

OPERATION ENCOMPASS

AN EFFORT TO ADDRESS ENVIRONMENTAL PROTEST

STAFFORDSHIRE POLICE, ENGLAND, 2000

SUMMARY:

Over the past decade, the emergence of the 'environmental protest' movement has created significant policing challenges for any force unfortunate enough to play 'host' to a major road construction project. Once constructed, the Birmingham Northern Relief Road (BNRR) will be the United Kingdom's first 'tollled motorway'. The scheme is hugely controversial because its environmental impact on 27 miles of open countryside to the north and east of the West Midlands conurbation. As such, it has become the latest major campaign for the protest movement, colloquially known as the 'eco-warriors'.

For many forces, policing protest has resulted in massive disruption to core policing services, crippling financial costs and significant potential for civil litigation and loss of community support. Policing costs are dwarfed by the costs incurred by the construction industry and our public sector 'partners'. As the tactics employed by environmental protesters have become more sophisticated, so have they become more dangerous. The construction of complex networks of underground tunnels and the fortification of derelict buildings means inevitably that it is only a matter of time before someone dies on a protest site. From its early beginnings, environmental protest has evolved from a public order issue to one of public safety. It was recognised from the outset that a multi-agency approach was essential and a joint planning team was established by the three forces involved. The planning team identified and developed relationships with all stakeholders who were likely to impact on the management of the situation including local resident and protester groups. Dedicated liaison officers were appointed and used to excellent effect.

A systematic, intelligence lead, target-hardening strategy was developed and a 'menu' of 'offender' and 'victim' based policing options was created. In an effort to reduce potential tension, it was agreed with protesters that officers would visit their 'camps' as part of their public order training programme. This had the effect for both groups, of 'humanising' people who had traditionally been viewed as distant foes. The pay off for this type of approach has been that during two years of operations, no officer has been assaulted and no complaints against police officers have been recorded.

Our response was measured in terms of the minimization of unlawful activity and the safety of all the stakeholders involved, including protestors. The adoption of a 'problem solving' approach produced stark comparisons with earlier, similar operations. There was no loss of life or serious injury, a 100% conviction rate, no civil litigation and massive and unprecedented cost saving for the police service and our 'public sector' partners.

SCANNING

Staffordshire Police is one of three Midlands police forces involved in a joint initiative to manage the policing implications of the UK Government's decision to approve the construction of the Birmingham Northern Relief Road (BNRR).

The BNRR is a proposed new motorway scheme designed to relieve congestion on the existing national motorway network where it passes through the West Midlands conurbation. If constructed, the BNRR will be the United Kingdom's first tolled motorway. For that reason alone, the scheme is contentious. However, the road will pass through 27 miles of largely open countryside and its construction will damage to the local environment. In keeping with current social trends, the decision to construct the road has attracted considerable opposition from local communities and members of the dedicated environmental protest movement. Despite the fact that construction has not yet commenced, the BNRR has become the latest major campaign for the environmental protest movement in the United Kingdom.

Over the past two years a series of trespassory protest camps has been constructed along the route of the proposed road. The stated objective of the protesters is to prevent the construction of the new road by causing as much delay as possible and escalating the costs of construction to unsustainable levels.

To date, the protesters have concentrated their efforts on the occupation of derelict buildings and the construction of underground tunnels and other dangerous fortifications. In doing so, they have deliberately put their own lives and the lives of others at risk.

Although the protest against the BNRR has largely been non-violent, the protesters unlawful actions have caused a significant amount of disruption to the local community. Policing costs have so far amounted to over £1 million and by the time the road is completed,

it is estimated that those costs might well escalate to £15 million. However, policing costs are minimal when compared with the overall costs to society. One recent eviction operation resulted in a cost to the public purse of almost £3 million.

A dedicated team has been established to plan and implement the policing response protest campaign. The policing initiative is entitled 'Operation Encompass'.

Intelligence gathered in the course of policing the BNRR suggests that the protest movement has a significant international dimension. There is clear evidence pointing towards a regular exchange of people, information, ideas and practical skills between protest movements from different countries across Europe and beyond.

In the past twelve months, foreign nationals from the Netherlands, Belgium, Germany, Spain, Sweden, Israel, the Irish Republic and the United States of America have visited BNRR protest camps for varying periods of time. Foreign nationals have fully participated in the construction of tunnels and tree houses and a number have been arrested for obstructing the Under Sheriff during the execution of a High Court writ of possession. It is known that protesters normally resident in BNRR camps have visited protest sites in the Netherlands and the Irish Republic.

The Green Wood camp was reported as being a 'European Centre of Excellence' for tree house and tunnel construction. Foreign visitors openly admitted that the purpose of their visit to the UK was to learn new skills to take back to protest camps in their own countries. Intelligence sources suggested the continental protesters were interested in the subtleties of the UK style of protesters whilst the UK protesters were keen to learn about the more overt tactics of protesters from countries like Germany and the Netherlands.

ANALYSIS

None of the forces involved had previous experience of this type of Policing operation. It was clear from the experience of other forces that there would inevitably be significant implications in terms of financial costs, disruption to core policing activities and potential damage to police public relations in those local communities most affected.

In order to evaluate the potential disruption a partnership commitment was made at Chief Officer level and a joint planning team was established led by a Staffordshire Superintendent.

In light of a detailed stakeholder analysis, officers contacted all identified stakeholders and drew up a list of key success factors and a strategic risk assessment. The following areas were identified as the priority issues to be addressed:

Health and Safety

"One day soon, someone, either a protester, a contractor or a member of the emergency services will die as a direct result of the activities of anti-roads protesters!"

This comment from a leading mines rescue expert, summed up the most significant risk to our operations. Protesters were becoming increasingly reckless in their activities, deliberately creating unsupported tunnels and other fortifications as a means of prolonging their occupation of land against an Under Sheriff's eviction.

Police Culture

Our officers were not familiar with the tactics of the protest groups or the complex legislation involved. It was clear from the outset that the operation had significant training implications for the forces. As part of the strategic agreement between the three forces, West Midlands Police took the responsibility for developing a package of tactics and training

which could be delivered consistently across the three forces.

The development of a mutual understanding between police officers and protesters was key to the success of the operation. There was a general misconception from officers about the protesters and their motives whilst protesters often referred to had negative experiences of their dealings with Police officers at previous demonstrations.

Agreements were drawn up with the protesters to participate in both command level and tactical public order training programmes which were a pre-requisite for involvement in Operation Encompass operations. Officers visited the protester camps and time was allocated for officers to talk with protesters about the issues involved. This had a dramatic effect on both parties and each talked of a greater understanding of the others position.

Cost Implications

The cost implications of policing a protest on this scale are staggering, both for Police forces and for many of the stakeholders involved, particularly for the constructors, the Highways Authorities and other landowners. Other forces had attempted to cost similar operations but found that the unpredictable nature of events made this difficult. Some forces had suffered massive litigation costs which many years after the protest ended had significantly raised the overall cost to the force.

An 'Activity Based Costing' model was created with technical support from the Home Office. This enabled the team to apply a range of potential scenarios and forecast the cost implications of different options. This had a dual advantage, in creating realistic financial forecasts but also giving operational commanders a clearer understanding of potential solutions and their varying financial implications.

In the current climate of fiscal restraint and with forces working towards the implementation of the Crime and Disorder

legislation it became clear that Staffordshire and Warwickshire in particular would not be able to sustain costs at that level without a significant detrimental impact on the day to day policing of our communities. It was quickly realised that delivering operational effectiveness whilst keeping costs to a minimum would be an essential strand of our strategy.

Protester Activities

It was clear that the protesters were well motivated, resourceful and knowledgeable. A strategic intelligence assessment suggested that the protesters tactics were likely to include:

The Exploitation of

- Legal Loopholes and Complex Legislation
- Duty of Care of Agencies Involved
- Health and Safety Legislation
- Organisational Bureaucracy
- Political Sensitivities
- Media Appetite Misguided Local- Support
- Apathy of Landowners

Calculated Creation of

- Uncertainty
- Division

A main thrust of our strategy was to deliver an intelligence led response. Whilst we could not afford overstaffing, equally we could not risk being caught with insufficient resources to deal with any incidents. For this reason we had to try to plan our strategies based on accurate intelligence. A Joint Intelligence team was established to gather, collate and develop intelligence to enable commander's to make operational decisions in real time.

Objectives

The Objectives of the operation were defined as:

- The protection of life and property;
- Maintenance of public order;
- Support role and operations of the Under Sheriff;
- Maintain an impartial stance so as to facilitate the right of individuals to demonstrate peacefully, within the law, whilst allowing the Highways Agency and contractor(s) to carry out their lawful activities.

In addition to setting out our objectives we made clear what was not part of our objectives and we circulated to all stakeholders and included in officer training:

- To ensure that the BNRR was built;
- To defeat the protesters;
- To go down tunnels or climb trees;
- To act as security guards or Bailiffs;
- To enforce the will of the Highways Agency or contractors.

RESPONSE

When the SARA model was first applied to Operation Encompass the Problem Analysis Triangle (Victim - Offender - Location) was used as a means of identifying tactical options to minimise the impact of unlawful protester behaviour. Whilst this proved relevant to many of the situations we encountered, it became necessary to supplement it with a variation which reflected the unique nature of the protester camp scenario.

The PAT model was not always relevant because some environmental protesters are not 'offenders' in the normal sense of the term. Indeed many are well motivated, peaceful individuals exercising their right to protest within the law. Others are minors who had naively allowed themselves to be placed in life threatening situations by older and more experienced protesters. Thus some protesters, through their well intentioned but misguided support had more in common with victims than offenders.

In order to retain the principles of the PAT but adapt it to the specifics of Operation Encompass we created the 'Holy Trinity' of Protest i.e. Cause, Protester, and Location. As the Operation developed, it became clear that if we tackled and neutralising any one of the three elements, the impact of unlawful protester behaviour would be negated and our problem would effectively be resolved our problem.

At the most simple level, if the trees were removed from the route of the road before protesters had chance to occupy them there would be no camps. If security guards occupied derelict buildings, there would be no occupation. If key protest organisers were arrested for criminal offences, charged and bailed away from the area then they could not continue to participate in the illegal activity associated with the protest.

Victim

One of the major blockages to a proactive problem solving approach to the problem was the apathy and indifference of some landowners and other agencies involved in managing the problem. The decision to build the road is an emotive subject and widespread local support emerged for the protesters and their tactics. As a result, many of the larger businesses and some of the statutory agencies involved were reluctant to become involved. Smaller businesses and individual landowners were fearful of reprisals aimed at them and their families.

In order to maintain an efficient and harmonious relationship between local residents, the Police and the protesters, a Police Liaison officer was allocated. The Liaison Officer made every attempt to be known to the community attending meetings and systematically visited those who have a stakeholder interest. This role was vital in providing information and intelligence to the Joint Intelligence Unit.

A systematic approach was adopted to ensure that all landowners were conscious of the need to protect their property and to take steps to secure land against occupation. The consequences of becoming the host to the next protest camp were identified through an information package supplied to all landowners. Initial scanning identified that many were ignorant of the dangers and potential cost of a breach of their land and we offered training and guidance, pointing out their Health and Safety obligations, potential cost of civil litigation and potential to be subject to other crimes such as theft and criminal damage in surrounding properties.

The effect of the relationship formed with the landowners meant that we were able to identify the potential hazards early in the operation and forecast the implications using the Activity Based Costing Model.

We established and widely publicised 'Route-Watch' scheme, which encouraged people to provide early information about movement and preparatory protester activity.

Offender

The Joint Intelligence Unit was appointed at an early stage of the operation and was tasked with obtaining intelligence about those protesters who were likely to commit offences or endanger life. They obtained information from many and varied sources and were able to predict unlawful activities enabling a measured operational response to be developed.

The training link with the protesters was supplemented by the appointment of a Protester

Liaison officer who visited the site daily and formed a solid working relationship with the core protesters. This was a vital role particularly as the fortifications and tunnelling progressed. The liaison officer took a role similar to that of a siege negotiator. He was deliberately kept at arms length from the planning team and was able to build a level of trust with the protesters without compromising operations.

This level of trust built so well that protesters would freely offer information about their intentions and target locations.

Based on our rigorous scanning progress, particularly of previous activity and local architectural and geological studies we feared that the protest might ultimately lead to the death of a protester or rescuer. We adopted a pro-active investigation from the outset and an investigation team was recruited. Their task was to collate evidence in advance of any serious incident. This was done using traditional investigative techniques but also included the use of accountability warnings issued to key organisers of the protesters.

A system of written and verbal warnings was delivered to protesters pointing out the evidence of their involvement in the organisation of the dangerous situations and including expert evidence provided by tunnelling and geological studies. This made clear the dangers and also put pressure on the protesters to encourage the movement of activity away from the locations of danger.

Locations

Land-clearance was seen as the primary opportunity to minimise future land occupation and thereby minimise the opportunity for criminality, avoid the dangers of tunnels and fortifications and the cost of evictions. For this reason the planning team focused much of their effort on scanning the route, assessing risk and identifying vulnerable sites along the route. In partnership with landowners and the Highways Agency a strategy for the systematic clearance of land and buildings was adopted.

Examples of the benefits of this pro-active strategy was seen at Milestone Plantations where the Highways Agency financed land clearance of a wood which was not owned by themselves but was due to be purchased in the future. This was done when intelligence suggested that the site was to be a new target for protest. The different options were assessed using the Scenario Based Costing Model which established that the initial investment in an early pre-emptive would produce long term benefits in terms of cost and public safety.

This 'joined up' approach negated the initial reluctance of landowners reluctance to pay for target-hardening measures on land which was due to be compulsorily purchased.

A regular route walk and air support overview was completed to systematically check for signs of new protester activity in order that early intervention may be considered.

Any location, highlighted as a potential protest camp was surveyed. The surveys included advice from specialists in target-hardening and structural engineers. Advice and support was given to landowners about issues raised in the survey. The structural surveys would enable rescuers and enforcers to plan activities if any breaches were made.

The value of undertaking this initial risk assessment process was demonstrated on a number of occasions. The availability of detailed site information and the prior liaison with landowners enabled sites to be recovered by proactive police intervention within hours of being occupied by protesters. Comparison of the policing costs of a reactive operation to police the Under Sheriffs eviction of Moneymore Cottages (£296,000) and the cost of a proactive police operation to recover a newly occupied site at Shenstone Hall Farm (£4,861) demonstrate the financial benefits of adopting an intelligence lead, problem solving approach.

What is harder to evaluate is the extent to which the police and Highways Agency pro-activity has removed the potential for a

protester or some other person to be killed or seriously during an opposed eviction.

ASSESSMENT

The team established working practices which encouraged the continuous assessment of our activities. A structured de-brief was held after every operation and key players meetings fed issues back to the planning team. Each phase of the operation was evaluated and lessons learned were drawn into future planning.

The feedback included that received from residents, stakeholders and protester through their liaison officers.

One of the most valuable means of assessing the impact of the police operation was through intelligence sources which provided regular feedback outlining the extent to which different police tactics were successful in disrupting or preventing unlawful activity. This intelligence was vital in determining the nature and scale and consequently the cost of future operations.

Regular debriefs were held with other agencies including key partners like the Highways Agency and the contractors. Media output and local opinion was monitored and evaluated through a joint working relationship with the Central Office of Information who engaged the services of a transport correspondent from a local television company to provide independent evaluation of the joint media and public relations strategy

The most significant review of strategy came after the Under Sheriff's eviction of Moneymore Cottages which lasted for 14 days at a cost to the tax payer of over £3.5 million. During the eviction process it was established that there were three defined 'near death' situations where a total of twenty people were directly in danger caused by unsafe constructions and lack of oxygen into tunnels.

Following the experience of Moneymore Cottages on the grounds of public safety and minimising costs a proactive intervention

strategy was developed based on the intelligence and the results of the initial scanning and risk assessments.

In conjunction with the Highways Agency and other partners, an intervention protocol was drawn up. This was based on early warning, immediate intervention by the police and an immediate and comprehensive response from the Highways Agency to secure the site and remove the feature (e.g. the land or buildings) which provided the focal point for protest.

The success of this approach is highlighted in the cost comparison charts, which show there to have been a significant reduction in cost and a complete reduction in the 'near death' situations.

A strict system of financial control was implemented and the Scenario Based Costing Model was used to ensure that costs were retained within the tight budgetary allocations set.

Public Opinion

An analysis of public opinion has also been carried out throughout the Operation, early media coverage was very 'protester friendly' and the early coverage of the eviction process was critical of 'heavy handed' policing. We developed our media strategy and focused on the safety issues.

Evaluation of our strategy was carried out, both in terms of media coverage and subsequent letters from the public. This approach was supplemented by attendance and feedback from Consultative

Committees and residents forum. We found that the perceptions had changed markedly, clearly some were directly interested in the cause or the road location but many understood why the Police and partners had to act and realised the potential danger of the activities.

Other Outcomes

One of the broader benefits of Operation Encompass has been the extent to which our experiences and the use of an intelligence lead problem solving approach has influenced strategic thinking at a national level.

The force has been invited by National Police Training to play a significant role in delivering the 'Strategic Approaches to Policing Protest' at the Police Staff College, Bramshill, a course which was initially developed by NPT as a pilot scheme for senior officers involved in Operation Encompass.

The 'Operation Encompass' model has also been delivered in training courses and seminars to other forces and police agencies throughout Europe. With the aid of an EC grant a Staffordshire Police officer has undertaken detailed research into the nature and extent of the European dimension to the protest movement. This work has resulted in a series of seminars attended by public order specialists from all over the EC the purpose of which is to develop a framework for the sharing of information and good practice across national boundaries. The research has been undertaken with the support of the Criminology Department of a local University who have provided an academic framework and will ultimately award a Masters Degree to the officer concerned.

The initial scanning and assessment stages of our operation has highlighted the need for legislative change to provide a more effective balance between the rights of landowners and the rights of individuals to participate in lawful and peaceful protest.

Representations have been made presentations to various bodies including the Association of Chief Police Officers, the Home Office and the Department for Trade and Industry. We have also canvassed support from local Members of Parliament. Our proposals have received widespread support and the matters are currently under consideration at the Home Office.

Additional Comment

To our knowledge this is the first time that a strategic problem solving approach has been applied to a public order problem on such a significant scale. Although construction of the BNRR has not yet commenced and some potential for protest still remains, there are currently no protest camps on the route and the police and highways agency are well placed to prevent further occupations. Policing costs, originally feared to be in the region of £15 million currently stand at less than £2 million.

The majority of the focal points for protest have by now either been removed or are subject of a robust security regime. The capacity of the protest movement to engage in unlawful activity has been significantly curtailed. As such the potential for further occupations is restricted.

The 'Operation Encompass' model, based as it is on problem solving principles, has received national acclaim and has done much to promote the benefits of adopting the problem solving philosophy to operational policing situations.

FOR MORE INFORMATION

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