

# **Policing Social Distancing in the COVID 19 Pandemic**

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# **COVID 19 – social distancing, compliance and enforcement**

- How do you police the sudden introduction of severe restrictions on daily life?
- How much can you depend on voluntary compliance?
- What is role and effectiveness of enforcement?
- What different models are there, how ‘liberal’ v authoritarian should the rules be interpreted?
- What is the balance between “big brother” high-tech policing (mobile phones, tracking, face recognition) and the visible uniformed policing?

# Policing War time restrictions – blackouts, rationing of food, clothing and petrol



- A clear super-ordinate goal – “beat Hitler”
- Translated in each restriction into clear message
  - “Help win the War, squeeze in one more...”
- Primary enforcement role with Police

# Public compliance and Police enforcement of War time restrictions: Boothman's White, Grey and Black markets

- The “Population overwhelmingly accepted the legitimacy of the state and its rationing regime” (Todman, 2020:395), but there were
- **White** - commonly accepted for compliance
- **Grey** - in which many people “pushed the boundaries” – i.e. swapping ration coupons
- **Black** – commonly agreed “criminality” of fraudulent rationing books, “goods off the back of a lorry and organized crime

**RATION BOOK  
FRAUD ATTEMPT  
AT CHORLEY**

**BARROW RATION  
BOOK FRAUD**

**MAGISTRATES'  
COURT**  
—  
**LANCASTER CITY.  
MOTHER OF SEVEN  
SENTENCED**

**Ration Book  
Offence**

# Three thoughts for Pandemic Policing

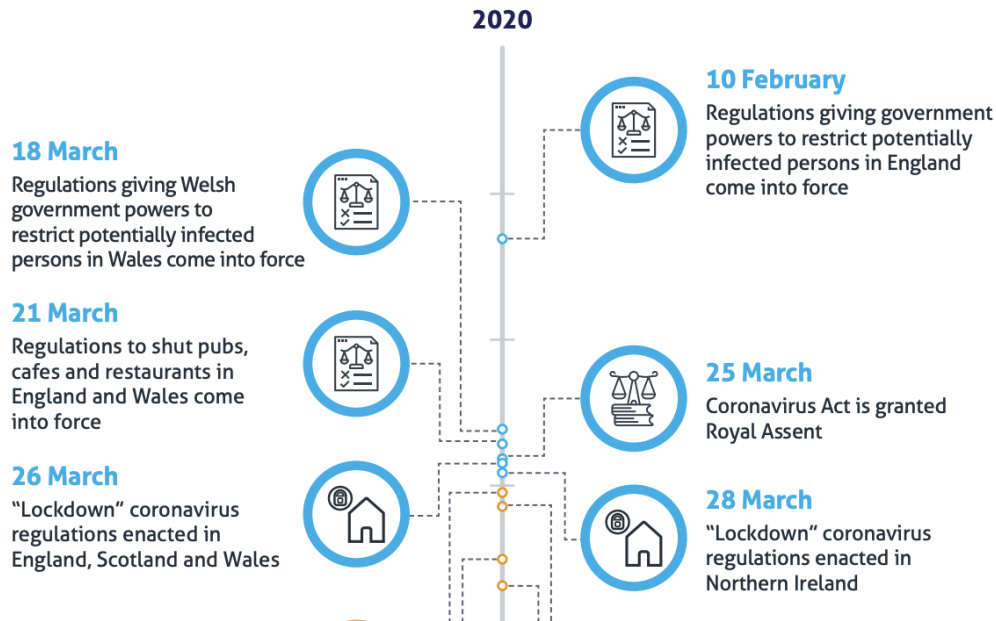
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- Critical importance of the clear super-ordinate goal
  - War Time Enforcement varied urban/rural, by social class & from force to force
  - Legitimacy of restrictions faded quickly once War was won...
- 




# Policing Social Distancing – the UK Timeline

Figure 1: **Timeline of coronavirus legislation**



- Political announcements ran ahead of legislation
- Political lockdown on Monday 23<sup>rd</sup> – legislative lockdown enacted on Thursday 26<sup>th</sup> March
- Messages not always wholly consistent
  - “one period of exercise”





**The Legislation in  
England and  
Wales – onus on  
the citizen to  
justify  
“reasonable  
excuse”**

---

**UK Model neither  
Italian lockdown  
nor Swedish ‘lite’**



“I am afraid it is ONE walk only...”

# LAW v Guidance v Political and Public narrative

## LAW:

- No person may leave or be outside of the place where they are living without 'reasonable excuse' such as to
  - Shop for basic necessities
  - Exercise
  - Work (if not possible from home)
- no person may participate in a gathering in a public place of more than two people, unless...

## GUIDANCE/NARRATIVE

- Stay at home –protect the NHS
- Stay “2 metres” apart
- Only go out once a day



# Procedural Justice: the College of Policing 4 Es

The police response will be to follow the **four-step escalation principles**:

- 1 **Engage**
- 2 **Explain**
- 3 **Encourage**
- 4 **Enforce**

We **police by consent**. The initial police response should be to encourage voluntary compliance.

This could be through asking **individuals, groups or businesses** whether they have heard about the new guidance, and how quickly they can comply with it. This should be done by stressing the risks to public health and the NHS.

There is no power to '**stop and account**'.

The police will apply the law in a system that is **flexible, discretionary and pragmatic**. This will enable officers to make sensible decisions and employ their judgement. **Enforcement should be a last resort**.

# Contrasting models?



**Shawn Reynolds**  
@ShawnReynolds\_



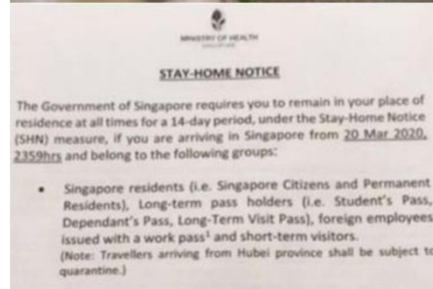
In India, police are beating people who are disobeying the lockdown with batons and making them do pushups and squats [#coronavirus](#) [images via [@Reuters](#)]



♡ 16 1:57 PM - Mar 26, 2020



Singaporean who breached coronavirus stay-home notice to eat bak kut teh sentenced to 6 weeks' jail



Alan Tham Xiang Sheng, 34, is the first person to be convicted of exposing others to the risk of infection by breaching an SHN. PHOTOS: SHIN MIN DAILY NEWS, ST READER, SCREENGRAB FROM FACEBOOK

# Challenges of the legislation for police

- Engagement and Encouragement require a “2 metre” conversation
- Explanation requires an understanding of the COVID science **and** clarity on the legislation (which has already been amended)
- Enforcement may require “hands on” in the event of non- compliance



# Using Technology to social distance operational policing: web-reporting, Tele-surgeries, Thermal imaging and Microsoft Teams to do cautions

## Police Service NI launches dedicated web page for social distancing breaches

10 APRIL 2020

**Police in Watford are holding 'social distanced' surgeries to help people with any issues they are facing during the coronavirus pandemic.**



### Pause, adapt, innovate

Our Director, Phil Bowen, introduces CJI's tracker of how justice systems around the world are adapting to the COVID-19 outbreak.

### Thermal imaging used to help police crack down on people flouting social-distancing rules

Published: April 3, 2020 at 8:23 a.m. ET

By Callum Keown and Pete Catapano

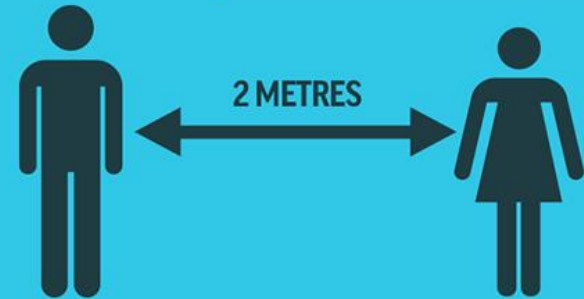


## Mumbai Police campaign promotes self-policing for social distancing

Campaign Spot COVID-19 Apr 6, 2020



**YOU NEED TO STAY 2 METRES  
APART TO **SAVE LIVES NOW****



# Self-Policing: public reporting and shaming

**Green** areas with  
high consensus and  
compliance:

the “vulnerable”, two  
metres apart and  
staying at home  
wherever possible

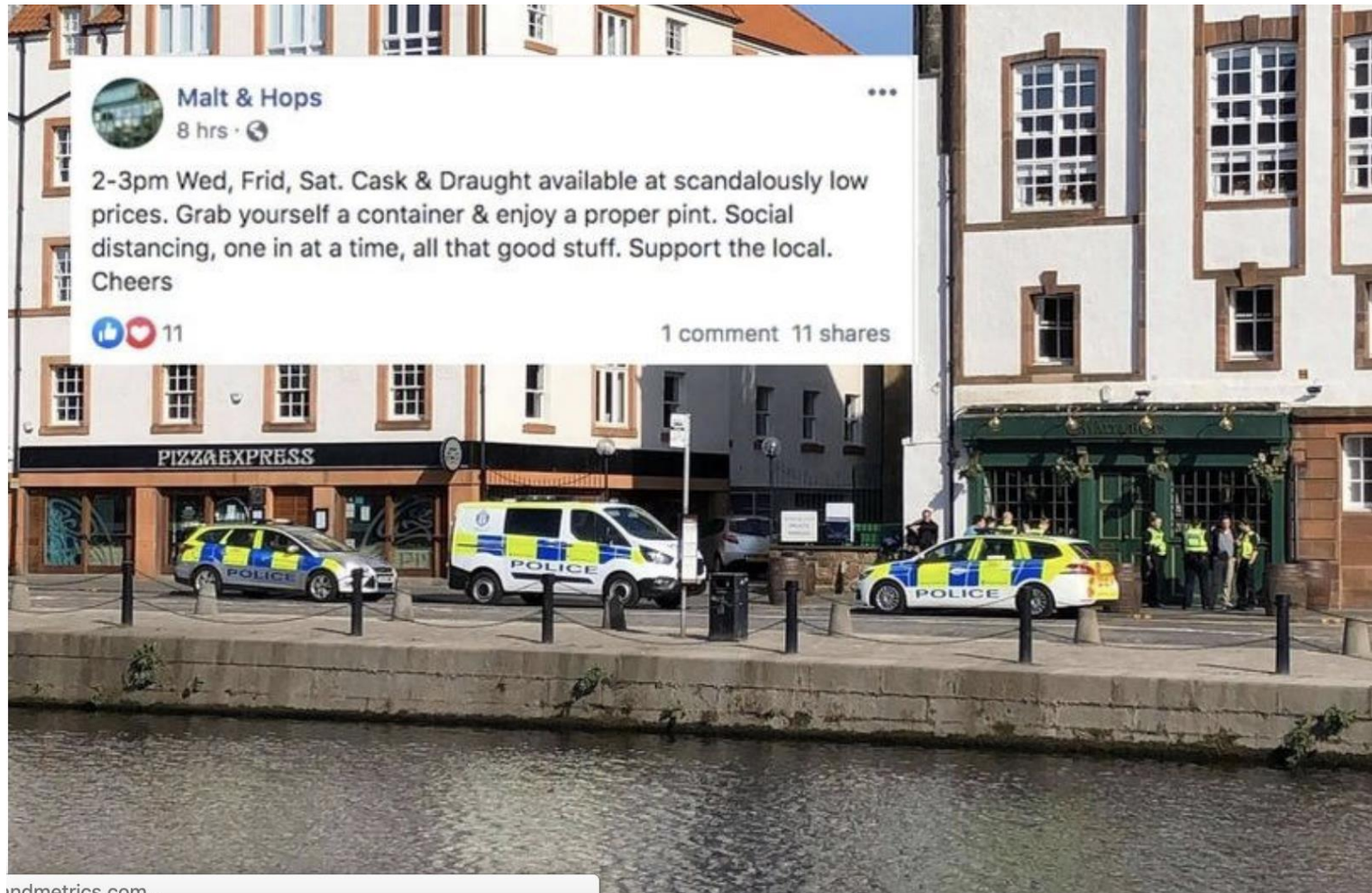


# Amber areas? Confusion over Exercise and Essential v Inessential shopping



“You know the lockdown rules; only dogs are allowed to go for a walk.” [#lockdown2020](#)

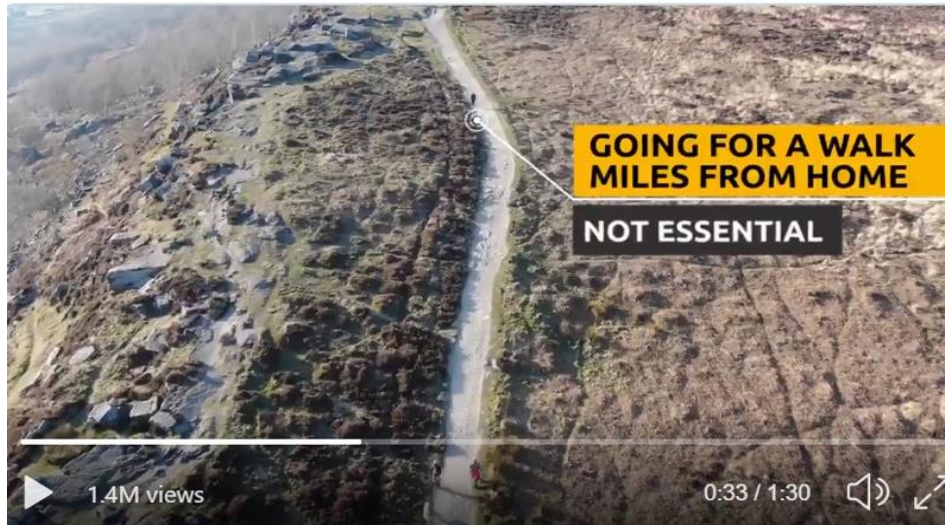
# Red Areas: clear breaches of social distancing...



indmetrics.com...



# In the UK: the (inevitable) backlash?



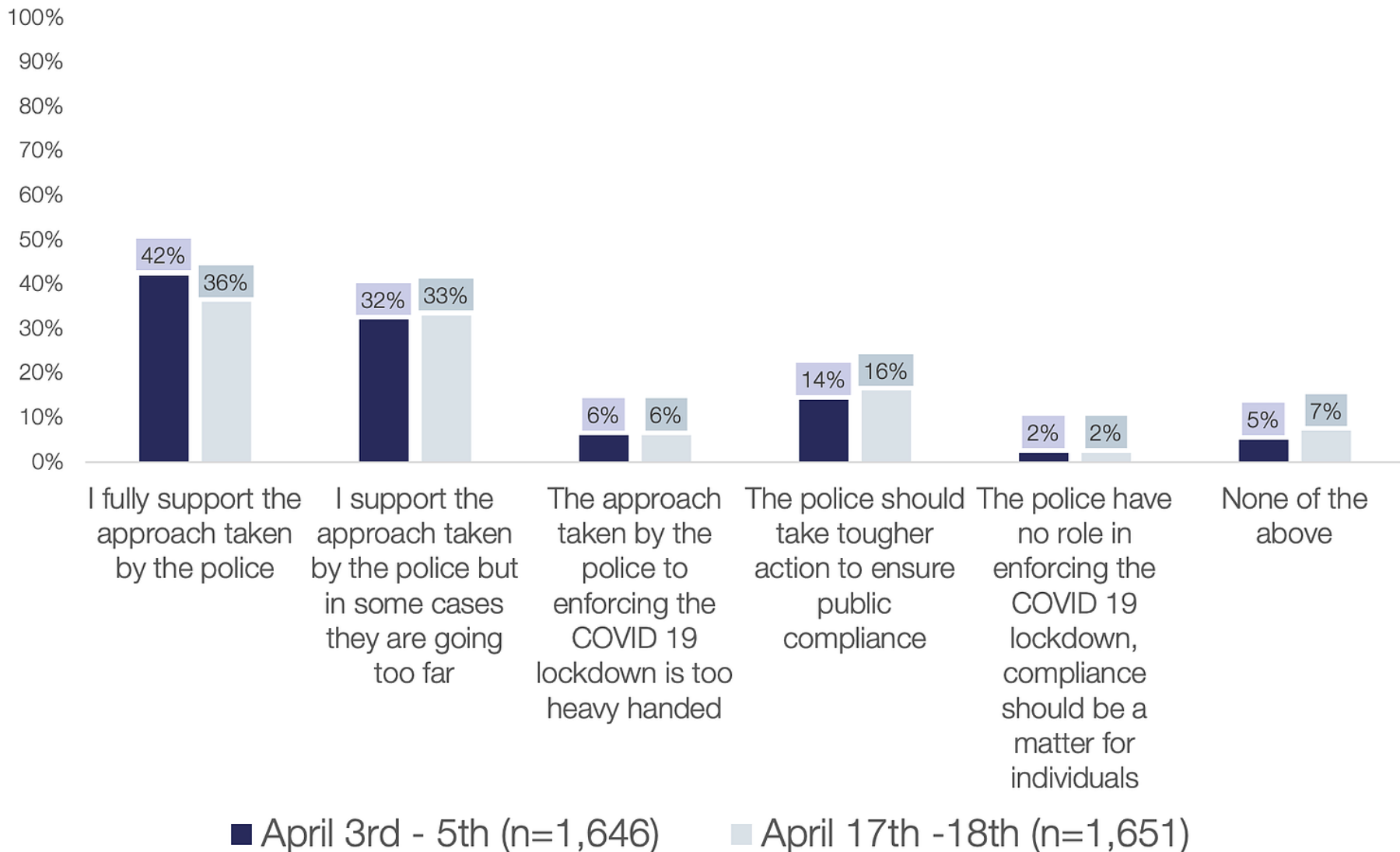
## Coronavirus: Lord Sumption brands Derbyshire Police 'disgraceful'

30 March 2020

f b t e Share

Coronavirus pandemic





Which of the following statements comes closest to your view of how the police are handling the COVID-19 lockdown? (Please select one)

<https://www.crestadvisory.com/post/policing-the-covid-19-lockdown-new-poll>

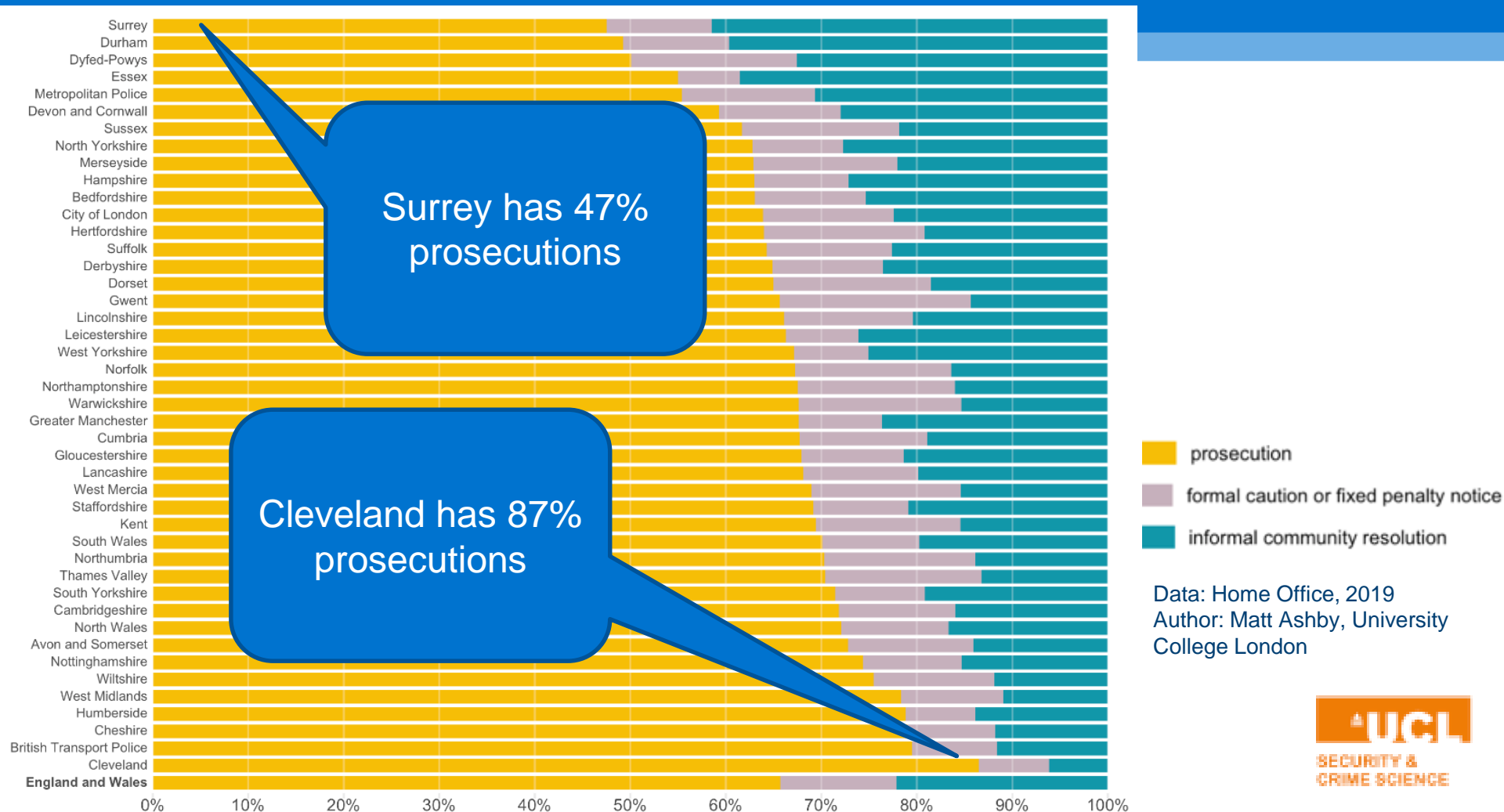
**Consistency of  
enforcement?**

**COVID Fixed  
Penalty Notice  
Figures for the  
Police Services  
of England and  
Wales**

**Variation from  
81 in London to  
380 in  
Lancashire**

Cambridgeshire	27
Cheshire	17
Cleveland	91
Cumbria	40
Derbyshire	61
Devon & Cornwall	169
Dorset	23
Durham	14
Essex	20
Gloucestershire	37
Greater Manchester	38
Hampshire	103
Hertfordshire	104
Humberside	2
Kent	53
Lancashire	380
Leicestershire	58
Lincolnshire	31
Merseyside	42
Metropolitan	81
MoD Police	2
Norfolk	126
North Yorkshire	150
Northamptonshire	12
Northumbria	32
Nottinghamshire	21
South Yorkshire	118
Staffordshire	4
Suffolk	95
Surrey	205
Sussex	163
Thames Valley	219

# Consistency of Out of Court Disposal pre COVID





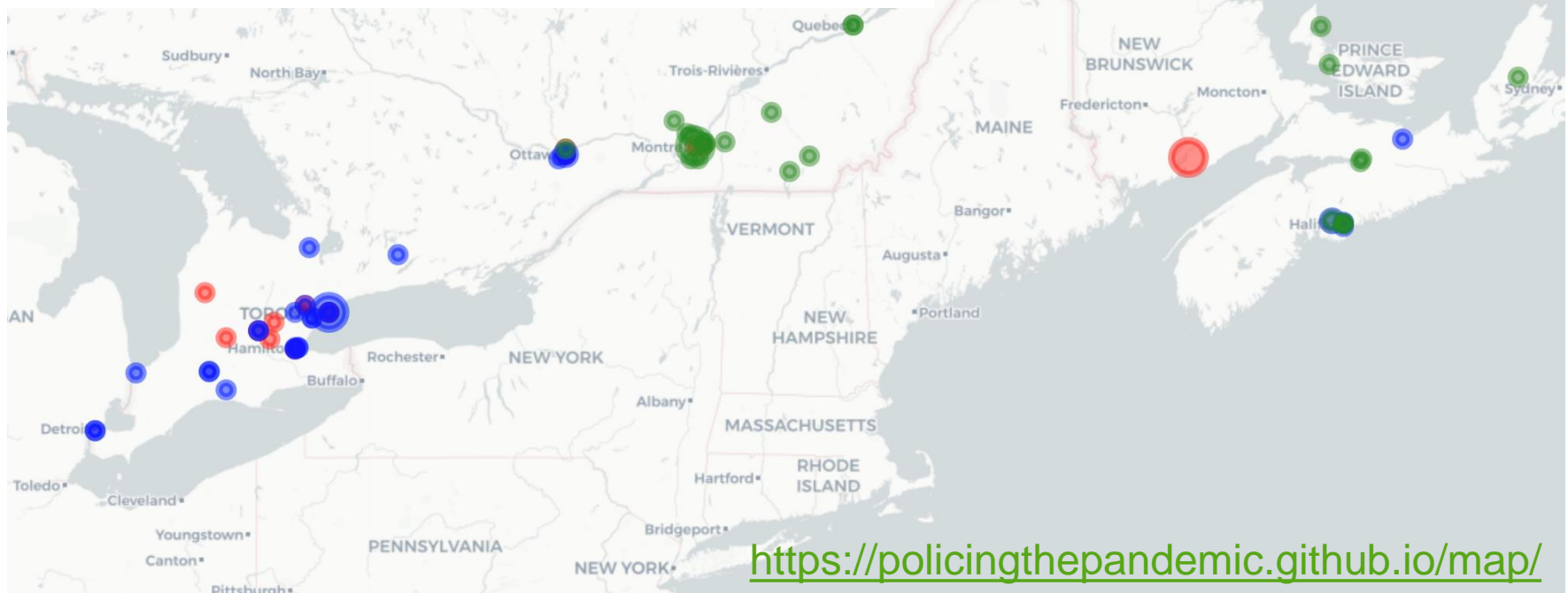
# Canadian data: different patterns of enforcement and encouragement?

In Toronto, police have various options for enforcement ranging from the \$750 tickets to issuing summons, which if convicted could lead to fines from \$100,000 for individuals to \$10 million for businesses, to arrests and criminal charges.

As of April 20 they issued 163 tickets, 3,148 cautions and 24 summonses.

## Legislation

- Criminal law offence
- Emergency law offence
- Mixed offence
- Municipal by-law offence
- Public health law offence



<https://policingthepandemic.github.io/map/>

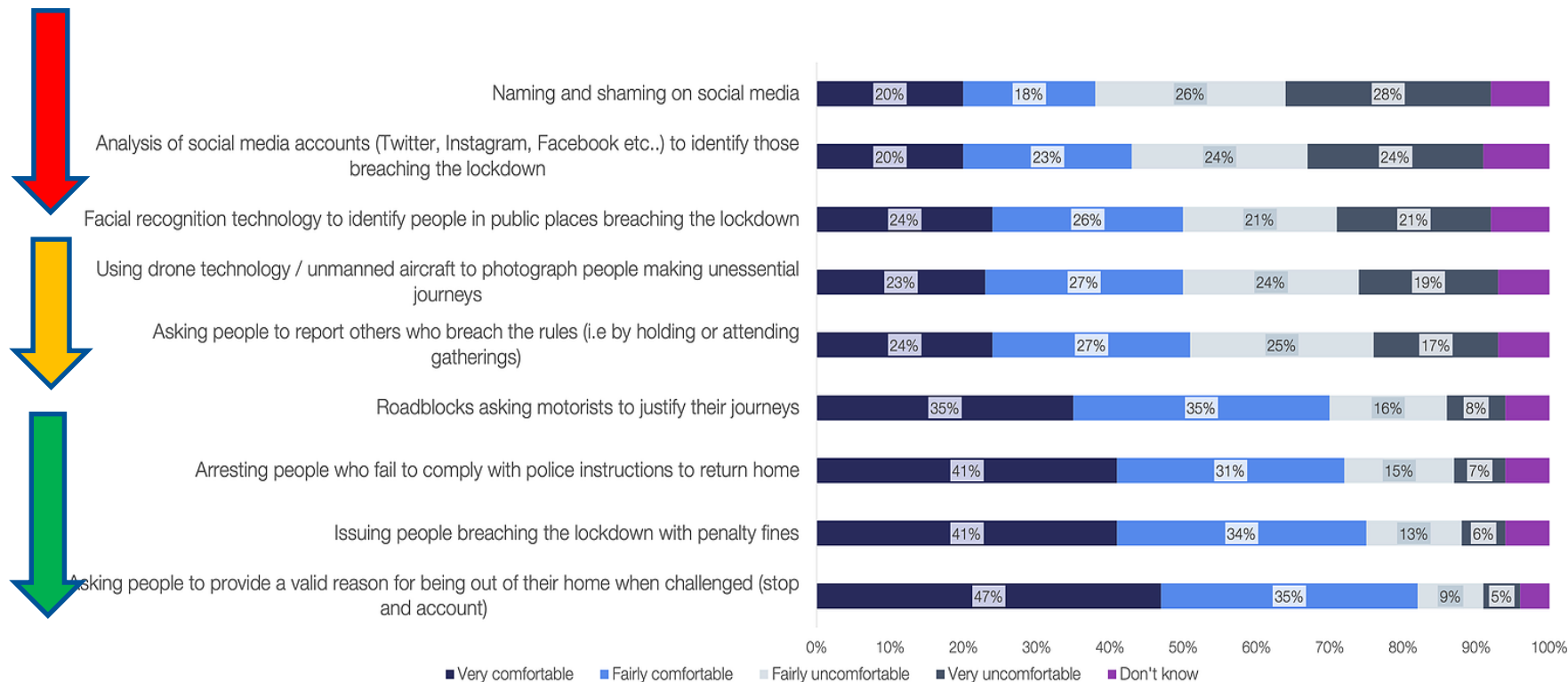
# The problems with Fixed Penalties (in England and Wales)

- The “research demonstrates the importance of both procedurally and distributively fair treatment on short-term compliance.”
- “The findings confirm concerns that PNDs disproportionately impact upon certain groups and offer the potential for police officers to punish people who challenge their authority.”

Grace (2014 and 2020)

<https://bscpolicingnetwork.com/2020/04/02/policing-the-coronavirus-lockdown-the-limits-of-on-the-spot-fines/>

# Deterrence/Defiance: Red/Amber/Green of enforcement strategies?

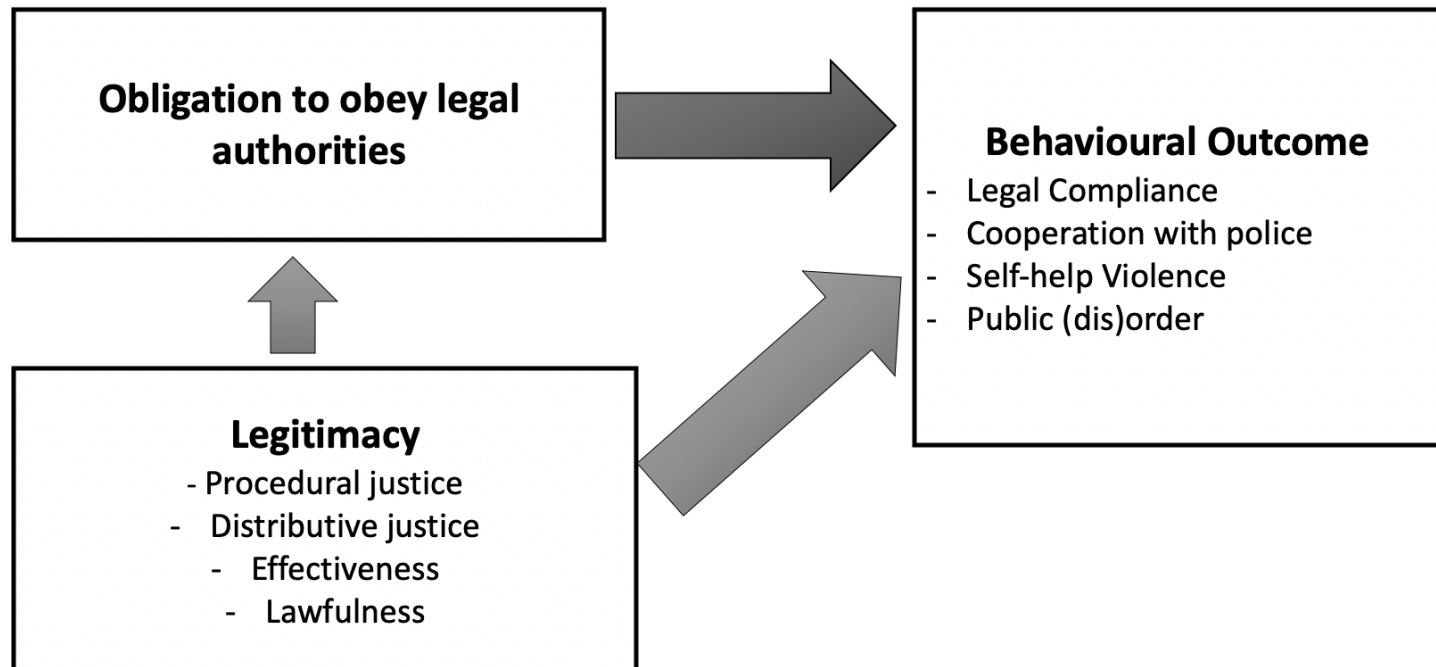


To what extent are you comfortable or uncomfortable with each of the following police measures in response to COVID-19?

<https://www.crestadvisory.com/post/policing-the-covid-19-lockdown-new-poll>

# Procedural Justice is insufficient explanation without Dialogic Model (Bottoms and Tankebe, 2012)

## Bottoms-Tankebe Model of Legitimacy



**Leadership –  
an evidenced  
based  
approach:  
Triple T  
(Sherman,  
2013)**

- **Targeting**
  - Social distancing enforcement
  - Prevention of harms – domestic violence, child abuse and organized crime
- **Testing**
  - College of Policing and NPCC have adopted a Procedural Justice model: does it work? How could it be improved?
- **Tracking**
  - Enforcement and its impacts and public acceptability

## The next phase: relaxing social distancing and policing

- The super-ordinate goal – “stay at home: save the NHS” may soon become “go to work: save the economy”
- The switch over from lockdown to economic recovery is likely to retain key residual restrictions:
  - Isolation for the vulnerable – over 70’s and those with co-morbidities
  - Continued restrictions on pubs and restaurants and mass gatherings
- Likely to be a growing legitimacy gap for restrictions affecting the young and fit...
- ...there may be (a lot of) trouble ahead



## And to finish: a few research priorities

- Using Body Worn Camera data to analyze interactions
  - How far has the 4E approach been implemented?
- Analysing the data on enforcement across different jurisdictions
  - Patterns of police patrol and enforcement
  - Analysing locations, offenders and types of offences
  - Comparing to COVID infection data
- Exploring the leadership approaches:
  - Documenting how/by whom strategies and tactics were decided
  - Tracking outcomes

# Oxford Journal of Policing – special section on COVID Policing – free access

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## Policing the Coronavirus Outbreak: Processes and Prospects for Collective Disorder FREE

Stephen Reicher, Clifford Stott

*Policing: A Journal of Policy and Practice*, paaa014,  
<https://doi.org/10.1093/police/paaa014>

**Published:** 19 April 2020

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<https://www.crim.cam.ac.uk/Courses/m-st-courses/MStPolice>