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
Three thoughts for Pandemic Policing

• 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

- Political announcements ran ahead of legislation
- Political lockdown on Monday 23rd – legislative lockdown enacted on Thursday 26th 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:  

- 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**

   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’.

2. **Explain**

   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?

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

Alan Tham Xiang Sheng, 34, is the first person to be convicted of exposing others to the risk of infection by breaching an SHN. PHOTO: 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

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...
In the UK: the (inevitable) backlash?

Coronavirus: Lord Sumption brands Derbyshire Police 'disgraceful'

30 March 2020

Coronavirus pandemic

Derbyshire Police said vehicles should not have been in a car park in Curbar Edge.

GOING FOR A WALK MILES FROM HOME
NOT ESSENTIAL

GOING OUT OF YOUR WAY FOR AN INSTAGRAM SNAP
NOT ESSENTIAL
Which of the following statements comes closest to your view of how the police are handling the COVID-19 lockdown? (Please select one)

### Consistency of enforcement?

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

<table>
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Variation from 81 in London to 380 in Lancashire
Consistency of Out of Court Disposal pre COVID

Surrey has 47% prosecutions

Cleveland has 87% prosecutions

Data: Home Office, 2019
Author: Matt Ashby, University College London
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.

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)

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? [link](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

- Obligation to obey legal authorities
- Legitimacy
  - Procedural justice
  - Distributive justice
    - Effectiveness
    - Lawfulness
- Behavioural Outcome
  - Legal Compliance
  - Cooperation with police
  - Self-help Violence
  - Public (dis)order
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
Policing the Coronavirus Outbreak: Processes and Prospects for Collective Disorder

Stephen Reicher, Clifford Stott

Policing: A Journal of Policy and Practice, paaa014,
https://doi.org/10.1093/police/paaa014
Published: 19 April 2020
And if you enjoyed this webinar, come and try some more.

M.St In Applied Criminology and Police Management (Police Executive Programme)

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