

## LIFTING RESTRICTIONS: SECURITY AND POLICING IMPLICATIONS

SPI-B Security and Policing subgroup

### Executive summary

As current restrictions and the widespread roll-out of vaccines begin to effect a reduction in Covid-related hospitalisations and deaths, it is possible that social, political and economic pressures to release restrictions will grow against a background of rising impatience, expectations and high unemployment. Therefore, lifting national restrictions in Spring 2021 will need to be considered carefully from a policing and security perspective.<sup>1</sup>

### Disproportionate effects

- There is emerging evidence of significantly lower vaccine take-up and higher rates of transmission among some minority ethnic communities. [*High confidence*] Data also suggests that police enforcement has been disproportionately applied to some minority ethnic citizens.<sup>2</sup> [*Medium confidence*] A combination of these factors may amplify disproportionately the effects of policing on marginalised communities as national restrictions are lifted.

### Transition away from control measures

- If the easing of restrictions does not keep pace with public perceptions of falling risk, perceptions of illegitimacy could increase, leading to resentment and lower levels of compliance. [*Low confidence*]
- Operationally, policing is delivered via a ‘persuasion first’ policy (the 4 ‘E’s – Engage, Explain, Encourage & Enforce). This approach has been highly effective, but enforcement has been difficult at times of lifting. The ambiguity of regulations in this context, the myriad of exceptions and apparent inconsistencies, has meant that it has been difficult to maintain police legitimacy. [*High confidence*]
- To preserve legitimacy, the roadmap out of restrictions for policing will need to provide clear messaging and transparent criteria. It needs to set out in very clear terms what behaviours, activities and venues are not allowed, where and how the boundaries will be drawn, and why. [*High confidence*]
- Important community events, long-deferred protests, new protest tactics, and increased large gatherings due to warmer weather are likely to provide additional challenges during spring and summer. [*High confidence*]

### Outbreak control

- From a policing and security perspective the most serious dangers in the context of national relaxation of control measures arise from the possibility that restrictions may need to be re-imposed at a local level in the event of an outbreak. [*High confidence*]
- If and when there is a transition to outbreak control, data consistently suggests that deprived communities are more likely to be subject to intervention than others. Control measures are likely to interact with social and economic conditions in ways that may ignite and amplify social tensions. [*High confidence*]
- Hyper-local lockdowns will therefore need to be transparent, with consistently stable justifications and messaging concerning decision-making. This will require a very clear message about what control measures are intended to achieve, where and why they have been applied, and what will be required to enable relaxation.
- In view of the above, we reiterate our earlier arguments about the limited effect of enforcement and the value of a neighbourhood policing-led approach which is capable of monitoring local tensions and building neighbourhood level compliance in partnership with local community groups. [*High confidence*]

<sup>1</sup> Much of this consideration draws upon earlier cited papers produced by the S&P group applied and updated to the current challenges following consultation with police officers and former police officers and other experts.

<sup>2</sup> Confidence levels indicate the evidential basis for the statement made rather than an inference of probability of an event occurring or other evaluations based on evidence.

## Recommendations

- Government should issue guidance on use of vaccine certification in line with the WHO's Smart Vaccination Certificate and related international initiatives such as the Common Pass and COVID-19 Credentials Initiative.
- Government should publish criteria for easing/re-imposition of restrictions and local outbreak control.
- Government messaging should emphasise strong levels of compliance rather than being merely focused upon transgression and enforcement.
- Government (national and local) should ensure that messaging relating to outbreak control stresses collective action and goals so as to avoid stigmatisation of certain communities. Community representatives should be involved in messaging.
- Government (national and local) should encourage community participation in surge testing of outbreak localities, e.g. going door-to-door.
- Government should provide adequate financial and other support to communities affected by localised lockdowns.
- There should be a focus on neighbourhood policing in order to maintain confidence during the transition out of lockdown and to build support for localised intervention, if needed.
- Police should make contingency plans for upscaling of protest activity, particularly the use of new tactics (e.g. swarm/individual actions).
- Police should prioritise the use of Police Liaison Teams once larger protests resume (e.g., G7, COP26).

## The context

A substantial number of people in the UK are optimistic about a rapid return to normality as a result of the rollout of vaccination. This apparent optimism may decline if corresponding changes to restrictions do not take place. If death rates and hospitalisations fall and successful vaccination roll-out continues, public perceptions of the threat posed by the virus will correspondingly decrease and other priorities – e.g., employment – may become paramount. Thus, a perception of lower risk may correspond with increasingly lower rates of adherence to public health measures and an increasing sense that restrictions are unnecessary. As restrictions are eased or reimposed, regulations may also become more difficult to interpret and enforce at the local level.

At some point in the easing of national restrictions, Government may decide to use a tiered regional or sub-regional approach. Government furlough support may also end. Moreover, in the context of outbreaks – particularly with regard to new variants – it may be necessary to use stringent 'hyper-local' lockdowns.<sup>3</sup> If and when there is a transition to this form of outbreak control (i.e., intensive localised testing plus localised lockdowns), data consistently suggests that deprived communities are more likely to be subject to intervention than others. Whilst conflict is not inevitable control measures are likely to interact with social and economic conditions in ways that may ignite or amplify social tensions.<sup>4</sup> The legitimacy and proportionality of remaining restrictions may also be challenged. While we do not believe there to be a high likelihood of serious social disorder, it will be necessary to exercise caution and take appropriate action to prevent such an eventuality, as suggested below.

## Disproportionate effects

Government economic support via furloughing has been very important in offsetting economic factors that might otherwise have amplified social tensions, perhaps leading to serious

<sup>3</sup> The capacity to do this will be largely dependent upon capacity of Local Resilience Forums to identify occurrences early in their cycle of development via testing and tracing.

<sup>4</sup> <https://academic.oup.com/policing/article/14/3/569/5812788>

disorder.<sup>5</sup> Hyper-localised (i.e., neighbourhood level) restrictions have been avoided. However, there is strong evidence that people in areas of socio-economic deprivation have suffered increasing economic hardship throughout the pandemic, which is likely to persist and intensify through the spring and summer of 2021.<sup>6</sup> Throughout the pandemic, there has been consistent evidence showing that rates of transmission and deaths from the virus are far higher in areas of poverty.<sup>7</sup> These communities have the highest population density and many are employed in high-risk, public-facing occupations which require them to leave home in order to work. It is perhaps unsurprising that Covid-19 incidence is declining more slowly in these areas than the national average and certainly more slowly than in wealthier areas.<sup>8</sup>

While vaccine uptake has been strong so far, there is emerging evidence of differential take-up among different groups. In particular, evidence suggests that uptake is significantly lower among some minority ethnic communities (particularly African-Caribbean and South Asian).<sup>9</sup> Data released by the National Police Chiefs Council (NPCC) also shows that throughout the pandemic the police enforcement has been disproportionately applied to some minority ethnic citizens, particularly African-Caribbean youths.<sup>10</sup> It is widely understood that some minority ethnic communities have limited trust and confidence in policing, as a result of sustained and perceived disproportionate use of 'stop and search', 'use of force' and many other factors.<sup>11</sup> Thus, as restrictions are lifted, it is likely that areas of socio-economic deprivation with high minority ethnic populations will be subject to stricter control measures relative to areas of wealth and possibly relative to white working-class residential areas. However, vaccine uptake among young people in deprived predominantly white residential areas could prove equally problematic. Should such disproportionalities remain unaddressed, it could amplify mistrust and low levels of confidence in policing that are already present in these marginalised communities. This could increase social tensions, making serious disorder more likely than it otherwise would have been.<sup>12</sup> In short, police in some areas are likely to face greater challenges than at any time since the beginning of the pandemic

### **Transition away from control measures**

Current Home Office strategy for policing is built upon the two pillars of protecting public health and maintaining public trust and confidence. Operationally, the policing approach is delivered via a 'persuasion first' policy of the 4 'E's (Engage, Explain, Encourage & Enforce). There is good evidence that this approach has been highly effective.<sup>13</sup> Since late 2020, Government has urged police to build upon this approach by increasing their focus on enforcement when the threat to public health is higher. Accordingly, NPCC data from forces across England and Wales since January indicates increased levels, and therefore presumably earlier application of enforcement for clear breaches of the regulations. The National Police Coordinating Centre report to us that the bulk of these enforcement activities relate to Unlicensed Music Events, student parties and other forms of public gathering.

Nonetheless, Home Office strategy has been designed to *vary* policing in line with the nature of local restrictions. Accordingly, as restrictions relax so too should police enforcement. Correspondingly, evidence from the lifting of control measures in 2020 indicates that police

<sup>5</sup> <https://www.gov.uk/government/publications/policing-the-coronavirus-outbreak-processes-and-prospects-for-collective-disorder-19-april-2020>

<sup>6</sup> <https://www.theguardian.com/society/2021/feb/07/benefit-claimants-face-mounting-debt-burden-says-thinktank>

<sup>7</sup> <https://www.sciencedaily.com/releases/2020/12/201215082056.htm>

<sup>8</sup> <https://www.theguardian.com/world/2021/feb/06/fall-in-covid-cases-slower-in-poor-regions>

<sup>9</sup> <https://www.gponline.com/gps-raise-alarm-low-uptake-covid-19-vaccine-bame-patients/article/1704790>

<sup>10</sup> <https://news.npcc.police.uk/releases/independent-analysis-of-coronavirus-fines-published>

<sup>11</sup> Home Office preparedness for Covid-19: Response to call for written evidence. Paper submitted by Keele University to the Home Affairs Select Committee (February 2020)

<sup>12</sup> <https://www.gov.uk/government/publications/neighbourhood-level-release-and-covid-19>

<sup>13</sup> See previous SPI-B S&P paper: Assessing the value of an enforcement-based approach to Covid

found enforcement increasingly difficult.<sup>14</sup> Police suggest this was primarily because the public were able to point to a myriad of exceptions to general rules, making Covid-19 enforcement impossible except for large-scale public assemblies. There are also important Human Rights considerations that must apply in such a situation: as threats to life decrease, enforcement to deny public assembly becomes less proportionate.<sup>15</sup> Ambiguity, proportionality and officer 'self-legitimacy' are therefore likely to become problematic when current restrictions are eased.

To help navigate these obstacles, the roadmap out of lockdown for policing will need to provide clear messaging and transparent criteria for both the easing, or if and when necessary, the re-imposition of restrictions. It needs to be clear which behaviours, activities and venues are not permitted and where the boundaries are drawn. Inconsistencies need to be avoided. For example, under the same restriction tier in late 2020, gyms were open in one major city but closed in another less than thirty miles away. To best manage public perceptions of the legitimacy of police activity, the rules and messages about the nature of what is and what is not allowable will need to be consistent nationally and locally. Contradictions between regulations and statements from Government officials must be avoided and a powerful and credible messaging strategy must be in place.

Perceptions of the threat posed by Covid-19 may also differ among sub-sections of the community or neighbourhoods depending on national rates and targets of vaccination. Among the adult population who have been vaccinated, a view may emerge incorrectly that they are 'immune'. As such they may no longer feel that they should be subject to restrictions, making it more difficult for the police to use persuasion. Moreover, given that only adults over fifty years old are likely to receive the vaccine by May, large sections of the younger adult population could develop the view that their rights are being unfairly restricted, if local restrictions are still in place. Such grievances could be amplified if those vaccinated are provided with some sort of certification enabling them to escape local restrictions. Certification is also likely to bolster the impression that individuals are immune from infection or unlikely to pass it on.

Businesses and other organisations may begin to implement their own forms of certification that contradict the Government position on easing.<sup>16</sup> If the easing of restrictions does not keep pace with public perceptions of falling risk, perceptions of illegitimacy could increase, leading to resentment and lower levels of compliance (e.g., gatherings in local parks, Unlicensed Music Events, and possibly overt 'resistance') which may possibly require interventions from the police. These dynamics could lead to tensions which place a heavy demand on already stretched police forces, potentially creating circumstances in which conflict could develop.<sup>17</sup> There is good evidence to suggest that such localised conflicts can become the basis of widespread rioting.<sup>18</sup>

In the spring and summer of 2021, there will be several important community events that will pose significant challenges in terms of public assembly, requiring local police strategies to be developed. Of particular significance are the Easter Bank Holiday weekend and Eid al-fitr, which will be celebrated on 2-5 April and 12-13 May, respectively. While it seems likely restrictions across the UK will have relaxed somewhat by April, good weather over the Easter

<sup>14</sup> <https://policinginsight.com/features/analysis/the-challenges-of-change-policing-legitimacy-and-the-liberalisation-of-government-guidance/> and <https://www.policeprofessional.com/news/changing-rules-will-make-lockdown-almost-impossible-to-police-federation-warns/>

<sup>15</sup> <https://www.gov.uk/government/publications/policing-protest-and-changes-to-covid-19-control-measures-in-the-uk-4-may-2020>

<sup>16</sup> See previous SPI-B S&P paper Health status certification in relation to COVID-19-Legitimacy and enforcement considerations

<sup>17</sup> <https://www.bbc.co.uk/news/uk-england-london-53176472>

<sup>18</sup> <https://www.sciencedirect.com/science/article/pii/S2352250X20300300>

weekend could make policing challenging, with potentially large numbers visiting tourist attractions or drawn to large gatherings. By May, it is possible that most restrictions will be lifted, but if some controls remain or are re-imposed, policing gatherings relating to Eid in places such as Birmingham, Bradford and Manchester will require great sensitivity. This is particularly true given that restrictions were eased somewhat at Christmas and in view of evidence of significant community tensions through the summer of 2020 (e.g., in Bradford).

Warmer weather is also likely to draw more young people onto the streets to socialise, with the potential for block parties and other Unlicensed Music Events in the event that nightclubs and licenced premises remain closed. Attempted dispersal of such events – especially if young people think they pose little risk to others in the context of successful vaccinations rollout – could lead to violent confrontations with police, as in White City and many other locations last year.<sup>19</sup> There are also important sporting events such as those involving football teams securing promotion. These football related events created large public gatherings in 2020 that were associated with public disorder in cities such as Liverpool,<sup>20</sup> and inter-ethnic conflicts in Coventry.<sup>21</sup> It is probably that such spontaneous public assemblies will occur again in May 2021.

It is likely that various types of protest will occur through the spring and summer as the weather improves, Covid-19 restrictions are eased, and concerns refocus on other social and political issues (e.g., climate change, racial justice). However, activity could resume even before this. Some groups (e.g., Extinction Rebellion) have planned a programme of escalating activity from mid-March across the UK using tactics that evade Covid-19 restrictions (e.g., swarm actions by individuals and small groups). The use of such tactics on a national scale could be a significant drain on police resources at a time when they are needed to enforce remaining lockdown restrictions. There is also likely to be a significant increase in protest activity leading up to the G7 summit at St Ives in June and the UN COP 26 summit at Glasgow in November. The dynamic created by these protests is hard to predict. As well as the public order problems they pose in their own right, there is the potential for counter-demonstrations and adversarial conflict including between elements of the far Left and Right, as in the summer of 2020. Although there were significant levels of disorder at some protests over the summer and early autumn of 2020, more serious incidents were averted in part through effective policing (e.g., West Yorkshire Police and the Chapeltown Carnival), including the judicious employment of Police Liaison Teams, as previously recommended by the S&P group.

## **Outbreak control**

We assume that testing facilities will have the capability to detect local outbreaks at a sufficiently early stage to enable management to be effective and seen by the populations involved as legitimate.<sup>22</sup> However, from a policing and security perspective the most serious dangers in the context of national relaxation of control measures arise from the potential need to reimpose restrictions at a local level in the event of a localised outbreak. These dangers lie in the likely interaction between restrictions, associated enforcement, inequality and, in specific locations, ethnic identity. Given data on the patterns of virus distribution, transmission and impact, localised lockdowns are most likely to be required in deprived areas and among Black and minority ethnic communities.

Data from mass testing in Liverpool indicates that while overall demand is high (particularly prior to the Christmas relaxation) willingness to access testing may be relatively low in areas of socio-economic deprivation, particularly if these testing sites are not easily accessible.<sup>23</sup>

<sup>19</sup> <https://www.standard.co.uk/news/crime/illegal-lockdown-party-white-city-police-injured-appeal-a4530156.html>

<sup>20</sup> <https://www.theguardian.com/world/2020/oct/14/covid-liverpool-mayor-says-partying-crowds-shame-city>

<sup>21</sup> <https://www.coventrytelegraph.net/news/coventry-news/this-kind-violence-not-tolerated-18398918>

<sup>22</sup> <https://www.liverpoolecho.co.uk/news/liverpool-news/liverpool-8-response-coronavirus-spike-18709070>

<sup>23</sup> <https://www.bmj.com/content/371/bmj.m4690>

Moreover, in the event of a localised lockdown, it is possible that it will be necessary to create ‘surge’ testing centres within specific communities, even operating ‘door to door’ in order to control the outbreak.<sup>24</sup> Such interventions could be particularly unwelcome in some communities, either because many residents within them will depend on going out to work to maintain an adequate level of income or they perceive those involved in delivering vaccines as illegitimately intrusive. Adequate and rapidly accessible financial support for those on whom hyper-localised lockdowns are imposed would be necessary to offset loss of earnings. There may also be a reluctance among some residents to comply with mass testing if they believe it is likely to result in a lockdown and further restrictions being placed upon them, or that they are otherwise being stigmatised. In order to reduce the chances of this happening, community buy-in and participation in surge testing would do much to make such measures more acceptable.<sup>25</sup> Community participation in surge testing would be helpful, as would the use of teams which reflected the ethnic composition of the localities involved.

These issues are likely to arise in most large metropolitan areas across the UK, in which there are often residential areas inhabited disproportionately by certain minority ethnic groups. There is a danger that some communities or groups may believe themselves to be unfairly targeted. At the same time, if there is no intervention or if restrictions are not adequately and equitably enforced, this may lead to accusations from some that certain communities have been exempted for political reasons. Such dynamics could amplify inter-ethnic tensions. Taking this into account, applying hyper-localised restrictions could prove difficult in parts of the UK in which inter-community equity and disorder has already been an issue.<sup>26</sup> Hyper-local lockdowns will need to be transparent and consistently stable justifications provided for decision-making.<sup>27</sup> This will require a clear understanding of what control measures are seeking to achieve, where and why they should be applied, what will be required to enable relaxation. Messages should also emphasise collective aims and the collective good in order to avoid divisive (e.g., racialised) explanations of outbreaks.

We reiterate our earlier arguments about the limited effect of enforcement and the value of a neighbourhood policing-led approach which is capable of monitoring local tensions and building neighbourhood-level compliance in partnership with local community groups. This policing needs to be harm-focused and capable of working dynamically within and with local communities to ensure that enforcement activities are information-led and sensitive to the challenge of managing competing senses of legitimacy with respect to certain activities.<sup>28</sup> In this regard, it will be necessary to tread especially carefully in Northern Ireland, where there are already accusations that police have failed to enforce Covid-19 restrictions fairly across communities, (e.g., perceived differences in policing public assemblies during Loyalist/Republican funerals, BLM protests). In the context of heightened tensions over the Northern Ireland Protocol, intervention which targets a particular community in ways that are seen as differential is likely to inflame an already volatile situation.

### **Longer-term policing challenges.**

As the U.K. transitions into a ‘post-Covid’ environment, the S&P group suggest that the following longer-term issues are considered:

- Most police forces are experiencing a budget contraction this year. As Covid restrictions are lifted pre-Covid demand levels will return. Therefore, during the transition, forces will

<sup>24</sup> <https://www.dailymail.co.uk/news/article-9231111/Worcestershires-covid-Door-door-surge-testing-South-African-coronavirus-variant-spreads.html>

<sup>25</sup> <https://www.liverpoolecho.co.uk/news/liverpool-news/liverpool-8-response-coronavirus-spike-18709070>

<sup>26</sup> <https://www.yorkshireeveningpost.co.uk/news/crime/leeds-councillor-condemns-abhorrent-halton-moor-violence-police-step-patrols-third-night-3030214>

<sup>27</sup> <https://theconversation.com/local-lockdowns-could-lead-to-civil-disorder-heres-why-141305>

<sup>28</sup> <https://academic.oup.com/policing/article/14/3/574/5826633?login=true>

have to cope on reduced budgets with the combined demands of Covid-19 enforcement and the resumption of 'business as usual'.

- As Covid-19 restrictions lift, police will need to make informed decisions about which activities to prioritise. In the absence of sufficient resources, they will be required to assess the priority they should give to Covid-19 enforcement relative to other increasingly important demands.
- Demands upon the criminal justice system remain intense. Delays in coming to trial caused by Covid-19 may result in a sense of injustice, while providing an incentive to protesters to saturate the system. Organised criminals may also feel they will be able to escape justice.
- High unemployment and harms arising from lack of access to education will disproportionately affect young and people living in disadvantaged communities, entrenching feelings of alienation and inter-generational/racial injustice. Police are concerned that many disaffected young people will be drawn into crime and extremism and that there will be a rise in social disorder.
- Once the majority of the population is vaccinated, the exclusion of individuals who refuse vaccination may have public support. But, until this is achieved, uneven vaccine coverage (on the basis of age, health care worker status) may mean that such exclusions will seem unequal or discriminatory. The WHO's development of the Smart Vaccination Certificate and industry initiatives to develop 'vaccine passports' as a condition of travel, employment or entering certain places based on vaccine status, raises legal and ethical issues related to rights, freedom of movement, equality and non-discrimination and requires national guidelines in line with international standards.
- In September 2021, the U.K. will once again face the large-scale relocation of students leading to problems that require consideration and planning.