

When Trust is Lost

The British and their Police after the Tottenham Riots

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Are rioters different from the rest of the British people when it comes to their relationship with the police? Public debates have answered in the affirmative, and demanded more aggressive policing styles. But Bradford and Jackson argue that trust in the police might be as important in explaining rioting as it is in explaining compliance.

Trust After the Riots

The riots and widespread looting that occurred in London and other English cities in August 2011 have once again thrown a spotlight on the relationship between police and public in Great Britain.¹ What began as a protest in Tottenham (north London) against the lethal police shooting of a local man quickly degenerated into widespread looting and outbreaks of serious criminality, including arson, muggings, and, in Birmingham and other cities, murder. There can be little doubt that this was the most significant outbreak of civil disobedience on the mainland of the United Kingdom for many years: at the time of writing nearly 3,000 people had been arrested in connection to the disturbances in London alone, with over 1,700 charged.

¹ The riots occurred exclusively in England. This may or may not be a coincidence, but, owing to the geopolitical complexity of the United Kingdom it makes little sense in organisational terms to talk of either the English police *or* of the British police. On the one hand, policing in England and Wales is organised on a largely local basis, with 43 regionally based forces spread across the two countries. There is no 'English' police force. On the other hand, policing in Scotland (and indeed Northern Ireland) is entirely separate, and there is certainly no 'British' police force either (although, confusingly, the British Transport Police patrol railways and stations in England, Wales *and* Scotland). Because most of the points raised in this article apply more widely than any one national context we use the term British police – but it should be remembered that comments concerning the riots themselves apply only to England.

The past few weeks and months have seen significant public debate between police, politicians and media pundits regarding both the causes of the riots and the effectiveness of the police response and what can be done to prevent such events from occurring again in the future. Much of this debate has centred on the characteristics of those involved in the riots, the failures of the criminal justice system in its attempts to prevent people from offending and rehabilitating those who do, and the emergence of a group or class of people radically disillusioned with and alienated from mainstream society. Many commentators have added their voices to a media discourse that speaks of a breakdown in trust between police and public, the emergence of a feral underclass divorced from the values of mainstream society, and a collective failure of will among politicians, criminal justice agencies and society in general in the face of serious challenges to the very fabric of society.

Senior officers first appeared unable to grasp the magnitude of the situation facing them, caught by surprise by the rioter's and looter's use of social media to 'organise' their activities. Much political and media rhetoric concerning the riots was critical of the police, and unusually for the British context, there was a very public row between the Prime Minister and Home Secretary, on one side, and senior officers from the Metropolitan Police Service (MPS) on the other. These debates tended to revolve around the need for firmer and more aggressive policing styles, up to and including calls for the use of plastic bullets and water cannon against rioters.

Where does all this leave the relationship between the British public and 'their' police? In an earlier article² we described the strong reservoirs of support the British police that remains despite many years of discord and debate. We argued that the perceived fairness of police is a key influence in the formation and reproduction of public trust. Fairness is central to many people's judgments concerning the police. And it is, we explained, intimately linked to the fact that as an organization it represents important social structures and entities (nation, state or community). Most of us want to feel part of such groups and because the police represent them (they are symbolic and literal *group authorities*), we are sensitive to the way we are treated by

² Ben Bradford & Jonathan Jackson, "Why Britons Trust their Police", *Books and Ideas*, 2 March 2011 (<http://www.booksandideas.net/Why-Britons-Trust-their-Police.html>)

police officers. Fairness indicates inclusion and status within the group, and unfairness indicates exclusion and denigration (Lind and Tyler 1988; Tyler 2007; Tyler and Huo 2002). Critically, inclusion within a group prompts individuals to follow its rules. Trust in the police is linked to pro-social behaviours in terms of cooperation with officers, compliance with the law and affording the police the monopoly of violence in society. The fairness of police actions is important not only because it communicates status and belonging to citizens (in turn generating and sustaining legitimacy), but also because police *unfairness* encourages division and antagonism, eroding people's connections to institutions and society (and undermining legitimacy). Furthermore, when the police lose their legitimacy in the eyes of the policed they lose their claim to the monopoly of the use of force.

In this article we first discuss the possible implications of the riots for the process-based style of policing proposed by Tyler and colleagues. We then speculate as to the proximate cause of the initial disturbances in Tottenham, before broadening out the discussion to consider the subsequent rioting and looting. We show that alongside the vast array of possible causes of the rioting, the way police officers wield their authority and target their activity in inner city areas is a common thread running through much of what transpired during that extraordinary week. One cause of the riots may have been a breakdown in trust between the police and (some of) the policed. If this is true, then many of those involved in the riots may not be as alienated from mainstream society as is often imagined. Rather, among all the other elements that come together to 'make' a rioter, the reactions people have to what they perceive as unfair policing – probably as a special case of a much wider societal unfairness – might be a partial cause of what transpired – and the riots are an extreme example of what can happen when people lose trust in the police.

The Limits of Process-Based Policing?

With the proviso that a full analysis of the initial outbreak in Tottenham is yet to be forthcoming,³ some broad points seem clear enough. Subsequent to the shooting of a young black man, Mark Duggan, by police marksmen on the 4th August, an initially peaceful

³ With, for example, the upcoming London School of Economics, Rowntree Foundation and Guardian study (<http://www.guardian.co.uk/uk/series/reading-the-riots>).

demonstration took place on the 6th August. Demanding justice for Duggan's family, demonstrators marched from Broadwater Farm, a large social housing estate, to Tottenham police station. For a variety of reasons, what started as a more or less standard protest against the police soon developed into significant rioting, attacks on the police, and later in the evening, looting.⁴

Events that night in Tottenham – and in other areas as the week progressed – seem on first blush very different. Aided by the use of social media and an initially rather flat-footed police response, rioting and looting broke out in many parts of London and later in other English cities such as Manchester, Liverpool and Birmingham. These events, although apparently inspired by the Tottenham riot, soon took on the appearance of little more than copycat criminality – of rioting for the sake of it and looting for personal financial gain. They often occurred in areas without Tottenham's difficult history of police-public relations (see below), and while events there were certainly not a 'race riot', disturbances occurred in other areas that have little of the history of racial tension that characterises the relationship between police and local people in Tottenham.

It is here that the challenge to the procedural justice and legitimacy model described in our earlier paper becomes apparent. After Tottenham, the riots appeared less a direct protest about police behaviour, and more one part inchoate anger to two parts calculated criminality. As people learned they could organise themselves more quickly via Blackberry messenger and other social media than the police could hope to respond, shops in some high streets were stripped bare and then set alight. There appeared to be no check on the behaviour of those involved, who seemingly had little sense that it was not right to do something purely because they could. The riots were eventually stopped by a massive police deployment, the arrests of hundreds and then thousands of people, and the rapid processing of at least some of those arrested into remand and long custodial sentences: that is, by a demonstration of police power rapidly followed by some extremely punitive judicial decision-making.

⁴ For the history of the riots we rely primarily on the reports of the Guardian newspaper, which has an excellent on-line repository of material relating to the August events: <http://www.guardian.co.uk/uk/london-riots>.

Have we reached the limits of a process-based model of police, which stresses fair procedure and the promotion of shared interests? Tyler's process-based model of policing (see, for example, Sunshine & Tyler, 2003) stresses the importance of procedural justice and institutional legitimacy. According to Tyler *et al.* (in press, p. 1):

the exercise of authority via the application of fair process strengthens the social bonds between individuals and authorities. Procedural justice promotes normative modes of compliance and cooperation that are both more stable and more sustainable in the long run.

When police officers wield their authority in procedurally just ways, trust is generated, which in turn secures and strengthens institutional legitimacy. Legitimacy is linked not to the potential for coercion but to an *authority* that leads people to feel police are entitled to make decisions and to be obeyed. Procedural fairness generates a bond between citizens and those who govern them. Transcending the content of particular decisions or regulatory processes, legitimacy is an especially important bond in pluralistic and diverse societies. It is powerful precisely because it implies people will abide by the law and follow police directives even if they disagree with specific guidelines and instructions. Legitimacy understood in these terms is an important source of governance, especially in complex societies. Those involved in the August riots certainly appeared not to believe the police were entitled to be obeyed, and were certainly willing to wield force themselves. The question is, were they so alienated and disenfranchised that they would not respond to procedurally fair styles of policing? And if so, was force the only language they would understand?

In some respects the answers to both these questions is probably (and partially) yes. In almost any modern society, some individuals will have group affiliations so different from the majority that the 'normal rules' will not apply to them. Others, who might be termed 'career criminals', will be oriented toward the possibility of significant financial gain for little or no effort and be more or less constantly on the look out to take up such possibilities (Felson 1998).

Still others, motivated by the illicit thrill of transgression (Katz 1988), will enjoy trouble for its own sake. In all such cases, a targeted policing style aimed at demonstrating effectiveness, increasing the risk of detection and sanction, and/or dominating a specific situation may be the only way to moderate and control individual's behaviour.

Yet, to denote these factors as the sole 'causes' of the riots, as many – including Prime Minister David Cameron – do, risks telescoping cause and effect to such a degree that the possibility of nuanced understanding is lost. Indeed the reasoning becomes essentially tautological – the crimes committed during the riots were committed by people who were criminals. A proper understanding of the August events should start with this question: how did a certain (small) group of people arrive at a situation where taking part in (and sometimes instigating) widespread violence and looting appeared to be a good idea?

The Criminogenic Potential of Policing

Criminologists have, over the years, developed many theories of crime causation that speak to this issue. Some point to a lack of self-control among those prone to criminal acts (Gottfredson and Hirschi 1990). Others describe the emotional 'buzz' of offending (Katz 1988), or the use of crime as a means of informal social control by those without access to the formal mechanisms of police and courts (Black 1998). More radical approaches stress that 'crime' and 'criminals' are social constructions. What is a crime in one time and place may well not be in another – on these accounts, any general theory of crime causation is highly suspect since it cannot hope to address all types of offending behaviour across all types of social context (Downes and Rock 2007).

Our aim here is more modest. Given the centrality of the MPS to the genesis of the riots, the accounts of those involved, and in the political discourse around the August events, we focus specifically on the ways in which the behaviour of the police may be both a proximate and long-term partial cause of what transpired. In doing so we suggest that policing, when not conducted in a procedurally fair manner, has an actively criminogenic potential. Clearly, in discussing the contribution policing may have had to the genesis of the original disturbances, and to the

subsequent riots and looting, we are painting a very partial picture. Many other factors will have been as and indeed more significant, and it is important not to overstate the role played by policing. Yet, we believe it is likely that the experience of the police among at least some of those involved may have contributed to their involvement.

Perhaps more important, however, is the notion that because the extent to which policing may cause criminal behaviour is largely related to perceptions of unfairness and the illegitimate use of power, the link between policing and crime as defined here will only emerge in situations where people desire and would respond to fair and legitimate policing. Perhaps those involved in the riots were not quite so different to ‘mainstream’ society after all. If this is true, it may be possible to develop styles of policing that are both fair and effective in reducing crime *because* they are fair. On this account, the question of whether the conduct of the police actively contributed to the riots is subordinate to the argument that such conduct, if configured correctly, can help prevent future outbreaks not only via the demonstration of instrumental effectiveness but also via the promotion of inclusive and shared identities.

As described in our previous article, procedural fairness is the primary lens through which people judge their encounters with police (Tyler 2007; Tyler and Huo 2002). It also appears to be the most important – although by no means only – way in which they think about the functioning of the criminal justice system as a whole. Procedural fairness is characterized by neutrality on the part of authorities, voice in the interaction on the part of the individual, treatment that is respectful and open and dignified, and the development of mutual trust between individual and authority. It is consistently linked in the empirical literature to propensities to cooperate with the police, to deference to officers, and to compliance with the law. When people feel that police are treating them as valid and valued members of society they act in ways congruent with that role. Despite being rooted in social-psychological understandings of the role of group membership in people’s lives, the importance of fairness in people’s thinking about the police and the criminal justice system seems to be found right across the highly diverse population of London (Jackson and Bradford 2010). Many appear to share a sense that they

belong to the group the police represent, and they care about the way the police officers, as group representatives, treat them (Jackson *et al.*, in press).

There is another side to this argument. The implication of much work on procedural justice is that when people do *not* feel that police treat them and others in their community with fairness, dignity and respect; when they do not feel valued as members of the social group the police represent; then they are less likely to cooperate with and defer to officers, and more likely to break the law. People do not feel bound by the moral codes – the laws – of a group that denigrates them. This is in a sense a species of the argument that social exclusion is a cause of crime. Here the exclusion is more symbolic or relational than economic, but may blur into the other – (see below).

Perceptions of Unfairness as a Proximate Cause of the Riots

As outlined above, the riots fell into two broad groups – events on the first night in Tottenham and the much larger category of the subsequent rioting that broke out elsewhere. We need therefore to consider the extent to which policing styles and tactics may have contributed to the cause of the riots across both these categories.

Many factors behind this first outbreak of trouble appear to apply to the relationship between the police and the public locally and over the course that day. First, there was anger at the way the police were dealing with both protestors and Duggan's family. A senior officer was not on hand to talk to the demonstrators for example – something which is common practice when the MPS is dealing with such events. More seriously, the demonstrators knew that Duggan's family had not been informed by the police about his death but had rather learnt about it from the media. Second, there were rumours within the crowd that a young girl had been attacked by police. Third, and more diffusely, there was the historical resonance of Broadwater Farm, Tottenham, and the relationship the police and the black community (of whom Duggan was a member) in this part of London. Broadwater Farm was the scene of major clashes between police and residents in the mid-1980s that resulted in the murder of a police officer (Keith Blakelock) and the subsequent conviction of three local men for this crime, a conviction that was

later quashed when it came to light that their confessions appeared to have been fabricated by police.

What seems to have happened in Tottenham, then, may be a ‘perfect storm’ of perceived police unfairness, the possible use of excessive force, a lack of dialogue between senior officers and the public, and a history of bad relations between local people and police. Academics dealing with the psychology of individual (Lind and Tyler 1988; Tyler 2007; Tyler and Huo 2002) and group (Stott and Reicher 1998; Stott et al. 2011) relationships with authority figures such as the police would recognise immediately that these all represented significant risk factors in relation to a possible outbreak of violence. When people feel that the police are unfair, are not communicating with them, and are acting as a social group or force that is in opposition to their own, they are likely to react badly in almost any situation. At a time of high stress and emotion, in an area with a long history of bad relations with the police, it was always possible that this reaction would spill over into violence. More widely, we suggest that breakdowns in trust between police and public always contain the potential for discord, trouble and even violence.

Seen in this light, the initial events in Tottenham are almost entirely understandable in terms of what we already know about the relationship between police and public in the UK. Even the outbreak of violence is not that unusual. Crowds at football matches and on other demonstrations regularly clash with the police. These congruencies with other events should remind us that the initial protesters were not social outcasts or members of a ‘feral underclass’. They were reacting to what they saw as police unfairness in a way very familiar in the British context. Furthermore those in the march, at least, were demanding their rights as citizens who should be represented and served by the police, not oppressed by them (although the extent to which the marchers and rioters were the same group is unclear). A truly alienated group would not organise a demonstration with this aim in mind. : people truly distanced from the social group police represent would not care about the fairness of officer’s behaviour because they would not desire recognition by and status within the group.

Policing and Social Exclusion

The initial events in Tottenham appear, at least according to current evidence, to have been instigated by people who simply wanted from the police a style of policing that many other UK citizens would demand as of right. Yet, those involved in subsequent events did not seem to have focussed demands, and frequently had no demands at all. The aim often appeared to be looting – pure and simple. Are these, then, the truly alienated, responsive only to aggressively instrumental policing responses? Do they care nothing about issues of group membership?

As noted above, for a minority of individuals this may well be the case, and it would be naive to suggest that firm policing is not needed at some times, in some places. But people are not born with a sense they are excluded, or with a set of values that say it is admissible to loot when the opportunity arises: these are lessons they learn through life. Among many other factors, their treatment by authority figures such as the police may be a key aspect of these lessons. And there is much to suggest that those involved in the riots may have experienced precisely the types of policing that symbolically and practically exclude them.

Take, for example, the use of police stop and search powers. The issue of ethnic disproportionality in their application is well known (Bowling and Philips 2007; Miller 2010): people from ethnic minorities and black people in particular are much more likely to be stopped than their white counterparts. Disproportionality and the processes that lead to it – ethnic profiling, prejudice and outright racism, or simply unreflexive and thoughtless policing – seem likely to be perceived as procedurally unfair to those on the receiving end. What is arguably less well researched but probably equally pernicious is the focussing of demeaning and/or aggressive policing tactics on poor young people of all ethnic groups (Loader 1996; Kennelly 2011; McAra and McVie 2005). One of the most reliably replicated findings in quantitative criminology is that the net effect of police-initiated contact on public trust is negative (Skogan 2006; Bradford et al. 2009). This appears to be largely due to the magnitude of the negative effect arising from encounters experienced as unfair, which dwarfs any positive effect from those experienced as fair. The differential targeting of specific styles of policing across social and geographic space is well known (Reiner 2010) and, to reiterate, unfairness communicates denigration, exclusion, and a sense that one is not bound by the rules of the group.

Police contact, whether instigated via street stops or not, can also be ‘net-widening’ and have a ‘ratcheting’ effect (Farrington 1977; Farrington et al. 1978; McAra and McVie 2007). ‘Net-widening’, because such experiences may serve to drag people into the criminal justice system when this would not have otherwise have been the case. The paradigmatic example here might be that of a street stop of an innocent member of the public that serves to irritate them to such an extent that they are eventually arrested for breach of the peace or even assaulting a police officer, offences that would not have transpired without the stop taking place. Indeed, due to the way police tend to exercise their authority and the fraught circumstances within which they often encounter citizens, almost any contact with officers contains the potential of escalating in unexpected and potential negative directions (Waddington 1999). ‘Ratcheting’, because once in the criminal justice system an individual becomes more likely to commit further offences – the paradigmatic and most extreme case here being the extent to which prisons are ‘universities of crime’. Here, symbolic exclusion shades into processes by which people with criminal records – or who are ‘known to’ the police – find it harder to get jobs, hold them when they do, and so on.

There are strong echoes of these themes in the stories that have emerged from the August riots. The following quotation is from a Reuters report that interviewed people who appeared to be involved in rioting in Hackney, East London, in the days after the initial outbreak in Tottenham:

"It's us versus them, the police, the system," said an unemployed man of Kurdish origin in his early 20s, sitting at the entrance to a Hackney housing estate with four Afro-Caribbean friends who nodded in agreement.

"They call it looting and criminality. It's not that. There's a real hatred against the system," he added, listing what he saw as the police prejudice, discrimination and lack of opportunity that led him and his friends to loot shops, torch bins and hurl missiles at police on Monday.

"There's two worlds in this borough. More and more middle classes are coming and we're being pushed out. The shops are pricing stuff like it's the West End, we can't afford the rents. We're the outcasts, we're not wanted any more.

"There's nothing for us." (Abbas and Holton 2011)

On a somewhat different note, the Ministry of Justice (MoJ) reported in mid-September that of the 1,715 people who had been brought before the courts at that time, some 77 per cent had a previous caution or conviction (Ministry of Justice 2011). While the extent to which all those involved had similar offending histories is uncertain – it may simply be easier for police to identify and arrest those with prior convictions – the MoJ figures suggest that people with previous convictions and, by definition, previous contact with the police and criminal justice system were over-represented among the rioters. A proportion of those allegedly involved in the riots were prolific offenders (20 per cent of suspects had 15 or more offences recorded against them); others, however, will have been far less heavily involved in crime. Some 39 per cent of the previous offences recorded against riot suspects were summary or breach offences – that is more minor crimes or breaches of civil orders. Aside from contact with the criminal justice system, very little might set this latter group apart from their counterparts who did not riot.

Sketching out these ideas allows us to identify one possible reason for involvement in the rioting. Along with all the other factors that may have influenced individual's decisions to go out and engage in criminal acts of violence and looting may well have been experience of moments and styles of policing that undermined their sense that they were valued members of society ; moments which promoted a feeling that the normal rules did not apply to them. In the aftermath of the riots there was much media discussion concerning the rioters/looters justifications of their actions (some of which crossed the line into outright racism and class prejudice). There can be no doubt that many of those involved did take an active decision to become so and knew what they were doing was illegal. One of the attractions of the argument outlined above is that it allows us to understand how they ended up taking such a decision while others, in similar social and economic positions, did not.

Legitimacy and State Monopoly of Violence

There is another angle to arguments concerning police legitimacy that resonates with more traditional approaches to policing. When the initial unrest occurred, the police response was weak. Its authority was challenged, not just by the apparent unfairness of its actions but by

the very existence of the unrest and its perceived failure to provide an adequate riposte. The excitement and transgression of the moment, combined with the failure of the state to exert social control, may have encouraged the use of violence and promoted criminality. If legitimacy is not just the recognition and justification of power, but also the recognition of the state's monopoly of force, then to the extent that the state loses legitimacy it also loses its privileged position as sole holder of the legitimate use of force. The effectiveness of the police – its ability to exert its authority – is at stake here, as well as its fairness. And we should remember that the efficacy and efficiency of the police must also be a factor shaping its legitimacy.

There may be, in other words, one more aspect to links between the legitimacy of the police and the spread of the riots and looting. Weber spoke of the state's monopoly on the legitimate use of violence. A legitimate police force is, by its very nature, representative of this monopoly. Members of the community who see the police as legitimate are unlikely to consider violence if they want to achieve social change or solve issues that confront them. They cede the legitimate use of force to the police (and the state more generally) and they explore non-violent avenues. By contrast, illegitimate policing opens up the space for citizens to use private or extralegal force to achieve certain goals. These goals could be about revenge and dispute. But they could also be about achieving social change and protesting against certain situations, arrangements and practices.

It may thus be useful to picture police (or state) legitimacy as having a 'crowding out' effect on judgments concerning private and extralegal violence at such moments. The more legitimate the police are perceived to be by those present in a situation (or those watching via various media) the less tolerance exists for extralegal violence. Thus understood, legitimacy judgments have a zero-sum quality. To the extent that the state's use of violence loses legitimacy, private and extralegal violence gains legitimacy. In the context of the initial disturbance in Tottenham and the spread of trouble to areas beyond it, this loss of legitimacy may have encouraged others – observers initially – to join in, as the police had lost the sole right to exercise power through force. A challenge to police legitimacy initially created by unfair

policing generated further challenges as the police appeared unable to exert their authority in a meaningful way.

Conclusion

As the quotation above demonstrates there was anger not just at the police but at the entire social and political system. Such expressions of anger may of course simply be *post-hoc* justifications for behaviour stemming from quite different sources; to reiterate a point made above, we do not wish to lay the blame for the riots entirely or even primarily at the doors of the police and the criminal justice system. On the contrary, the potential effects of policing theorized by the procedural justice literature, such as the link between experiencing police unfairness and future offending, are likely to be only one small part of the processes that lead people toward, or away from, acts of crime. Many factors will combine to exclude people (symbolically or materially) and generate cynicism about the law (Sampson and Bartusch 1998). Equally, a role for personal moral judgement and responsibility must also be retained. To extend the argument made above, there will be individuals with not only identical social and economic positions to the rioters, but also similar histories with the police, who did *not* take part. Explicating the processes that lead to these types of differences is a task far beyond that we set ourselves here.

We conclude, however, with the following thoughts. We conjectured above that one reason for the outbreak of violence may have been poor relationships between police and marginalised individuals and groups living in cities across England. A key element of such relationships could be policing styles that symbolically and practically exclude people from the social mainstream. Accepting that it will only ever be a partial cause of the riots and of criminality more widely, this notion, if correct, nevertheless raises an immediate question. If one cause of the riots was policing styles that symbolically and practically exclude, and which elicit strong negative reactions among those that experience them, does this mean the ‘rioters’ actually see policing in similar terms to those in the ‘mainstream’?

If the answer to this question is in the affirmative, then a new light is shed on the August events. The appropriate policing response would not be a shift to more aggressive or punitive styles, but to develop a more consensual way of policing inner-city areas that seeks to generate and maintain police legitimacy. As discussed above this should not be limited merely to issues of fairness. Rather, the focus should be on modes of policing that encourage officers to wield their

authority in such a way as to promote the sense among those encountered that they are valid holders of the monopoly of force. A key factor in this endeavour, although by no means the only one, will be developing policing styles that seek to include and involve all individuals as members of society with an active stake in the reproduction of social order. These styles are likely to relate strongly to the generation of mutual trust and a sense of shared aims, and, if nothing else, the events of August 2011 have thrown into sharp relief the potential consequences of a widespread breakdown in the relationship between police and public.

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