

Policing, protest and changes to COVID-19 control measures in the UK

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Background

This paper responds to a Home Office commission to SAGE/SPI-B Security and Policing Sub-Group for expert advice about the COVID-19 risks from public protest in the event that lockdown is eased. The commission was received on Tuesday 28th April 2020.

Executive Summary:

- The Security and Policing Sub-Group recommends an integrated consideration of - and approach toward - public assembly, protest and social disorder.
- Public assembly, including protest, is currently restricted by the COVID-19 regulations. That restriction is sustainable in law as long as the public health gain is proportionate.
- Depending upon the nature of any changes, restriction of public assembly will need to be reconsidered. We do not expect protest or social disorder to follow automatically from any easing. Nor do we expect any emergent resistance to new measures to reflect patterns of protest in other countries, because such events appear to be context specific. There are, however, certain factors which may coalesce over time to increase tensions.
- The UK model of police enforcement has been very restrained. Our expectation is that this approach of engage, explain, encourage and enforce has helped support high levels of legitimacy for police action and Government policy among the public. The associated strong levels of 'self-regulation' seem likely to be carried forward.
- Our analysis suggests that as steps are taken to ease the lockdown, each step needs to be accompanied by very clear communication of the continued public health justification for any remaining restrictions. There also needs to be very careful tracking of emerging patterns of public support, non-adherence and potentiality for social disorder.

The wording of the Home Office commission

The rationale and questions issued by the Home Office were as follows:

Participating in a protest is currently in breach of the Covid-19 regulations. While this does infringe on Arts. 10 and 11 of the Human Rights Act 1998 (respectively, 'Freedom of Expression' and 'Freedom of Assembly and Association'), this is deemed proportionate, given the health risks. However, it must be kept under review.

As restrictions continue, we believe we can expect more protests, especially when considering what has happened in other countries, where the lockdown is being lifted. These protests could be exacerbated by any perceived inequalities of the effects of lockdown and those associated with the ways in which restrictions are eased over the next few weeks and months. These may pertain to different outcomes among younger and older members of society, or different regions and indeed countries within the UK.

We recognise that continued enforcement against such assemblies could be inflammatory and risk public disorder, particularly given the UK's model of 'policing by consent'. However, allowing controlled protests could also increase tension and therefore public order risks.

Questions

- In terms of the transmission of Covid-19, how significant are the health risks that protests give rise to?
- If we allow certain protests (either alongside easing up other measures on association/contact, or alone), to what extent would this:
 - Ease community tensions through allowing people to air their frustrations and grievances and hence reduce the risk of more serious disorder?
 - Undermine the Government's messaging around social distancing and make it harder for the police to take enforcement action against other gatherings?
 - Encourage protests – given it becomes a lawful way to socially gather?
 - Create more feelings of inequalities from those who are unable to participate in other types of gathering, thus prompting more tensions and potential disorder?

Our response

Assumptions of the commission

We begin by addressing some of the assumptions that appear to underpin the rationale for the commission and the nature of the questions raised.

- "Participating in a protest (in the form of an assembly) is currently in breach of the Covid-19 regulations. While this does infringe on Articles 10 and 11 of the Human Rights Act 1998, this is deemed proportionate, given the associated health risks. However, it must be kept under review".

It is important to clarify the terms of the debate. Participating in protest is not an offence nor is it inherently disorderly or disruptive. Any citizen can protest in a multitude of ways that would not contravene the current legislation (e.g. shouting oppositional statements from the doorstep; online). Protests can also be sympathetic to the needs of others and be conducted in such a way as to maintain safe social distance, e.g. May Day parades in Italy, Germany. Or protest in Israel.¹

A key issue with the questions listed above is the apparent assumption that protest equates to peaceful public assembly. Instead, much of the required analysis needs to be directed not merely at protest but toward a more general and inter-related array of issues relating to the policing and security implications of mass gatherings/public assembly that might be facilitated by relaxation (e.g. sports events, funerals, religious festivals, house and street parties).

References to ‘public disorder’ in the questions set may also imply that it is not protest per se, or even assembly, that is of primary concern but the propensity of any kind of gathering to result in ‘disorder’. If this is the case, it needs to be stipulated.

Legal considerations

The ‘starting point’ for planning assumptions under the emergency legislation is that without an Art.15 derogation from ECHR rights (which the UK chose not to engage), UK law still needs to “secure” the Art. 11 right of assembly and Art. 10 right of expression. It can limit these rights where it is “necessary in a democratic society... for the protection of health” and to protect the Art. 2 ECHR Right to Life of others.²

At present, the restrictions on public assembly are proportionate but if there is evidence that the risk to public health has diminished, so that it is no longer necessary to impose restrictions on public gatherings, then restrictions on protests and other forms of public assembly – even if currently lawful under the Coronavirus Act or the Health Protection (Coronavirus Restrictions) Regulations - will become unlawful under the ECHR and HRA 1998.

Thus, while “public health” (both in terms of Art. 2 and the public health qualification of Art. 10 & 11) can limit the right to protest in public, this is not a constant and will subside as evidence accumulates showing that restrictions of this nature are no longer necessary to contain the infection.

International comparisons

- “As restrictions continue, we believe we could expect more protests, especially when considering what has happened in other countries. These protests could be exacerbated by the perceived inequalities associated with any lifting of the lockdown measures that occurs over the next few weeks and months”.

At present there is little if any data to suggest that protest will be an automatic outcome of lifting the current restrictions, nor that comparison with patterns of collective

¹<https://www.csmon.tor.com/Wor d/2020/0430/Israe s create new awfu patterns of protest am d pandem c>

²ECHR Arts 10.2 and 11.2. This position is clarified by ECtHR case law relating to prohibition and dispersal of protest (e.g. *Chappell v UK* 1986; *Rai and Ors v UK* 1995; *Cisse v France* 2002; *Lashmankin and Ors v Russia* 2017).

behaviour or protest in other countries (e.g. France, USA) is directly transferable to the UK.

First, data indicates that the protests that have emerged internationally are related to the specific social and political context within which they have occurred. For example, disturbances arising from protest in South America and India³ appear to relate directly to disaffection created by the perceived illegitimacy of government policy. These appear to have been prompted by concerns about food, health and financial security. Concerns over poor hygiene levels at detention facilities have also served as a catalyst of violence in recent weeks⁴. The rioting in France is embedded in a context of much more severe levels of restriction and historically far more repressive policing⁵. US protests have sometimes highlighted alleged overstepping of constitutional powers by either federal or state governments. Protests of these kinds in the UK have been limited (a very small demonstration in Trafalgar Square in the last week)⁶. The social, structural and political conditions that underpin these protests do not currently exist in the UK. However, recent data is beginning to indicate differential impacts on lower socio-economically deprived and BAME communities⁷ and, as such, this may lead to antagonisms if not addressed⁸.

Second, the policing response in the UK has been widely seen as legitimate, with less than 10% of respondents to a public survey suggesting that the policing was over-intensive whereas over 80% supported the approach.⁹ There is also a crucial constitutional difference with policing in Brazil, France, Spain and Italy. In those countries, the police are there to protect the state, whereas UK policing is embedded in the principle of consent from the community. The level of enforcement in the UK has been very light compared to France, Spain or Italy. For example, by April 1st after just 16 days of confinement, the French Police had already carried out 5.8 million controls and issued 359,000 fines¹⁰ compared to fewer than 10,000 across the UK (8,877 FPNs in England and 299 in Wales between 27.3.20 and 27.4.20).¹¹ In effect, only 0.02% of the UK population have been issued with a fine and of these only 400 were repeat 'offenders'. The UK data suggest that there is a concentration of enforcement (and recidivism) amongst a small group of 18-24-year-old males and in some areas among specific migrant communities (e.g. ethnic Romanian communities in Leeds). This raises some concerns for the next phase but the scale of the resistance to restriction so far remains small compared to the 200,000 calls to the police reporting breaches.

Third, there appears to be not just widespread adherence but also perceptions of the legitimacy of the current control measures driven by an underlying collective psychology. A recent UCL/LSE panel survey suggests that most people support the need for restrictions and are complying with them because of collective identity and norms regarding 'the greater good' and 'saving the NHS'.¹² Correspondingly, the National Community Tensions Team gathering reports for Op Talla, have not reported

³ <https://www.ft.com/content/f3751e84-9280-4021-bb30-5f51139bb7ec>

⁴ <https://www.pg.t.com/blog/coronavirus-related-cv-unrest-in-america/>

⁵ <http://www.rps-rsp.com/articles/10.5334/rsp.356/>

⁶ <https://www.thetimes.co.uk/article/coronavirus-pucky-seven-march-against-ockdown-f3588fc2g>

⁷ https://www.nakedn.com/posts/benpage-psosmor_new_most_people_uncomfortable_going_out_act_vt/6661938652245032962_ZGyK

⁸ https://fshare.com/articles/Reading_the_2011_Engsh_rots_ESRC_Beyond_Contagion_report_pdf/7687433

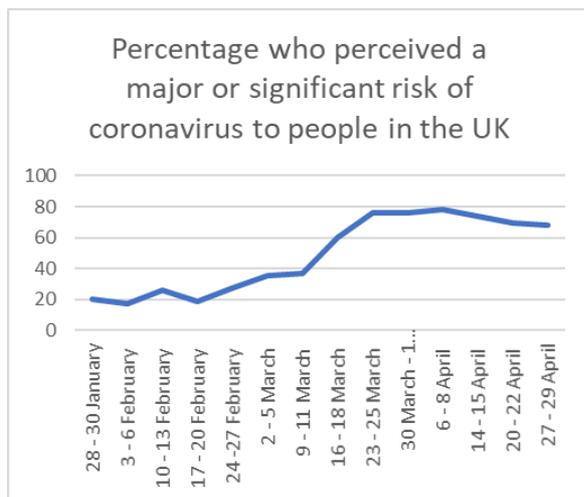
⁹ <https://www.crestadv.org/post/pocngthecovd19ockdownnewpo>

¹⁰ <https://www.statista.com/statistics/1110584/fines-contras-of-police-containment-coronavirus-france/>

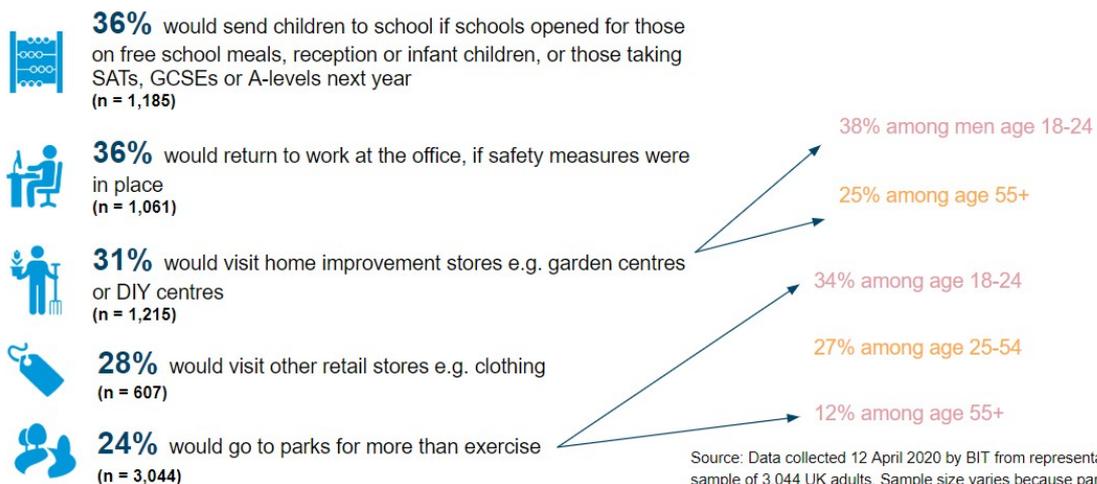
¹¹ <https://news.npcc.police.uk/releases/police-chiefs-welcome-positive-start-to-recruitment-drive>

¹² <https://blogs.se.ac.uk/policyandpolicy/ockdown-social-norms/#Author>

any indication of major social tensions. Current data suggests widespread adherence to and support for government lockdown measures in the UK. In DHSC polling from last week (27-29 Apr) 67 % either strongly agree or agree the Government is putting the right measures in place with only 5% disagreeing. Disagreement decreases with age with the percentage disagreeing or strongly disagreeing 15% in 18-24-year olds but only 7% in over-75s. There are also regional variations: 21% disagree or strongly disagree in London down to 5% in the East Midlands. There are variations by employment type: 25% disagree or strongly disagree among casual workers. 26% among students. Other high rates of disagreement are higher managerial/professional/administrative (22%). Nonetheless, polling indicates that most people would not resume going back to school, workplaces, parks and retail stores if restrictions were lifted¹³.



Polling indicates most people would not resume going back to schools, offices, parks, and retail stores if restrictions on them were relaxed tomorrow



Such data suggest that widespread protest against the lockdown is unlikely in the short term.¹⁴ Indeed, in the event of the lifting of control measures, protest could emerge, but this might actually be against such change. For example, parents protesting

¹³ https://www.psos.com/psos/mor/en/uk/br/tons_east_key_be_eve_economy_and_bus_nesses_shou.d_open_f_coronav_rus_not_fu_y_conta_ned

¹⁴ https://b.ogs.se.ac.uk/cov_d19/2020/05/01/what_makes_br_tons_trust_po_ce_to_enforce_the_ockdown_fa_r_y/

outside school that their children are required to attend angered by the risks their children are seen to be exposed to, either in school or travelling to it; or rural communities angered by 'outsiders' travelling into their locality or people apparently allowed to drive considerable distances to exercise angered at being turned back. Protests could also occur outside of prisons if visiting rights are not reinstated at the same time as other restrictions are eased. If public protest is to be avoided, this problem needs to be anticipated and addressed (e.g. reassurance by a new system of active surveillance of working conditions in partnership with trade unions and encouragement of people to report unsafe working conditions with a well-publicised secure phone system for reporting).

Future Trends

Despite public reservations about lifting the lockdown, data are beginning to show significant increases in traffic flow, businesses are beginning to re-open, the football leagues are planning to resume matches (which raises its own issue regarding public gatherings¹⁵) and the agenda is evidently running toward some form of change in control measures. In this emerging context a continuation of the lockdown might begin to undermine public perceptions of the legitimacy of current government lockdown measures and thus increase the likelihood of defiance and protest. This is more likely to happen if the number of cases continues to fall.

If 'protest' does occur, it could take several forms. People who realise they are breaking the government guidance or lockdown restrictions may visit friends and family or sunbathe in a park, seeing themselves as 'rebellious' or 'protesting' through their conscious non-compliance.

- "We recognise that continuing to take enforcement action against such assemblies could be inflammatory and give rise to wider public order risks. Meanwhile, allowing protests could also increase tension and therefore public order risks".

Taking all of this into account, we think that it may be more appropriate to consider informal and formal public assembly issues than issues merely of protest. Public assembly can and will take various forms that require consideration from a policing and security perspective.

Although there is currently little evidence to suggest that widespread, serious unrest will occur immediately as a result of the easing of restrictions in the UK, it is possible that easing may escalate existing tensions, e.g. relating to perceived discrimination. If some restrictions are lifted and others remain, such grievances may intensify. For example, if restrictions on attendance at places of worship are lifted but those on pubs/clubs are not, this could inflame an already tense situation in some cities (e.g. Sheffield) where white working-class communities have supported illegal 'lock-ins' (closed by police) but point to assemblies of Muslims and Slovakian Roma¹⁶ which the police have failed to prevent. Such decisions also have the potential to undermine the legality of the remaining restrictions under Arts. 10.2 and 11.2 ECHR.

¹⁵ <https://www.bbc.co.uk/sport/football/52484530>

¹⁶ <https://www.thestar.co.uk/news/crime/sheffeld-and-ord-speaks-out-after-cams-customers-were-found-hung-pub-cupboards-2562934>; <https://www.examiner.co.uk/news/oca-news/sheffeld-estate-residents-student-18052483>

It is also important to consider the public acceptability of the contact/trace app – the first Crest Advisory poll suggested that traditional face-to-face enforcement had a much stronger level of support. The use of drones and some aspects of social media use were not supported. This does suggest that there may be some push back if the new technology is used in an enforcement capacity.¹⁷ Lifting restrictions on assembly will also permit protests against the economic effects of the lockdown, which will become more visible as time wears on. It is at points such as this that one could expect exploitation by Violent Extremist Organisations (VEOs) and intersection with protests in other countries as a result of emulation/common purpose or trans-European activism. The current distraction of police and security forces may be an opportunity for VEOs or even a lone actor to launch an attack. At the current time, the negative impact on morale, amount of public anger and level of publicity generated would likely be significantly magnified. From the VEO's perspective, with the current focus on the Covid-19 pandemic, it may also be a means of signalling to the public that a group or issue has not gone away.

Protest may not only take the form of large gatherings but rather targeted attacks on individuals or acts of arson and vandalism, perhaps as spill-overs from online commentary. Compilations of what is being presented as police over-reach are being published on YouTube and other social media platforms. For example, Shortfatotaku (a Canadian YouTuber popular with right wing libertarian scene) published a 40-minute compilation of videos primarily from around the English-speaking world showing clips of police and others breaching what is presented as fundamental human rights.

It is also necessary to distinguish between protests arising from the effects of the lockdown and protests that seek to make use of the lockdown or the pandemic to justify/exemplify a political viewpoint. Protests planned by Extinction Rebellion fall into this category. XR is planning a series of protests which began on 30/04/2020 with a flyposting campaign targeting the doors of major institutions and plans to step up its protests to retain lockdown as measures are eased (presumably in the interests of the positive impacts of lockdown on the climate crisis). These protests may escalate to a point which exceeds anything it has done previously. The public may be less tolerant of such protests than usual if they wish to see a resumption of economic activity. This in itself could lead to additional public order issues between protestors and irate members of the general public, as was seen in October 2019, when XR protesters stopping tube trains in the rush hour were attacked by commuters.¹⁸

Questions

Having addressed some of the underlying assumptions of the commission, we turn now to the specific questions.

1. In terms of the transmission of Covid-19, how significant are the health risks that protests give rise to?

¹⁷ <https://www.crestadvisory.com/post/polling-the-covid-19-lockdown-what-the-public-thinks>

¹⁸ Townsend, M, 'Tube protest was a mistake admit leading Extinction Rebellion members' The Observer 20 Oct 19. <https://www.theguardian.com/environment/2019/oct/20/extinction-rebellion-tube-protest-was-a-mistake>

Our immediate reaction to this question is that it is more for SPI-M than SPI-B. In terms of whether there is an epidemiological reason for allowing protests as opposed to other gatherings, we are not experts.

2. If we allow certain protests (either alongside easing up other measures on association/contact, or alone), to what extent would this:

With reference to the legal position outlined above, it is important to understand that the Government is not in a position to 'allow' protest. Rather, the starting point is to understand that the Government and the police have to justify any restrictions put in place that restrict the ECHR rights of assembly and expression. In this respect, if the Government or police were to explicitly deny the right to public protest in a context of lifting, it would need a very strong justification to render such a restriction legally proportionate or legitimate to the public (relative to other forms of gathering). Indeed, such restrictions are highly likely to be counter-productive, undermine trust and legitimacy in authority and amplify defiance and non-compliance.

- a) Ease community tensions through allowing people to air their frustrations and grievances and hence reduce the risk of more serious disorder?

The outcomes of protests will depend upon the nature of the protests that emerge and the dynamics that occur during a protest.¹⁹ In other words, **what** people are protesting about, if the protest is opposed by others locally and how the protest is police matters in terms of outcome.²⁰ In the event of lifting restrictions on public gatherings, emergent protests could ease tensions **within** a particular community vis à vis government policy (e.g. communities uniting in opposition around a shared view of the unfairness of government action) but there are scenarios in which protests could raise tensions **between** communities or between particular communities and the police:

- If members of the protesting community are seen to be challenging perceived norms of desirable behaviour (e.g. seeking easing of measures where this is opposed by others).
- If protesting communities are ethnically or religiously homogeneous, stoking existing inter-community tensions and spark more serious disorder and isolated violent attacks (e.g. right-wing protests against ethnic minorities). For example, over the weekend of 2nd and 3rd May protests took place in London against the lockdown measures but these were led by groups of right-wing orientation. Should this association become embedded they could provoke anti-fascist groups to mount counter demonstrations. These could pose serious public order challenges for the police.
- Mistakes in policing protests could interact with latent grievances, intensified by the lockdown.²¹ The more demonstrations, the more likely it is that mistakes will

¹⁹<https://reader.e-sev.com/reader/sd/p/S2352250X20300300?token=A31262640F78C50591685893933FCF6E4C7ED5D26F3359E93C4A583D0DC75152F9A86B6EE88AF27564A58AB304379703>

²⁰https://www.google.com/ur?sa=t&rct=&q=&esrc=s&source=web&cd=17&ved=2ahUKewOupT79pLpAhW9QhUIHcaFDLoQF AQegQIBxAB&ur=https%3A%2F%2Fwww.epco-geon.ne.com%2Fpug.nf.e.php%2F7426%2Fmod_foder%2Fcontent%2F0%2FDr_Clifford_Scott_Crowd_Psychology_and_Public_Order_Policing.pdf%3Fforcedownload%3D1&usg=AOvVaw1fdOC4D5Vg5gcYtcs4aYc9

²¹ Stott & Reicher (2020) <https://academic.oup.com/police/advance-article/doi/10.1093/police/paaa014/5812788>

be made. Such escalatory dynamics will be more acute if police lack links with community leaders²² and dialogue-based public order de-escalation capacities.²³

- Demonstrations may provide opportunities for VEOs to find a platform:
 - For example, extreme right-wing groups might exploit the opportunity to raise tensions against the ethnic Chinese community, blaming them for the Covid-19 outbreak in the UK.²⁴
 - More extreme environmentalist single-issue groups may use the opportunity to claim that Covid-19 emerged at the Wuhan market by mankind's exploitation of nature and mistreatment of local wildlife etc.²⁵



Russian media platforms such as VK have given voice to conspiracy theorists and the British far Left and Right.²⁷

- b) Undermine the Government's messaging around social distancing and make it harder for the police to take enforcement action against other gatherings?

It is important not to draw a distinction between protest and other types of public gatherings as both the Coronavirus Regulations and Arts.10 and 11 ECHR operate broadly in the same manner.²⁸ It is as lawful to gather to express religious beliefs as it is to express political ones; equally, it is as lawful to gather to express support for the NHS as it is to complain about the inability to gain access to it. It is as lawful to gather together to express community identity and solidarity in a street party as it is to travel to an organised protest.

Any attempt to partially-restrict the right to gather would have to balance a complex array of competing rights. If it can be argued that there is clear evidence of a public health threat, and there are no alternative or less restrictive means to achieve the outcome, it may be assumed that a gathering could be dispersed through police use of force.²⁹ However, given that the gathering has already taken place (and therefore

²² https://www.youtube.com/watch?v=YOpS7LtGFFc&feature=emb_ogo

²³ https://www.app.co.uk/app/content/public_order/p_annng_and_depoyment/commun_caton/

²⁴ BBC, 'Coronavirus: British Chinese People reveal prejudice amid outbreak' 3 Feb 20. <https://www.bbc.co.uk/news/uk-51348593>; Johnson, B, 'The radical right is weaponizing COVID 19 online' Open Democracy 28 Apr 20.

https://www.opendemocracy.net/en/counterng-radca_rght/radca_rght_weapon_sng_cov_d_19_on_ne/

²⁵ V da , J, 'Human impact on wildlife to blame for spread of viruses says study' The Guardian 8 Apr 20, n Euractiv. <https://www.euractiv.com/section/energy-environment/news/human-impact-on-wildlife-to-blame-for-spread-of-viruses-says-study/>



²⁷ <https://vk.com/tommyrobinson2020>

²⁸ *Friend v UK* (2009) extends Art.10 and 11 rights to gatherings of "an essentially social character" (Para 50).

²⁹ *Austin and others v UK* (2012); *The Queen (on the application of McClure and Moos) v Commissioner of Police* [2012].

potential transmission has already occurred) such actions pose significant increased public health threats to protestors, police officers and others who would be in close physical proximity as a result of the dispersal. In addition, depending upon the nature of the protest, police use of force may amplify social tensions (e.g. if police use force to disperse a Muslim group engaging in Friday prayer in conscious defiance of restrictions).

Any physical public assembly would have to be interpreted and policed in these terms. They would also have the same implications and liability issues in terms of the health of the protestors, people living nearby, transport workers taking them to this assembly sites, police officers and other emergency workers, etc.

The UCL/LSE study cited above clearly indicates the 'signalling' effect that the lockdown restrictions have had on compliance, and the importance of the control measures being framed in terms of public health. There has been tension between the public health 'language' and the public order 'action' throughout this emergency, but overt policy and messaging focused on protest (either 'allowing' or 'restricting') has the potential to change fundamentally how the emergency and its policing are framed overall.

c) Encourage protests – given it becomes a lawful way to socially gather?

'Allowing protests' is not tantamount to encouraging them, but it could be represented in that way. However, perhaps the best way to encourage protests in the UK is to explicitly outlaw them. The current data suggests that a decision to lift restrictions to allow for protest (and not allow other forms of gathering) is likely to be highly problematic and widely criticised for various reasons (e.g. facilitating social gatherings that may spread disease, allowing for some types of gathering but not others, etc). It is also likely that criticism will be made in terms of adding further strain on the emergency services (in particular, the police), wasting public money when it could be better spent on helping those who are struggling to access PPE or other resources (such as food).

d) Create more feelings of inequalities from those who are unable to participate in other types of gathering, thus prompting more tensions and potential disorder?

If some controlled protests are allowed to go ahead, it is almost inevitable that other elements in society who are not being allowed to congregate, such as various religious groups, will feel a level of inequality and that they have been adversely discriminated against. They may well compare the right to protest alongside any other right to gather, whether for a particular religious or cultural reason, or just socially. This may in itself prompt perceived discrimination and lead to further tensions with the authorities. It is possible that people will identify with protestors and that this will inflame tensions, perhaps encouraging not only more demonstrations about the right to protest but smaller acts of violence against people (police and public) and property.³⁰

³⁰ Drury et al (2020) <https://onlinelibrary.wiley.com/doi/abs/10.1002/e.sp.2650>

Inequality and grievance in the UK ought not to be seen in isolation. Although a sense of common purpose does not yet exist, there are some signs that it is emerging, e.g. in comparisons of the differential impact on certain ethnic communities. This is already a *cause célèbre* for organisations such as Black Lives Matter, which has a global network.³¹ Economic hardship and a sense of hopelessness among young people may also be channeled in ways reminiscent of protests in France, specifically emulating them. Coordination between VEOs across Europe (and with North America) is another possibility. This is an established trend among extreme right-wing groups, who are already making use of the pandemic to stigmatise migrant groups and Muslims.³² A recent report also highlights the global exploitation of the Covid-19 pandemic by various *Jihadist* and right-wing extremist groups.³³ At the same time, organised criminal groups are also taking advantage of the circumstances generated by Covid-19.³⁴

However, many people may regard protestors as representing narrow sectional interests and they may fail to attract widespread support. Anger against protestors could also turn violent.

While the commission understandably emphasises the short-term response to the possible protests, longer term consequences should also be considered. The main question that should be asked is how the blocking of protests would be understood by different (in some cases marginalised) communities.

One element that should be considered, perhaps not accessible through mainstream polling, is that whatever the new guidance is, there will be a sizeable number of online commentators and influencers who will frame it as governmental overreach and a breach of the fundamental rights of a citizen. The reality of the legal framework under which this is done will not matter. What will matter is the perception of the individuals involved. This will have an impact in the medium to long term, especially on how these individuals, communities and the general public may react to a re-imposition of lockdown conditions if there is a second outbreak.

How to limit the resonance of these views with the general public is a key consideration. One important element of this will be to clearly articulate when the limits on protest will end and making sure that this is what actually occurs, otherwise there is a danger of losing public trust completely, which will be very difficult to get back. (i.e. a situation where the public will trust the NHS but not the police (2nd Peelian principle) and/or Government.

³¹ <https://blackvesmatter.com/black-ves-matter-global-network-responses-to-covid-19-ethnicity-data/>

³² <https://www.theguardian.com/world/2020/apr/05/po-ice-vest-gate-uk-far-right-groups-over-ant-muslim-coronavirus-casualties>

³³ Institute for Global Change, 'How extremist groups are responding to Covid 19' 9 Apr 20.

<https://institute.global/post/snapshot-how-extremist-groups-are-responding-covid-19-9-apr-2020>

³⁴ Europol, 'How criminals profit from the Covid 19 Pandemic' 27 Mar 20. <https://www.europol.europa.eu/newsroom/news/how-criminals-profit-covid-19-pandemic>