravenor Park in Ealing, smash and overturn cars.
Metropolitan Police Service - Ealing	08 Aug	Monday 23:20	A 68-year-old man is attacked by a group whist he attempts to extinguish a fire. From the vicious assault he sustains serious head injuries which render him unconscious on the ground. A Police support unit is deployed and battle to move the crowd back and protect the area to enable paramedics to tend to him. The male later dies from his injuries.
West Midlands Police	08 Aug	Monday 23:00	Widespread targeting of police. Holyhead Road Police Station is set on fire and petrol bombs are thrown at police at Staveley House Police Station. 2 regional PSUs from Mutual Aid - total capability 12 PSUs.
West Yorkshire Police	08 Aug	Monday 23:20	Large group on Francis Street throw bricks at passing cars and people.

Metropolitan Police Service - Ealing	08 Aug	Monday 23:29	Youths armed with hammers and other items attack shops in Ealing Broadway, causing the staff to flee in fear of their lives.
Nottinghamshire Police	08 Aug	Monday 23:25 - 23:30	Groups damage vehicles and buildings in City Centre. Petrol bomb thrown into St Anns Police Station yard and a PSU and 3 Response are deployed. Group of 30 males on Palmerston Gardens armed with sticks (with 6" nails), bricks and golf clubs. Cyclists acted as spotters. Use of Taser authorised.
Metropolitan Police Service - Croydon	08 Aug	Monday 23:30 - 23:48	50+ youths walk along Hanger Lane, smashing things as they go. Petrol station is attacked and looted by the large group. A car is driven into a shop and looted. Missiles are thrown at officers. Bus set alight very close to houses and explodes. Large building and a road block set on fire. PSUs engage the crowd.
West Yorkshire Police	08 Aug	Monday 23:40	Full Command Structure identified. Request to surrounding divisions for PSU mobilisation.
Nottinghamshire Police	08 Aug	Monday 23:45	Command Structure established. PSUs deployed, late staff kept on duty across the Force. In total 116 officers detailed to the operation (OP Constantia).
Metropolitan Police Service - Ealing	08 Aug	Monday 23:56	100 youths hijacked a bus in Grange Road, Ealing, the driver and passengers are forced to flee as the bus crashes and is set alight. 2 buildings damaged.
Metropolitan Police Service - Wandsworth	09 Aug	Tuesday 00:01	As midnight approaches, youths in Clapham raid retail stores in Lavender Hill and the Police are again forced to deploy armoured land rovers onto the streets of the capital city in a “show of force” to disperse a group of more than 150 people.
Metropolitan Police Service - Peckham	09 Aug	Tuesday 00:01	In Peckham High Street, a group of up to 500 are captured on CCTV vandalising shops, lighting fires and targeting officers with missiles. Police Officers are deployed with shields, using dispersal tactics to clear the area after a major fire is started at a bakery store.
Metropolitan Police Service - Ealing	09 Aug	Tuesday 00:05	40+ hooded male youths seen getting off the train in West Ealing, majority with baseball bats and some with crowbars. 150 youths in Ealing break into shops; they have faces covered and are in possession of a variety of weapons. 40+ youths in West Ealing throw fire bombs at police.
West Midlands Police	09 Aug	Tuesday AM	Birmingham City centre reported quiet and secure.

Nottinghamshire Police	09 Aug	Tuesday AM	Second PSU at scene. Sec 60 authorised - City division from 00:20 to 02:20. Also briefed on S30 and S27. Use of Taser authorised.
West Yorkshire Police	09 Aug	Tuesday 00:18	30-40 people set bins on fire, with bricks and bats in their hands. Another group of 10-15 youths smash windows.
Metropolitan Police Service - Croydon	09 Aug	Tuesday 00:34	Police officers evacuate burning buildings, Tesco also attacked and the gas turned on in an attempt to cause an explosion.
Metropolitan Police Service - Ealing	09 Aug	Tuesday AM	3 more bus loads of youths reported as arriving in Ealing.
Nottinghamshire Police	09 Aug	Tuesday AM	20 youths Serlby Rise armed with baseball bats.
Nottinghamshire Police	09 Aug	Tuesday AM	Command Structure is established. SIO appointed to develop investigative and intelligence strategy.
Nottinghamshire Police	09 Aug	Tuesday 01:30 - 01:45	15 youths wreck cars in St Mathias. 20 males in Pym Street smash car windows, setting one alight. 3 PSU Commanders and 8 PSU Serials identified. Initial contact made with Derbyshire and Leicestershire as a contingency in the event of escalating disorder.
West Yorkshire Police	09 Aug	Tuesday 01:46	Section 60 authorised.
Nottinghamshire Police	09 Aug	Tuesday AM	Twenty youths attack police with missiles in Kings Park.
West Midlands Police	09 Aug	Tuesday AM	Officers attacked in Bordesley Green. Long Street Police Office set alight.
Nottinghamshire Police	09 Aug	Tuesday 07:00	Formal Strategy Agreed. Critical incident declared.
Nottinghamshire Police	09 Aug	Tuesday 09:08	Information received that there would be a 'meeting' at Clumber Street city centre at 19:00 to 'see how big a gang we can get'.
West Yorkshire Police	09 Aug	Tuesday 10:00	Gold Strategy circulated. Divisions warned to supply 1 PSU every night until Sunday.
West Midlands Police	09 Aug	Tuesday 10:09	Request made for Regional aid.
PNICC – Police National Information Coordination Centre	09 Aug	Tuesday 11:50	Request from MPS for 50 PSUs per day including those already sourced.
West Midlands Police	09 Aug	Tuesday 14:00 - 15:00	Youths gather across Wolverhampton. Police car attacked. Youths also gather in Birmingham City Centre.
West Yorkshire Police	09 Aug	Tuesday PM	10 PSUs allocated to Football match, in addition to 12 PSUs for disorder management.

Greater Manchester Police	09 Aug	Tuesday 15:20 - 16:55	Looting reported in Salford. Thirty persons throw bricks at police in Salford. Reports of motorists abandoning vehicles in fear for their safety. Single PSU deployed with shields and dogs. All officers across the force retained on duty.
Greater Manchester Police	09 Aug	Tuesday 15:55	Section 60 and 60aa authorised force-wide for 24hrs.
West Midlands Police	09 Aug	Tuesday 16:00 - 17:00	Officers come under attack in Wolverhampton in a spate of serious disorder. 14 PSUs including 2 x Mutual Aid. Barricades and fires are reported in West Bromwich. Sporadic disorder in Birmingham city centre. Digbeth Police Station attacked with missiles.
West Yorkshire Police	09 Aug	Tuesday PM	Baton gunners and armoured landrovers offered to MPS as Mutual Aid.
Greater Manchester Police	09 Aug	Tuesday 17:19 - 18:54	Large group wearing balaclavas in the city centre throw stones and bricks. Reports of 3 buses full of youths from Hattersley going into the City Centre. Building fire reported opposite Shopping Precinct in Salford. 30 youths entered Manchester, with chunks of wood and baseball bats, some wearing balaclavas/scarves and some on bikes. PSU attacked in the City Centre. 200/300 throw missiles at police. Report of gun shots heard in the city Centre (not corroborated). 100 youths throw bricks at buses, vehicle set on fire. Horses deployed to disperse group of 200 attempting to break into the Arndale Centre. Gold Command requests Mutual Aid.
Greater Manchester Police	09 Aug	Tuesday 19:16 - 19:39	200 youths congregated Lidl car park hooding up. Fire engines attacked at Lidl In Salford. All officers in City Centre to be in code 1 dress. Males force their way into shops, group uses street signs as weapons. City centre shops looted and petrol bomb used against police. Males seen with machetes. Looting occurs on Thomas St, at least 300. Shop on fire in Salford. 100 plus in the Arcades City Centre. Youths steal samurai swords from shop.
PNICC – Police National Information Coordination Centre	09 Aug	Tuesday 20:43	Request for 25 PSUs to be sourced immediately to Greater Manchester Police.
West Yorkshire Police	09 Aug	Tuesday 21:00 - 21:15	Disorder breaks out in Huddersfield (Kirklees), Brackenhall Estate, Town Centre and Dalton. Groups of up to 40 youths attack a working mens club, community centre and local stores. A number of bins and buildings are set alight. Police vehicles attacked with

			missiles. 2 PSUs deployed to Greater Manchester Police - urgent Mutual Aid request.
West Midlands Police	09 Aug	Tuesday 21:00 - 22:00	Petrol bombs thrown in Nechells Police Station yard. Cyber attack against West Midlands Police website. Officers and police vehicles attacked in Coventry. Crowds dispersed in Wolverhampton and West Bromwich.
PNICC – Police National Information Coordination Centre	09 Aug	Tuesday 22:22	Request for 6 PSUs to be sourced to Nottinghamshire.
West Yorkshire Police	09 Aug	Tuesday PM	Intel - nothing from Bradford or Oldham, main focus is Kirklees.
Greater Manchester Police	09 Aug	Tuesday 22:28 - 23:38	Fire crews attacked Portland St. Sainburys looted. 30 males with petrol bombs seen. Persons detained inside Tescos by the dogs. Bricks, bottles and fireworks thrown at police. 30 males return to a jewellers that is attacked earlier to steal property. Police use running lines with shields to disperse crowd. Regional Mutual Aid resources deployed. 5 PSUs in Salford, and the remainder in the City Centre.
West Midlands Police	09 Aug	Tuesday 23:00	Officers report shots fired at them.
Metropolitan Police Service - Ealing	09 Aug	Tuesday 23:59	Ealing have more than 120 calls unassigned due to mass disorder.
Peak Call Demand	09 Aug	00:00 - 23:59	All five forces engage in the review reported peak 999 call demand in the 24 hours of 09 August - Greater Manchester, Nottinghamshire, West Midlands, Metropolitan and West Yorkshire.
West Midlands Police	10 Aug	Wednesday 00:01 - 01:10	Disorder quelled and crowds dispersed in Birmingham City. Capability maintained at 14 PSUs including 5 from Mutual Aid. Winson Green – Gun shots reported. Police vehicles attacked at Smethwick Police Station, with one on fire and another rammed.
West Midlands Police	10 Aug	Wednesday 01:10	A collision is reported in Winson Green, where three men are struck by a car which failed to stop. By 6am a large crowd has congregated outside the city hospital. The three men later die and a murder investigation is launched.
PNICC	10 Aug	Afternoon / Evening	390 Police Support Units (9,750 officers) are deployed nationally. These are mostly within their own force areas, although 88 are deployed through mutual aid to support other forces, including 15 PSUs (375 officers) from Scottish forces.

Greater Manchester Police	10 Aug	Wednesday 02:20 - 05:12	Vehicle on fire up against the building line - fire brigade required. Vehicles overturned. There are several people near to Salford City precinct. Salford Precinct - officers at scene all quiet.
West Yorkshire Police	10 Aug	Wednesday 03:00	Disorder subsided in Kirklees.
Greater Manchester Police	10 Aug	Wednesday 11:45	Gold - Dispersal Order to be used in Salford.
Nottinghamshire Police	10 Aug	Wednesday PM	Fire Service receive 178 calls including building fires, car fires and skip/rubbish fires. There are no reported attacks on the crews. 132 Police Specials deployed with a peak of 60 on duty Wednesday evening.
West Midlands Police	10 Aug	Wednesday 17:00	Football supporters arrested by BTP carrying CS and knives.
Nottinghamshire Police	10 Aug	Wednesday PM	Information that Castle Marina may be a target this evening and Eastwood on Friday.
West Midlands Police	10 Aug	Wednesday 18:00	Large crowds gather at murder scene.
West Midlands Police	10 Aug	Wednesday 19:00	Several small groups gather and small scale looting reported.
Greater Manchester Police	10 Aug	Wednesday PM	Small group of males make their way into the city. They are warned under Sect 60 & Sect 27. Tension indicator for the city centre is normal.
West Midlands Police	10 Aug	Wednesday 22:00	200 plus persons congregate at collision / murder scene.
West Midlands Police	10 Aug	Wednesday 23:00	Small scale looting reported.
West Yorkshire Police	11 Aug	Thursday PM	Response/NPT/CID teams work 12hr shifts. Rest days cancelled as required.
West Midlands Police	11 Aug	Thursday 15:00	A train with EDL supporters is on its way to Wolverhampton and Birmingham.
West Midlands Police	11 Aug	Thursday PM	200 plus persons congregate at murder scene.
Nottinghamshire Police	12 Aug	Friday PM	Day/ night shifts to remain on 7-7 over weekend, afternoon shift to remain and provide resilience.
Nottinghamshire Police	13 Aug	Saturday 11:00	Mutual Aid stood down. The Scottish PSUs remain until Monday.
West Yorkshire Police	14 Aug	Sunday 04:00	Sec 60 authority rescinded.
West Yorkshire Police	14 Aug	Sunday AM	Requirement for police officers to work 12hour shifts rescinded.
Greater Manchester Police	14 Aug	Sunday 18:16	Gold - Section 60/60AA rescinded @21:03. Silver stood down at 21:08.