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First they came for the Young Communists: police facilitation and control at COP26, Glasgow

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ABSTRACT

The COP26 Climate Summit held in Glasgow in November 2021 was expected to attract mass protests. Given the climate crisis and the increase in direct action in the UK, the police anticipated huge numbers with the potential for significant disorder. Despite this, Police Scotland insisted that they were committed to facilitating peaceful protest. Drawing on ethnographic observation and interviews with both police and protestors, this paper offers analysis of a contentious event during the large set-piece demonstration on Saturday 6 November. It focuses on the containment of a small group of Young Communists to ask what this tells us about 'facilitation', crowd theory, and police-protestor relations. Whilst fairly insignificant in terms of numbers, we argue that the YCL containment offers valuable insights into protest policing and facilitation.

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COP26; policing; protest; facilitation; containment

The climate march

In November 2021 the 26th iteration of the United Nations Climate Change Conference of the Parties (COP26) was hosted in Glasgow. Given the urgency of the issues involved, and the number of world leaders due to attend, the summit was expected to witness the mobilisation of groups from many countries and of varying degrees of radicalism. Security concerns surrounding the delegates, and public order concerns around protest, meant that Police Scotland saw this as 'one of the most high profile and significant security and policing events ever held in the United Kingdom'.¹ Emphasis was placed on security and 'keeping people safe', but the Police also underlined their 'duty under the European Convention on Human Rights (ECHR) to protect the rights of people who wish to peacefully protest or counter-protest, balanced against the rights of the wider community'.²

This statement placed Police Scotland firmly within the broad move towards policing based on facilitation, engagement and dialogue in Western Democracies (della Porta *et al.* 2006). Not only is the literature on police facilitation divided on its value, however, several studies suggest that global summits remain partial exceptions to this rule due to security concerns. COP26, thus, offers an opportunity to contribute to emerging work on liaison-based policing, by analysing its implementation and reception in the context of a global summit.

The summit lasted for 12 days and saw a variety of protest events. Here we focus on the largest set-piece demonstration which took place on the Saturday in the middle of the conference and saw

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an estimated 100,000 people march through the streets of Glasgow.³ It was organised by the COP26 Coalition – an alliance of youth organisations, unions, NGOs, faith bodies, racial justice networks and community groups – and mobilised people of all ages and from all walks of society. Despite the scale of the march, which Assistant Chief Constable Gary Ritchie described as ‘beyond anything many of us – both within and outwith policing – can ever remember’, the day passed ‘largely without incident’.⁴ A group of protesting scientists locked-on to King George V Bridge – a key route across the Clyde – and were arrested, but the key point of contention in the day concerned the Young Communist League. As a Police Scotland tweet put it:

Following an escalation in their conduct a small number of people from the group who deliberately stopped on the parade route at the junction of Holland Street and St Vincent Street were contained by police on the grounds of public safety.⁵

The YCL were a group of black-clad youth with red masks over their faces, and large red flags on wooden staves. Numbering no more than 100, they formed a tight-knit block and marched as a unit through the crowd. Whilst some members walked round distributing flags and chatting to people, the group also alienated some fellow marchers with aggressive and provocative chants and by setting off flares. When they were contained by the police and removed from the march, however, there was an upsurge of support for them and anger against the police. As they exited the containment, furthermore, they were met with cheers and applause from the protestors who had remained with them. In what follows we ask what explains this (partial) transformation of the YCL into unlikely heroes, what wider impact this had on police-protestor relations, and what lessons (if any) can be learned from this small incident within a larger march. We conclude that whilst many of the recommendations for proactive and facilitative policing were followed, a lack of communication and continuous liaison meant that the police risked a loss of legitimacy through their actions. We begin by reviewing existing literature on protest policing and facilitation, detail the methods on which the argument rests and offer our analysis of the containment before concluding.

Protest policing: from force to ‘Facilitation’

Multiple scholars have pointed towards a shift away from repression towards more democratic and consensual policing of protest and public order in Western democracies (Della Porta and Reiter 1998, Gilham and Marx 2000, Waddington and King 2005). This entailed the deployment of officers in ‘soft-hat’ gear, rather than the helmets and shields required for serious disorder. It also tended to rest on the ‘negotiated management’ of protest events, built on greater cooperation and communication between police and protestors, aiming to ‘de-escalate’ potentially volatile situations to avoid protestors becoming violent and officers using force (Della Porta and Reiter 1998, McPhail *et al.* 1998). Influenced by changes in crowd theory and legislation around Human Rights, this approach entails not simply safeguarding but *facilitating* rights to protest. Negotiated solutions include stage-managing events and the toleration of some disruption to public life.

The trend away from more militarised approaches to public order policing, and the stress on community engagement, is informed by a police philosophy relating to questions of legitimacy and democracy (Della Porta and Fillieule 2004, Reicher *et al.* 2004, Vitale 2005). Breaking with earlier studies that foregrounded the risks posed by crowds (Schweingruber 2000), current research finds that repressive policing is often counter-productive, can be escalatory, and can become the focus of a new cycle of demonstrations (Earl 2003, Della Porta and Fillieule 2004). The Elaborated Social Identity Model (ESIM) emerged from such research and outlines the social and psychological processes through which crowds may unite in opposition to police and highlights policing approaches which may contribute to an escalation of conflict (Reicher 1996, Stott and Reicher 1998). Drawing on the ESIM, Reicher *et al.* (2004, 2007) and Stott *et al.* (2008) set out four key principles for effective public order policing: education, facilitation, communication and differentiation. Following the

overhaul of public order policing in 2010, these principles have been integrated into public order training (HMCIC 2009, See also Rosie and Gorringe 2009, Hoggett and Stott 2010).

ESIM maintains, and the British Police now acknowledge, that police forces should strive to understand (be educated about) the values, beliefs and objectives of protest groups so as to avoid confrontation and facilitate their lawful objectives. ESIM advocates meeting the legitimate aims of crowd members (facilitation) even if some members of the crowd are being disruptive. Central to this endeavour is the need for ongoing and dynamic channels of communication in crowd events, especially in situations of emerging tension (Reicher *et al.* 2004, p. 568). The underlying insight here is that crowds are not homogenous. 'If there is one watchword we would advocate for crowd policing it is differentiate! Do not treat all crowd members as the same. Be aware of their different identities, their different ways of acting and of reacting' (Reicher *et al.* 2004, p. 568). The aim is to foster trust and contact with protestors. The outcome, as Stott *et al.*'s (2008, p. 131) football study found, was that those who experienced legitimate and interactive policing were more likely to identify with the police and distance themselves from potential troublemakers. Conversely, even efforts to isolate a hostile element in a crowd may backfire if members of the group perceive these actions to be disproportionate. Group identities and positions, in other words, are *emergent* rather than fixed, and respond to interactional dynamics on the ground.

As seen above, the shift towards rights-based policing in the UK has also been driven by the European Convention of Human Rights (ECHR). Indeed, the UK Human Rights Act (1998) creates a legal obligation for the police to facilitate the rights of freedom of expression, consciousness and assembly that are protected under Articles 9, 10 and 11 of the ECHR. The Act states that 'no restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety'.⁶ This is in line with the OSCE/ODIHR (2020) Venice Commission Guidelines on Freedom of Peaceful Assembly which stipulate that:

States have a positive duty to facilitate and protect the exercise of the right to freedom of peaceful assembly. This duty should be reflected in the legislative framework and relevant law enforcement regulations and practices. It includes a duty to facilitate assemblies at the organizer's preferred location and within 'sight and sound' of the intended audience.⁷

Despite this, Hoggett and Stott (2010) found that public order training and tactics tend to revolve primarily around arrest, containment and dispersal rather than de-escalation and protest facilitation. Such 'facilitation', furthermore, may take the form of permitted protest sites and extensive 'sterile zones', and police forces may view the containment of perceived 'troublemakers' as an inconvenience rather than a form of repression (Gilham and Noakes 2007). In the UK context, Fenwick (2009, p. 760) details competing judgements on the legality and proportionality of 'kettling' (or 'containment') following legal cases brought by activists, concluding that:

... the police cannot detain peaceful protesters on the basis of an apprehended breach of the peace that is not yet imminent, but they can detain them – or take other preventive action – on grounds of necessity, even for very substantial periods, when they are in the company of others who are causing or about to cause a breach of the peace.

Fenwick (2009, p. 261) insists that 'alternatives, such as using "snatch squads" to remove or detain troublemakers' should be considered, and that the police should mitigate the worst excesses of 'kettling' by creating a 'release plan for vulnerable people' and considering access to food and toilets (2009, p. 765).

The changed theoretical and legislative framework post-2009 has prompted an emphasis on dialogue and facilitation in the UK, best seen in the creation of Police Liaison Teams (PLTs) (Gorringe *et al.* 2012a, Stott *et al.* 2013, Gilmore *et al.* 2019). PLTs are envisaged as helping to build trust and rapport, acting as a bridge between police and protestors, potentially enhancing the legitimacy of the police and enabling the facilitation of protest (Gorringe and Rosie 2013, Stott *et al.* 2013,

Lydon 2021). Research suggests that they can make 'a significant difference towards rapport building and effective communication flow' (Kilgallon 2020, p. 33), and 'play an effective role in reducing the potential for conflict during events' by engaging dynamically with groups and curbing the interventionist tendencies of the police (Stott *et al.* 2013, p. 222). Perhaps for this reason, some of the studies also note the imperfect integration of the liaison teams into policing operations, noting how they may lack information, authority and buy-in from senior commanders at times (Gorringe and Rosie 2013). Most research also reports instances of the PLTs being viewed as 'intelligence gatherers' or 'spies'. Gilmore *et al.* (2019, p. 48) raised such concerns, and concluded that 'consensual (dialogue) and coercive (mass arrest) policing were mutually reinforcing strategies' in the protests they observed. Gorringe *et al.* (2012a, p. 128) likewise observe that 'the default position was for the police to fall back on tactics of strategic incapacitation'.

If the jury remains out on the impact of PLTs in public-order policing in the UK, this is especially the case as regards global protests when heads of state are present. Ericson and Doyle (1999, p. 605) argue that 'the policing of protest at international events must be understood and researched as a distinctive category' (cf. Della Porta *et al.* 2006, p. 4). This is because the interplay between security, the local community and protestors is heavily biased in favour of security at such events, where the mobilisation of different legal frameworks and/or security personnel may override local policing priorities. Whilst the COP26 Summit was formally overseen by Police Scotland – who, like their forebear services, pride themselves on a consensus-based, facilitative approach (Gorringe and Rosie 2008) – the Summit venue operated under UN auspices. There were, thus, complex inter-agency jurisdictions and responsibilities in relation to accessing the conference venue, its security, and the personal protection of high-profile attendees. The stakes involved, leaders in attendance and number of protests involved, conspire to mean that international summits may witness 'heavy and repressive police and military control' (Farnsworth 2004, p. 64. cf. Waddington and King 2005, Della Porta *et al.* 2006). As such, the COP26 summit afforded us the opportunity to observe 'facilitative' policing in circumstances not normally seen as conducive to it.

The study

COP26 offered an ideal opportunity to advance the literature by exploring police facilitation of protest, engagement and dialogue in the context of a global summit. More specifically, we aimed to (1) examine the success of the police in implementing an approach based on facilitation and highlight both the promise and pitfalls involved; (2) evaluate the impact of the approach on those gathered in Glasgow; (3) draw lessons that contribute to discussions of good practice in the emerging field of liaison-based policing.

Methods of research

In order to address the extent to which the principles of facilitative policing operate in the context of a global summit, we carried out a case study of the COP26 conference in Glasgow 2021. The larger project from which this paper emerges comprised pre-, during and post-summit interviews with 30 police officers of different ranks and 30 protestors from various groups, but predominantly drawn from direct action organisations like Extinction Rebellion (XR). Whilst this study informs the analysis offered here, the data for this paper are taken from the sub-sample of 10 semi-structured interviews with 8 police officers (including two pre-event interviews and 8 post), and post-event interviews with 6 activists who observed or were involved in the YCL containment. The sample of officers included senior commanders and PLTs from both Scottish and Mutual Aid Forces. In addition to the broader focus on liaison and dynamic decision making, these officers were asked to reflect on why they contained the group; what efforts had been made to negotiate with, and facilitate, them; and how they felt the policing of the big day of action had gone. Activist interviewees discussed their perceptions of the YCL and the policing of the group.

Interviews were supplemented by participant observation of crowd dynamics during events. 12 members of the team attended the Saturday demonstration. Some attended internal police briefings on the morning of the march and all attended the protest (including but not limited to the YCL containment) and wrote fieldnotes. Notes were written each day and we discussed impressions and experiences as a team to ensure that we had captured key moments and issues, many of which were also captured by two film-makers employed by the team. Researchers engaged in informal discussions with protestors and police officers on the day, and then carried out follow up interviews with senior and frontline officers and a range of different activists to capture their experiences and perceptions. We also ran two 'incident analyses' (IA), where film footage of the YCL containment was played to participants to aid reflection and discussion. One IA comprised three senior officers and another an international student who marched with the YCL. Media and social media searches for key terms (in this case #YCL, #Kettle, #police, and #COP26) were conducted each day, to triangulate our data against other reports, and to contextualise the data that we gathered. Unless otherwise stated, all quotes in what follows are from interviews conducted before, during and after the summit. All interviews were carried out on the basis of informed consent and interviewees have been anonymised in the paper.

Following data collection, researchers familiarised themselves with the transcripts, noted important points and established codes informed by both prior areas of interest (e.g. 'facilitation') and new points raised in the interviews. After several iterations of this process, we established key themes and sub-themes. We used reflexive thematic analysis to identify and analyse patterns in the data (Braun and Clarke 2012). Where possible we triangulated data sources to secure different perspectives on each event. Discussions amongst the research group allowed us to explore multiple assumptions or interpretations of the data, enabling new patterns of meaning to emerge (Braun *et al.* 2019). The research received ethical approval from the School of Philosophy, Psychology and Language Sciences at the University of Edinburgh (PPLS ethics approval 5-2122/11).

Cops and the COP26 day of action

The police Gold Strategy (the overarching principles) for COP26, aimed: 'To provide a lawful and proportionate policing response to any protest balancing the needs and rights of the conference attendees and delegates, protestors, wider public and communities' (Police Scotland 2021). In keeping with theoretical advances and police guidelines, there was a clear sense that police should not view protestors as homogenous. Indeed, multiple senior officers told us that they had a four-fold typology of activists: Firstly, there were community groups and occasional protestors. Second, were protests targeting the delegates of particular countries (e.g. China or Sri Lanka). Both of these groups, according to the Gold commander, 'are very compliant and they will absolutely do whatever we ask them to do. We've got a high level of tolerance for facilitating that type'. Third on the list were climate activists affiliated to groups like Extinction Rebellion (XR), who were expected to engage in significant non-violent direct action, as the Gold Commander explained:

... and again, our starting point with these groups is to facilitate the protest as far as reasonably practical, as long as it's peaceful, but see when it starts to endanger others or significantly impact on the ability of the conference to operate, or significantly impact on the wider communities of Scotland.

Finally, there were the 'anti-capitalist, anarchist, or individual' protestors who were less motivated by the conference than the opportunity 'to engage in acts of serious violence and disorder'. There is a long tradition of police anxiety that this last category of protestors will use the ('more legitimate') activities of the others as a 'cover' for their own activities (cf. Atkinson 2022). Whilst this clearly differentiates amongst the crowd, there is a danger that such categorisation neglects the dynamic and emergent nature of identities highlighted by the ESIM. By reference to a 2020 demonstration in Glasgow, where a 'football risk' (those known to be involved in football-related disorder) groups were contained, Atkinson (2022, p. 481) cautions against overly rigid categorisations which might

pre-dispose the police to intervene. Pressed on this, the event Silver (tactical) commander insisted that any intervention is 'based on an assessment or a reaction to the behaviours of that particular group, and it's not done proactively without cause or without reason'.

There was, we were assured, no intelligence to suggest that members of category four would be attending COP26, and police briefings on the morning of the 6th November emphasised that this would be a 'conventional operation' with police only there to support. Indeed, one of the Bronze (operational) commanders reassured her officers that 'if you see public order [intervening with the crowd] then something's gone wrong'. She meant here that there were no plans to deploy public order units unless they faced unanticipated issues around stewarding or other pre-planned aspects of the march. Police were expected to play a key *support* role, rather than a directive one, in closing road junctions to traffic and keeping the procession moving. The key concerns in the briefing pertained to the size of the March, attendant fears of crushing, and how long it would take to get the crowd safely to Glasgow Green. There was 'some intelligence' that 'football risk individuals' may make an appearance, but officers were told that the crowd would mainly consist of 'ordinary people, your neighbours, friends and families' and human rights and facilitation were emphasised (Fieldnotes). Within hours of that briefing, the 'sheer volume of numbers' meant that the reserve Bronze Commander for the day, and public order units, were drafted in to help with crowd management. As we noted in fieldnotes:

Walking along the path up at the top of Kelvingrove Park there were lots and lots of people. There was a sense of chaos and not knowing where anyone or any block was or what was happening. There was no information or communication and hardly any stewards in evidence.

This situation, we later learned, was starting to alarm officers too. The Bronze officer responsible for the Park was being told from a helicopter that 'it was getting to the point where it was starting to be uncomfortable' and that there was a bit of a crush as everyone formed up, waiting for the march to head off. Speaking to the Event Bronze and their Tactical Advisor, researchers were told that the stewarding plans envisaged/promised by organisers had simply not transpired. Despite this, the police felt unable to steward the march themselves (by, e.g. escorting the procession) because that was not the 'tone' demanded by organisers (Fieldnotes). The march had been conceived of incorporating a series of different 'blocs', each of which seemed to be responsible for their own stewarding. From our observations and interviews this meant that certain sections of the march – the Trade Union bloc most obviously – were better stewarded than others.

Flaring up

It was around this point that the YCL made their entrance. As a Charity worker put it:

We were all just forming up and getting ready to go and then you could smell pyros [pyrotechnics] right, in Kelvingrove Park, you could smell them and then there was a lot of smoke and then some noise associated with the smoke and then I'd say maybe 100, 150 of those guys came right through the middle of everybody else who was formed up.

Respondents spoke of the group 'marching in formation', 'barging their way through the crowd' and 'pushing their way through'. The researchers on the ground at that point did not observe any aggression, and most of those speaking of 'pushing' had not witnessed this directly, but the group certainly made an impression: 'a block of people marching along with red flags and masks and black clothes' (Fieldnotes). The charity worker above, said: 'those guys came through: chanting, big red flags, pyros. Quite a lot of the people in our bit [the "nature" block] were far more intimidated by them than they were by the cops'. Unsurprisingly, the group also attracted the attention of the police, as a Public Order Bronze officer noted:

[The event bronze] had already been intimidated by other groups in the park that the YCL were very loud, quite boisterous ... I think there were concerns that their attitude had been raised by other members of the parade ... It was a carnival atmosphere, it was family orientated and they didn't naturally fit in with the rest of the group

... There is something slightly sinister about this group. ... Not one, the vast majority of people were raising concerns. They were forcefully barging their way through, which kind of raised a, sorry (laugh) 'red flag'.

Forward Intelligence Team (FIT) officers had already flagged up concerns that some in the group were 'football risk'. Despite this, in keeping with the stress on behaviour rather than demeanour, Police Liaison Teams were sent in to talk to the group and find out what they intended. When they refused to engage, the group – probably numbering between 60 and 80 – were loosely encircled by police officers in a 'marching cordon'. When asked, a liaison officer stated that they had been: 'intimidating others in the crowd and barging their way through and so they were being managed for public safety reasons' (Fieldnotes). The fieldnotes also note that the group 'were suddenly stopped and surrounded by police officers with no sense of why' (Fieldnotes). As this suggests, there were no prior warnings and little communication to explain police actions. Multiple people (including the researchers) approached the police to ask what was happening, because it was not clear. A protestor, whose son was waving a red flag that had been handed out by the group said: 'They didn't look scary to start off with, when they gave out the flags, but as soon as the police surrounded them, they seemed more aggressive and worrying' (Fieldnotes).

That said, the 'cordon' at this point was porous, and people could go in and out. Members of the 'red army' as they called themselves in chants, wandered around continuing to distribute flags. When asked why they were surrounded, one YCL member replied 'no idea'. When asked about pushing he 'pointed to a pram in the middle of the YCL block and asked "why would we do that?"' The event bronze characterised the police operation at that point as 'baby-sitting' the group due to concerns, and noted that several members of the public insisted that the group be allowed to march – which was the intention – whilst others expressed relief that they were being watched. Certainly, several of the YCL chants put them at odds with the rest of the crowd. If 'Socialism or Extinction' was on message for a march on the climate crisis, cries of 'Xi Jinping, Xi Jinping'; 'Elizabeth Windsor, die, die, die'; and 'HoHoHo Chi Min, Che Guevara, Stalin' did not get others joining in. The family, whose child had a red flag, tucked it away: 'we were not sure that he should be carrying it. Seemed a bit aggressive and not on message' (Fieldnotes). In sum, the police claimed to be responding to concerns raised by other protestors and FITs to surround and monitor a group who were identified as possible trouble-makers. Whilst the research team and most of those we spoke to in the area did not witness any pushing or disorder, there were no stewards on hand to mediate with the group, they clearly stood apart from other marchers, and some people voiced concerns about them. PLTs had sought to engage the group, but had been rebuffed. Many groups are wary of liaison officers, as noted in the literature, and there was a campaign at COP26 urging activists not to speak to them,⁸ which may explain the reluctance. Once the group were surrounded, the PLTs effectively ceased efforts to engage. Despite being identified as a possible threat, however, the group were allowed to continue on the march.

On the March

Slowly, the crowd started to move, and the YCL – with their escort – moved too. Researchers noted how the police who had initially seemed tense, started to chat and joke with some of those in the cordon. At the entrance to the Park, where the demonstration moved onto the road, the YCL stopped, let off a number of flares and chanted in unison before proceeding (Fieldnotes). Whilst not intimidating in itself, several respondents raised concerns. The event bronze said: 'they had pyro on them. If that had been a football crowd walking down the road we'd deal with it quite robustly as we have to'.⁹ The charity respondent was adamant:

You don't set off pyros in the fucking park and not expect to get lifted [arrested] right? If you do it at the football you get lifted. If you do it in the street you get lifted, right. Pyros are illegal. There's no dubiety about that right. Pyros are dangerous. You should not have them on you, right, and you definitely should not set them off in a public place around, like, kids.

Whilst technically correct, flares are commonly used in large demonstrations in the UK and tolerated, pointing towards the discretionary powers of the police and suggesting that the *appearance* of the YCL may have influenced police decisions. Police interviewees later told us that one of the flares had been directed towards an officer, though we were unable to verify this. Asked whether the actions of the police were proportionate, the event Silver said:

I would never describe the use of a pyrotechnic towards the head of a police officer as minor. If you've ever had or been near a pyrotechnic when it's been discharged, these things burn up to 4000 degrees, so they are unbelievably dangerous, and I've had this discussion over many, many years with football fan groups who in my view severely underestimate the risk that pyrotechnics cause. In my view there is no such thing as a safe pyrotechnic used by a member of the public who is not trained to do so.

In the context of the occasion with a large number of people seeking to exit the park, however, the group were allowed to march. As Silver continued: 'In terms of whether that justifies a containment ... in and of itself, no, we can deal with that individual of course, and that's what we always seek to do in terms of that differentiation approach'. From a police perspective, although an individual had committed an offence, arresting at that point may have delayed the march and exacerbated the crush in the park. As the incident Bronze commander said during the Incident Analysis: 'Now we are still accommodating, we are not trying to arrest people, we are still facilitating their lawful protest and their rights under the ECHR, albeit there has been quite a serious degree of criminality'. The march and the YCL, thus, made its way slowly, in stop-start fashion along the road. Police respondents told us that the YCL group were deliberately stopping to create a gap between them and other marchers before proceeding, but that was not immediately obvious to several of the research team walking just behind the group. Indeed, from our observations, officers and members of the group appeared to be informally chatting on and off at this point, though a protestor who was in the cordon ('cage' as he put it) viewed things differently as he observed in the IA:

Inside the cage we were able to communicate whatever we wanted, because the police were basically just not interacting ok, they were just observing us ... if sometimes we were going outside [the police line] they were just saying 'please go in, please go in' ... What happens if you are constantly told to just go in, go in, go in, is that one or two people can get irritated.

Although some in the loose cordon were chatting to officers, there were no formal or systematic attempts to engage the group or ascertain their intentions. No PLTs were in the group, and policing seemed to have been ceded to the public order officers. This may explain what followed:

At the junction [of St. Vincent Street] with Holland Street, the march stopped briefly and it then seemed like some of the YCL tried to break away up the side street. [We saw some of the group try and run up the side street only to be cut-off by police, though from our position at the rear of the bloc it was hard to be sure]. They were rapidly boxed in with a huge influx of officers and were forced back into the march with another Police Support Unit arriving at the double. In the melee that followed batons were drawn and there was pushing and shoving before most of the YCL group were contained in a double line of officers ... Immediately tensions in the crowd skyrocketed with cries of 'let them go' and 'Fuck the Police'. (Fieldnotes)

The incident brought the whole march to a halt, and many people surged round the group shouting at the police and pushing against the line of officers containing the YCL. A member of an independent mediation initiative – 'Keeping Our Cool' – which aimed to defuse tensions where they arose, confirmed our sense that: 'Once they were contained, the rest of the crowd showed solidarity and tensions increased'. Even for those researchers right behind the YCL it was not immediately clear why they had been surrounded, the huge influx in police made people apprehensive and seemed disproportionate. In an interview, a leading COP26 Coalition steward after the event said: 'the Young Communists didn't do anything, they were a bit rowdy and louder than the others, they didn't do anything'. Another steward and activist, who received differing accounts from people, was typical of our activist interviewees in saying:

They got kettled because ... they were loud, they were red, they were all in black, and they were perceived as the picture of the category four protestor. ... We had a really large cycling block that was much more disruptive to communities than the Communists because they cycled across Scotland, across Glasgow, blocked loads of roads and stuff like that, and the police didn't care about them at all. But, because you dress up in a certain way, use a certain language, use a certain symbolism, the police categorises you in a certain way and then treats you accordingly.

In an echo of Atkinson's (2022) work, the suggestion is that prior categorisation of the YCL as a 'risk group' influence the police response. According to police respondents, however, the intervention sprang from *behaviour* not image. The YCL, a Bronze officer told us, 'were stopping the parade, stalling, going backwards ... just being difficult and belligerent. Nothing criminal, but our priority there is public safety'. The Gold commander placed this last point in perspective, noting how that section of the route was:

... really narrow, and I insisted that the parade keeps moving, because see if anybody stopped at that point, the back of the parade would keep coming and coming and coming, and potentially we were going to get a crushing situation, or at the very least a congestion.

The incident Bronze commander told us that officers on the ground responded to the attempted break-away on their own initiative: 'I did not instruct my officers to put a containment on, they just put one on'. As the event Silver elaborated:

the officers responsible responded to their training, having seen everything they've seen from the interactions with the crowd. ... They believe that this is a coordinated act, there's something going to happen here. They suspect an imminent breach of the peace, so they respond to stop it and put a containment on.

He conceded that 'when other members of the public see police reacting with the use of force, then they react negatively to that', and noted that communication with crowd members could have been better at this point. All the more so because, in pushing the YCL back into the main road, the whole march was brought to a halt. Timestamps on mobile phone footage suggest that it was held up for over 45 min.

In terms of proportionality, our film footage reveals one crowd member approaching a senior officer to say that her children aged 15 and 18 were in the cordon. Another officer relays this and speaks of extracting them, but whether that occurred or not is unclear. The police certainly did not – and could not – check the ages of all participants, but the Bronze officer in charge stressed that: 'except a few who are maybe 18 or 19, there was nobody, no 12, 13 year olds or children in there' (IA). The Netpol (Currie 2021) report into policing at COP26 reported a pram and frightened young children in the containment, but multiple researchers were on hand and did not observe this. Our notes and film footage indicate that the buggy that was with the group earlier did not end up in the containment. The Silver commander emphasised that the graded response applied here:

YCL maybe 100–150 strong, but those who were actually cordoned was maybe 30–35. ... Within the 150, cops themselves had managed to differentiate between the majority and the minority who were causing the problem. (IA)

Many of those in the marching cordon did not end up in the containment, which focused on the core group clustered around the YCL banner. In this sense they did differentiate even within the 'risk group', but once the containment was imposed there seemed to be no clear mechanisms for releasing vulnerable people or considering access to toilets as recommended in legal cases (Fenwick 2009). It also seemed counter-productive to contain a small group who were slowing down the demonstration by bringing the whole march to a standstill – a point perhaps reflecting the reactive nature of the containment. Having imposed the cordon, the Gold Commander noted that it inevitably took time to move the group:

It's about getting the resources in place at the right location so we can just very discretely swoop in and take them out and let the rest of the parade go unabated. The notion that we can do it Hollywood style where I go on

the radio and thirty seconds later everyone swoops in, it's got to be a lot more thoughtfully considered and planned to make sure that our actions don't actually impact on the dynamics of the crowd.

This points to the complexities of a graded approach. Doing things safely requires greater numbers, but without clear communication about what is happening this can be seen (as Silver noted above) as an over-reaction.

Boxed in

Confusion over what was happening helps explain the crowd response. One mutual aid officer (one drafted in from another UK force) referenced the theory underpinning new police guidelines:

There's your crowd, social identity model. With agitators, there's your 5%, we're going to go in and we're going to take them out and we're going to let the 95% carry on and we're going to put loads of dialogue in there and say 'we facilitated the parade and these lot were going to ruin it for everyone, so they've been nicked.' And according to [ESIM], the protestors should have high-fived us Clearly didn't quite work like that.

What the officer neglects, is the emergent and situational nature of crowd dynamics. Had police actions been preceded by warnings or aided by march stewards, they may have been regarded as more legitimate. Instead, the Silver commander noted, non-YCL marchers formed 'a support network for that group, plus some others who have joined and some of course who are just interested to see what is happening' (IA). Beyond the immediate incident, the Gold Commander suggested that police actions *were* seen as legitimate:

I don't have anything written down, but the feedback I got was when we removed that particular element then the people that were around them were saying 'thanks very much, officers, we feel much more comfortable now'.

The research team did not encounter anyone saying this, and noted how the mood of the crowd shifted to one of anger. That said, the majority of the march eventually continued to Glasgow Green, and one of our interviewees commented that you 'could say that they were facilitating every-one else's protest', suggesting that a minority may have felt this way.

Police commanders insisted that they tried to engage and find out what the group wanted to achieve and only 'contained' them when they refused to engage. A Bronze commander concurred: 'If you get no engagement with the PLOs it is really difficult to process something without falling back on what you see and hear'. This, however, was not apparent to other activists or to the research team. A knot of activists stayed on the main road after the YCL had been escorted off the main route onto Holland Street, and maintained a chant of 'Let them Go' for the duration of the kettle. Although liaison officers were now deployed urging people to continue the march, the chanting meant that groups going past could not fail to note the YCL being held and receive a negative account of the same. Earlier and more sustained communication with other members of the crowd may have enhanced the legitimacy of police actions, but this did not occur, nor did police use means of mass communication (Loud-hailers, LED-screens) meaning that people needed to speak directly to PLTs to get an update. The research team were amongst activists immediately after the cordon was imposed who spoke of breaching police lines or sitting down in the road. One non-YCL activist who was particularly forceful and vocal in condemning the police was arrested and led away (Fieldnotes).

The containment, in other words, had potential to create further disruption. From conversations and interviews it is clear that several groups had an internal debate about what to do. Members of XR mooted a sit down in solidarity, but ultimately failed to reach consensus. Most, as one interviewee put it, decided to 'stop momentarily as we go past, wave and say "let them go" and then move on', demonstrating minimal levels of emergent solidarity from those more removed from the initial incident. There was a clear lack of common identity with the group from all non-YCL interviewees. Whilst many condemned their containment, others felt that they 'got what they wanted'. Those who were on hand when the YCL were contained were more motivated to express solidarity and they

circumvented police lines on the side of the road and gathered around the group on the side street. They chanted, bought food and drink for the YCL and read out anti-police poems. One of these activists 'said loudly: "First they came for the Communists" indexing Pastor Niemoller's famous poem' and urging people to stand with them (Fieldnotes).

After the YCL were corralled, Liaison teams were called in to speak to the group and try and negotiate. When these officers could not answer questions like 'when will we be let out', engagement stalled. Liaison Officers had more joy speaking to activists on the outside, and sustained talks were held with a Parliamentarian and a Trade Union representative to (belatedly) see if they could mediate a solution. The use of trusted intermediaries is recommended in the literature (cf. Reicher *et al.* 2007), and may have helped here, but even as these discussions were proceeding, the cordon was lifted and the YCL were let out suggesting that the PLTs were somewhat peripheral to the process. The YCL:

were filmed by Evidence Gathering Teams as they left the kettle and told not to re-form into a group if they did not want to be arrested. They emerged to cheers and whoops from the crowd, receiving a heroes' welcome. (Fieldnotes)

A liaison officer noted that they had been asked to 'not form up as a group on the road' as the streets were being opened to traffic again, but the group promptly gathered together and walked up the street shouting 'All Cops are Bastards, A.C.A.B'. They then 'marched rapidly down the roads towards Glasgow Green with officers trailing along and a blue light flashing motorcycle in front. Protestors heading back from the Green cheered and waved as they passed' (Fieldnotes). Later, one member of the group was arrested as they left the park. The potential mediators had been briefed that an individual would be detained, and perhaps the group had been similarly forewarned, because the arrest occurred without incident and even members of the group opted to disperse rather than protest.

Discussion: learning from the YCL?

As all our interviewees noted, the vast majority of people on the march had little engagement with the police. So, despite the lengthy containment of a small group and delay to the march, could it be said that Police Scotland delivered an operation premised on facilitation? One of the Bronze officers certainly felt so:

Essentially, the safe facilitation of people – we managed that. We got everybody from A to B without anybody getting hurt, without anything like that. All the things that actually happened were relatively minor, so I would certainly class it as a success in terms of a policing operation.

Given this, we asked how officers felt about the media focus on the YCL incident (See [Table 1](#)). Another Bronze told us:

Personally speaking I thought it was unfair and it left a bad taste in the mouth ... It's annoying ... Frustrating when you think you have handled an event really well and you're knackered and done-in and that is what they focus on.

Table 1. The YCL in the press (selected headlines from the following day).

- COP26: Young Communist League protesters kettled after clashing with cops during Glasgow climate march (thescottishsun.co.uk)
- Congestion chaos in Glasgow city centre as group 'deliberately' stop on climate protest route (Glasgow Times)
- COP26: Police halt climate activists on Glasgow's St Vincent Street (Herald Scotland)
- Police were 'kettling protestors' as thousands marched through Glasgow during COP26 (Daily Record)

Police respondents felt that they had acted in a proportionate and targeted manner that did not treat the whole crowd, or even the YCL block, indiscriminately (cf. Fenwick 2009). A small group of people who were seen to be causing trouble were removed from the march to allow others to proceed, were quizzed as to their intentions and then able to march to Glasgow Green. Many of our activist interviewees had not witnessed the event and the YCL were peripheral to the wider networks of climate activism, meaning that solidarity protests largely consisted of brief calls for the group to be released rather than sustained action.

Despite this, we have chosen to focus on this ‘relatively minor’ incident for two inter-related reasons. Firstly, because this was a focus for media commentators and other observers (See Tables 1 and 2). Many of our interviewees, thus, had not witnessed the group, but had an opinion on what had happened from the press or social media. Some accounts, such as the Netpol report into policing, offer detailed critiques of the kettle. They insist that there was ‘no mention in any of the 25 detailed witness statements received by Netpol from bystanders, legal observers and protesters regarding this incident, of pyrotechnic devices’ (Currie 2021, p. 22). We ourselves witnessed the use of pyrotechnics by this group, and spoke to other activists who did too.¹⁰ In speaking to police and protestors and drawing on participant observation we are able to offer a more detailed and rounded analysis of events. Secondly, we focus on the YCL because it was the point on the large day of action at which the legitimacy of the police operation was most scrutinised, and which offers most opportunities for learning.

As seen in the data above, several of our police respondents themselves sought to apply the theory of crowd behaviour to their experiences. Whilst one officer felt that the theory had not worked, the Gold Commander reported that removing the YCL from the demonstration *had* secured the trust of other marchers. From our analysis, neither of these positions quite captures the crowd dynamics on the ground. We certainly did not observe or speak to any protestor who welcomed the police intervention. At best we encountered an acceptance of the containment. As the Charity activist put it:

The majority of people in our [nature] block walked past it [the containment], were mildly interested in it, and got on with their day. There were a few people in our bit who work for campaigns and have a bit more experience and that, and they were: ‘Oh right, those guys finally got kettled’. (laughs)

As noted above, however, those closest to the containment immediately started chanting ‘let them go’ and anti-police slogans, and various groups discussed solidarity protests or ‘breaching the kettle’. ‘Outside intervention can not only disrupt self-policing’, as Reicher *et al.* (2004, p. 560) put it, ‘but can even create conditions in which people join in with those “agitators” that they may otherwise have

Table 2. Selected tweets about the YCL from the day of the march.

- ‘Thanks to the police for wasting the last 3 h of my life by kettling a section of the march for absolutely no reason’: <https://t.co/X8Fk6Qbi4W>
- ‘Today was an important day and we made ourselves known! the police were violent and acted without cause specifically against the YCL. If anything it’s a compliment, we’re pissing all the right people off! Solidarity to all those who stayed at the kettle to support us! #COP26 <https://t.co/7oBXDjsk42>’
- ‘Tense scenes on Glasgow’s St Vincent Street as police bring a halt to a section of the march. itvnews <https://t.co/qYlwTybyPZ>’
- ‘Police in Glasgow are violently kettling and harassing protesters - reports of unprovoked arrests. Why is this being allowed to happen on our streets? PoliceScotland <https://t.co/APh41YL0TD>’
- ‘Police booed as protesters say they are being kettled by police unfairly #COP26 <https://t.co/kl5O39KGij>’
- ‘Cops had YCL surrounded from Kelvin Grove, claimed the YCL were obstructing the march (they weren’t), assaulted a member then kettled them. Fucking despicable behaviour from antagonistic pigs. #COP26 #ACAB <https://t.co/ldyLlkf0gg>’
- ‘We were quite surprised to see how the police had kettled YCL right from the start of the march. They literally didn’t care much about any other blocs’. <https://twitter.com/Aswingovindan/status/1457062802783354888>
- ‘Today’s action by the police in kettling and removing a small bloc of YCL and Living Rent campaigners from the march is another example of the unacceptable policing we have seen at #Cop26’. <https://t.co/OhxXYeAHb9>

ignored or even silenced'. Group identities, as the ESIM suggests, are not static but emerge in interaction. The sudden influx of a large number of officers and the lack of communication created the conditions in which some of the other marchers felt an affinity for the group that had not existed beforehand. From our observations and interviews, however, it is clear that the strongest feelings were confined to those in the vicinity of the events when they occurred. This emergent solidarity appeared to diminish the further from the incident people were, but this is not to say that it did not affect crowd dynamics and perceptions. The YCL, as we have seen, dominated narratives and coverage of the day, despite their small numbers.

In their discussion of containment, Reicher *et al.* (2004, p. 569) note how stories and media reports of just one pregnant woman forced to urinate in the street because she cannot move elsewhere can lead a crowd of thousands, or indeed a whole population, to perceive police action as illegitimate'. Whilst the black-clad, flag-bearing, YCL were seen as intimidating by some in the demonstration, they were mostly fairly young and we have seen claims that there were children in the group. Indeed, two Green Members of the Scottish Parliament wrote to the police¹¹ to express their concerns that:

A colleague of ours spoke to a woman who was caught within the kettle with her young child in a buggy. She highlighted that a number of those kettled were minors but that neither their rights and welfare nor those of her own young child appeared to have been taken into account by the officers maintaining the kettle.

A member of Scotland's Children's Commission, similarly, said that they were being questioned about their participation in the Independent Advisory Group for police in light of the above. The Netpol (Currie 2021) report and our interviews show that some of the more seasoned activists saw the policing as disproportionate and heavy-handed. Accounts of the containment circulated through activist networks and social media (See Table 2), and the delegitimising effect this can have is seen in an interview with a Green Party and XR activist who was typical in saying:

The police later on claimed that the reason they kettled them was because they were causing traffic disruption, when they had already kettled them before the march actually even started. Again that's an example of there was too many police, I think, and they just needed something to do so they decided to kettle these kids.

Such views have a very loose view of 'kettling' – the YCL group were loosely surrounded rather than contained at the outset of the march when the buggy was present – and an over-simplistic view of the development of Police-YCL interactions over the course of the day. It is also entirely plausible that the YCL's actions were specifically aimed, at least in part, at provoking police reaction. If so, then they had some success. As a Netpol activist acerbically noted, 'the Young Communist League has had a higher profile over the last few weeks because of the oppressive policing that they experienced'. What, then, are the lessons to be learned from the 'Day of Action'?

If, as Reicher *et al.* (2004, p. 566) advise, the police should 'concentrate on how to act in order to get the crowd to control itself', then the first issue to raise is the wholesale failure of event stewarding both at Kelvingrove Park and on the march itself. Stewarding was, essentially, notable only in its absence and its subsequent ineffectiveness. Had there been more, and more effective stewarding, then the police may not have felt the need to intervene at all. Asked specifically whether more stewards would have obviated the need for police action, the incident Bronze said: 'Potentially. ... Our job is not to police the crowd, but to police disorder'. Later on, had they intervened at the clear behest of event stewards, their actions may well have been perceived as legitimate and would have been better communicated to the crowd. The event Silver reflected on the need to 'professionalise the stewarding of processions' as a point of learning from the day. Secondly, it was clear that PLTs were in active discussions with potential mediators very late in proceedings. More proactive use of such mediators could have improved communication with the YCL and the wider demonstration from a much earlier stage. This relates to the third point pertaining to communication. Whilst PLTs approached the YCL early in proceedings, once the group were surrounded in the Park they ceased to engage. More could have been done on the march to try and communicate with the group, but

also with those around them to explain what was happening and why, which may have minimised the outcry when they were removed from the procession. When the PLTs did eventually come in to play – both to liaise with the YCL and urge other protestors to keep marching – they lacked the detailed information and/or clear messaging demanded by those on the march, suggesting continued marginalisation from decision making (cf. Gorrington and Rosie 2013). Responding, as they did to one enquiry as to why the YCL were arrested, that ‘the police have their reasons’ is not calculated to establish trust or satisfy activist concerns.

Police Scotland *did* put out a tweet to explain why the march was being held up, but those in the immediate vicinity were too busy shouting at the police to check social media. Reicher *et al.* (2004, p. 568) called for LED screen and loud-hailers as means of communicating, but two decades on from their article, these were not deployed. Reicher *et al.*'s (2007) article stressed the need to differentiate above all else, and the policing of the big march did this. Despite calls for solidarity protests, therefore, our observations and interviews suggest that most marchers did not identify with the YCL. One Mutual Aid officer pointed out that: ‘the other 70,000 people weren’t in a containment because they were reasonable and they weren’t trying to break the law’. Whilst issues were contained on the day, however, we have pointed to a ripple effect of stories delegitimising police actions. Given that global protest ‘is mediated through locally specific police–protestor relations’ (Gorrington and Rosie 2008, p. 698), the repercussions of such narratives may be felt in public-order policing for some time to come. Given this, and the confusion surrounding the initial containment, we would place an accent on communication. Early and sustained efforts to communicate with the group and the wider march may have averted the need to contain the YCL, and would certainly have offered other marchers a clearer sense of why the police were taking the actions they were. As such, we would echo Hoggett and West’s (2020, p. 960) conclusion that the capabilities for communication and dialogue need to be further developed to better enable human-rights compliant, facilitative policing.

Notes

1. Information about COP26 from Police Scotland – Police Scotland Accessed 23/09/2022.
2. Protests during COP26 – Police Scotland Accessed 23/09/2022.
3. COP26: Thousands march for Glasgow’s biggest protest – BBC News Accessed 23/09/2022.
4. COP26: Thousands march for Glasgow’s biggest protest – BBC News Accessed 23/09/2022.
5. <https://twitter.com/PoliceScotland/status/1457023808599101445> Accessed 23/09/2022.
6. See the Act here: <https://www.legislation.gov.uk/ukpga/1998/42/schedule/1/part/1/chapter/10> (Accessed 17 November 2022).
7. Edition 3, paragraph 22: [https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD\(2019\)017rev-e](https://www.venice.coe.int/webforms/documents/?pdf=CDL-AD(2019)017rev-e) (Accessed 17 November 2022).
8. This campaign – ‘Don’t Talk to Them – built on Netpol investigations into liaison police: Police Liaison Officers – Netpol (Accessed 31/01/2024) and saw activists advising people not to engage with PLTs.
9. For an informed discussion of flares and the law see: <https://thefsa.org.uk/news/flare-play-pyro-and-the-law/> (Accessed 09/03/2023).
10. It is possible that Netpol do not count the flares used on the march (technically) as pyrotechnics.
11. See the full letter here: <https://greens.scot/sites/default/files/RG%20MC%20COP26%20Letter%20to%20Police%20Scotland%202021.11.09.pdf> (Accessed 29/11/2022).

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