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# A Very British Problem



The Evolution of Britain's Militarised Policing Industrial Complex

## Acknowledgements

Numerous people shared their knowledge and expertise and helped with the development of this report. Thank you to Siana Bangura, Sam Perlo-Freeman, Kat Hobbs, Emma Cockburn, Katie Fallon, and the rest of the Campaign Against Arms Trade (CAAT) team, who offered invaluable guidance and feedback, Gay Richards for proofreading, and Chris Woodward for design. Thank you also to the team at the Network for Police Monitoring (Netpol), including Emily Apple, Rachel Currie, and Kevin Blowe. Conversations with Ilia Siatitsa of Privacy International, Donal O'Driscoll of the Undercover Research Group, writer and journalist Maryam Jameela, and Phevos Simeonidis of the Border Violence Monitoring Network were also invaluable.

## About the author

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## Netpol

Netpol is a coalition of campaigners, legal support groups, lawyers and academics concerned primarily with monitoring excessive, intimidating or violent policing in Britain. Our focus is on the impact of legislation, police practice and operational decision-making on the freedom to participate in protests and on the policing of marginalised communities. We work overwhelmingly with campaigning organisations and minority community groups.

## CAAT

Campaign Against Arms Trade (CAAT) is a UK-based organisation working to end the international arms trade.

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# Executive Summary

## Abstract

Despite widespread myths that the British police are unarmed and govern through consent, paramilitary-style policing has a long and ugly history in the UK and across the British Empire. This report looks at the increasingly blurry line between the police and military and the role of the UK in militarised policing globally. Challenging the idea that war and policing are fundamentally different powers, it examines the evolution of Britain's policing industrial complex. It shows how a war mentality has infiltrated policing at various levels – from counter-terrorism to anti-protest policing to border control to the policing of gangs.

## Key areas of concern

### Surveillance

Policing bodies have been equipped with powerful new surveillance technologies that vastly tip power in favour of the state. In many cases, these tools are aimed at 'preemptive policing', an approach that often justifies the indiscriminate use of technology and expanded surveillance in the name of crime prevention. From phone extraction tools to live facial recognition technology and mobile fingerprint scanners, police agencies are rolling out invasive surveillance technologies in the absence of sufficient legislative or Parliamentary oversight. In many cases, these surveillance technologies amplify racist, sexist, and classist police practices.

### Paramilitary policing of protests

In recent years, the right to protest has been eroded and British police forces have been empowered to use excessive force against demonstrators. In some ways, this is nothing new. Paramilitary-style policing was the norm across Britain's vast colonial empire. In the 1980s, the police cracked down on strikes and urban rebellions

throughout the country. Now, with the rise of mass protest movements like BLM (Black Lives Matter) and Extinction Rebellion (XR), the police have renewed these tactics, empowered by recent legislation such as the Policing, Crime, Sentencing and Courts Act 2022 (PCSC). Black activists have been disproportionately subject to excessive police force, as evidenced by recent BLM protests.

## Border control and counterterrorism

Hyper-militarisation is especially pronounced in the realm of counterterrorism and border control, both of which have been heavily funded since the 9/11 and 7/7 attacks. Armed counterterrorism units, immigration enforcement officers, and the UK Border Force draw directly from the military handbook. Counterterrorist efforts have also led to the greater weaponisation of the British police and the adoption of more aggressive, paramilitary tactics. In addition, police officers are increasingly acting like border guards, working with the Home Office to carry out immigration control.

## The private tech sector

Tech companies increasingly see the police as a new market for their goods. National, international, and multinational tech companies have won a number of lucrative contracts with British policing authorities in recent years. This includes the Israeli digital forensics firm Cellebrite, Japanese tech giant NEC, and the controversial US software company Palantir. Under policies of austerity and privatisation, police forces have been encouraged to turn to private companies, ostensibly to cut costs.

## Britain's global role in militarised policing

Britain is entangled in global policing networks, playing an outsize role in shaping policing trends worldwide. It exercises its influence by training foreign police and security forces, especially in the area of border control. The UK is also a key node within the international weapons trade. Britain is the second biggest arms exporter in the world, the fourth largest exporter of security technology, and a major supplier of other police equipment, including anti-protest gear and telecommunications interception technology.

## Over-policing

Since the 1990s, a succession of Labour, coalition, and Conservative governments have extended the powers of the police. Two ways that this has manifested itself are in the increased use of stop-and-search and the growing use of tasers – both of which are disproportionately used against Black communities. Ruling parties and police agencies alike have helped to construct an ever-changing set of internal enemies, who have been variously defined as ‘anti-social’ youth, ‘gangs’, ‘illegal immigrants’, ‘terrorists’, and, more recently, ‘aggravated activists’.

# Introduction

In the early hours of the morning on 11 June 2022, a small handful of activists blocked an immigration van on an estate in Peckham in the south of London. Inside and obscured by the tinted windows, a young man sat handcuffed, having been forced from his home by immigration enforcement officers. As the day wore on, word spread over social media and more and more people arrived to join the demonstration against the immigration raid. Blocked by a growing wall of people chanting ‘Let him go’, the van was unable to move. After many hours and despite clashing with police officers, protesters ultimately won and the detained man was released in the late afternoon. This successful community action came in the wake of similar wins in Edinburgh and Glasgow.<sup>1</sup>

I was one of dozens of local residents who arrived at the immigration raid to help block the van. At the time, I was also in the midst of writing this report on British police militarisation. Witnessing what unfolded that day made visceral the very phenomenon I was writing about. When dozens of officers from the Met Police’s Territorial Support Group (TSG) arrived to support the immigration enforcement officers, they turned violent what had been a peaceful demonstration. Trying to force their way through the crowd, TSG officers punched protesters and stomped on activists laying on the ground. Public dissent to a violent deportation raid was met with yet more violence.

## The intertwining of police and military

What Peckham residents experienced that day is an example of what many scholars, activists, and campaigners consider to be the growing militarisation of the British police. In the UK and in countries across the world, the line between the police and military has become increasingly blurred in recent decades. ‘Many countries have what are effectively military units within the police, and others have the armed forces carrying out police roles’, notes Campaign Against Arms Trade (CAAT).<sup>2</sup>

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1 Lewisham Anti-Raids, ‘We resisted an immigration raid in Peckham – and you can too’, *Dazed*, 14 June 2022, <https://www.dazeddigital.com/politics/article/56313/1/how-we-resisted-an-immigration-raid-in-peckham-guide-protest>. The community action was derided in *The Daily Mail*, which referred to it as a Marxist-led mob: Paul Bracchi, ‘So much for the rule of law! How a mob organised by a Marxist primary school teacher, a council legal officer and a TUC staffer successfully stopped police taking away a migrant suspected of overstaying’, *The Daily Mail* (Mail Online), 13 June 2022, <https://www.dailymail.co.uk/news/article-10913065/Immigration-raid-mob-organised-Marxist-teacher-council-legal-officer-TUC-staffer.html>.

2 ‘Policing’, Campaign Against Arms Trade (CAAT), 16 May 2021, <https://caat.org.uk/challenges/policing>.



In the UK, it is more and more common to see police officers armed with tasers and kitted out in kevlar, stab vests, and high-tech gear.<sup>3</sup> In recent years, both politicians and police authorities have called for more officers to be armed.<sup>4</sup> And at British arms fairs, military-grade weaponry is being marketed to police and security agencies, both at home and abroad.<sup>5</sup>

There is little doubt that such trends have accelerated since 9/11, which saw the rise of the heavily armed ‘warrior cop’ in countries like the US.<sup>6</sup> Yet militarised policing is nothing new. As scholar Mark Neocleous argues, we should not be fooled into thinking that ‘policing is *becoming* militarised, suggesting a break with a past in which police and military powers were more clearly defined and categorically distinct’.<sup>7</sup> In fact, a brief look at the history of British policing shows that the links between the military and police are longstanding.

## British policing and colonial afterlives

The history of British policing spans the globe. Paramilitary-style policing was the norm across Britain’s vast colonial empire, where there was little distinction between the army and the police. The West African Frontier Force, for example, which operated across Nigeria, Sierra Leone, Ghana, and the Gambia, was formed from a merger of police forces and colonial armies.<sup>8</sup> In the waning years of empire, the British government sent in troops to violently quell uprisings in colonies like Kenya and Malaya. In Kenya, hundreds of thousands of African colonial subjects were rounded up and forced into detention camps.<sup>9</sup> There was little pretence that colonial subjects would be governed through supposedly democratic, consent-based models of policing.

In many ways, colonial models of policing came home to roost in mainland Britain. As scholars Georgina Sinclair and Chris Williams argue, the ‘cross-fertilisation’ between “colonial” and “British” policing...impacted upon the policing of both the metropole and the Empire from the colonial through to the postcolonial era’.<sup>10</sup> Irish colonial policing culture, for example, deeply influenced the nature of domestic policing in Great Britain. When it was established in 1829, the new Metropolitan Police Force was meant to provide an alternative to paramilitary policing through an ostensible commitment to ‘policing by consent’. Yet its founder Robert Peel, who

3 Paul Mason, ‘In a new age of authoritarianism, we need to question the militarisation of the police’, *New Statesman*, 16 Oct 2019, <https://www.newstatesman.com/uncategorized/2019/10/new-age-authoritarianism-we-need-question-militarisation-police>.

4 ‘Met police chief calls for more armed officers after Paris attacks’, *The Guardian*, 17 Nov 2015, <https://www.theguardian.com/uk-news/2015/nov/17/metropolitan-police-armed-officers-paris-attacks-sir-bernard-hogan-howe>.

5 ‘Equipment, training and tactics’, War Resisters’ International, <https://wri-irg.org/en/pm-themes/equipment-training-and-tactics?page=2>.

6 Tonya Mosley and Serena McMahon, ‘Militarization of Police “Ramped Up” After 9/11, “Rise of the Warrior Cop” Author Says’, *Wbur*, 9 Sept 2021, <https://www.wbur.org/hereandnow/2021/09/09/post-9-11-policing>.

7 Mark Neocleous, *A Critical Theory of Police Power: The Fabrication of the Social Order* (Verso Books, 2021), 3.

8 Emma Bell, ‘Normalising the exceptional: British colonial policing cultures come home’, *Mémoire(s), identité(s), marginalité(s) dans le monde occidental contemporain*, *Cahiers du MIMMOC* 10 (2013), <https://doi.org/10.4000/mimmoc.1286>.

9 David M. Anderson and David Killingray, eds, *Policing and Decolonisation: Nationalism, Politics, and the Police, 1917-65* (Manchester University Press, 1992); and Tabitha Kanogo, *Squatters and the Roots of Mau Mau, 1905-63* (East African Publishers, 1987).

10 Georgina Sinclair and Chris A. Williams, “Home and away”: The cross-fertilisation between “colonial” and “British” policing, 1921–85’, *Journal of Imperial and Commonwealth History* 35, no. 2 (2007): 222.

had been Chief Secretary for Ireland from 1812-1818, drew inspiration from the Royal Irish Constabulary.<sup>11</sup> Throughout the twentieth century, colonial practices shaped the domestic policing of Black and working-class communities who – much like colonial subjects – were often perceived to be inherently criminal, subversive elements. Sociologist Paddy Hillyard argues that Northern Ireland became a testing ground for techniques later used to suppress the miners' strike of 1984-5.<sup>12</sup>

The militarisation of British policing was especially stark in the 1980s. Determined to break the unions, Prime Minister Margaret Thatcher granted the police enormous discretion to suppress mass protests and urban uprisings – from the 1981 Brixton uprising to the 1986 Wapping Dispute to the Poll Tax uprising of 1990. By the time Thatcher came to power, police forces across the country had also developed paramilitary Police Support Units to deal with 'public order' issues.<sup>13</sup> After the Brixton uprising, which was a reaction to years of racist police practices, the Association of Chief Police Officers (ACPO) developed a secret police manual, greenlit by the Home Office. As Matt Foot and Morag Livingstone detail in a recently published book, this manual justified paramilitary tactics, including the use of batons, horse charges, and kettling – laying the groundwork for today's anti-protest policing.<sup>14</sup>

The rise of New Labour did little to reverse these trends in police overreach. Proudly declaring Labour the party of 'law and order', the government under Tony Blair created a new criminal offence for almost every day spent in office.<sup>15</sup> Blair's enthusiasm for the use of force at home was met by a commitment to militarisation abroad. Beating the war drum, he helped to lead Britain into the wars in Iraq and Afghanistan.<sup>16</sup>

As this brief and troubling history suggests, the British police and military have always been intimately linked, perhaps most evidently in colonial settings. These longstanding interconnections suggest that the police cannot simply be 'demilitarised'. Adopting such reformist thinking overlooks the experiences of Black, Muslim, and working class people in the UK, who have always experienced disproportionate police violence. The idea that war and policing are fundamentally different powers is a fiction – one that has helped normalise the presence of the police in our daily lives.

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- 11 Aogan Mulcahy, 'The "Other" Lessons from Ireland? Policing, Political Violence and Policy Transfer', *European Journal of Criminology* 2, no. 2 (2005): 185-209; and Mike Brodgen, 'The Emergence of the Police – The Colonial Dimension', *British Journal of Criminology* 27, no. 1 (1987): 4-14; Hardeep Matharu and Peter Jukes, 'From George Orwell to Priti Patel: How Britain Brought its Colonial Policing Home', *Byline*, 29 June 2021, <https://bylinetimes.com/2021/06/29/bad-apples-or-a-rotten-tree-how-britain-brought-its-colonial-policing-home>.
- 12 Paddy Hillyard, 'Lessons from Ireland', in *Policing the Miners' Strike*, eds. Bob Fine and Robert Millar (London: Lawrence and Wishart, 1987), 177-187; Paddy Hillyard and Janie Percy-Smith, *The Coercive State* (London: Fontana, 1988); and Paddy Hillyard, *Suspect Community: People's Experience of the Prevention of Terrorism Acts in Britain* (London: Pluto Press, 1993).
- 13 Robert Reiner, *The Politics of the Police* (Oxford University Press, 2000); and Bell, 'Normalising the exceptional'.
- 14 Matt Foot and Morag Livingstone, *Charged: How the Police Try to Suppress Protest* (Verso Books, 2022).
- 15 Nigel Morris, 'Blair's "frenzied law making": A new offence for every day spent in office', *The Independent*, 15 Aug 2006, <https://www.independent.co.uk/news/uk/politics/blair-s-frenzied-law-making-a-new-offence-for-every-day-spent-in-office-412072.html>.
- 16 'Tony Blair says world is better as a result of Iraq War', *BBC News*, 7 July 2016, <https://www.bbc.co.uk/news/uk-politics-36733979>.



# Police militarisation today

Militarised policing has a long and ugly history in Britain and across the British Empire. Yet since the turn of the twenty-first century, British forces have become increasingly *hyper-militarised*, kitted out in gear and high-tech equipment typically seen only in war zones. This has made the links between the military and police ever more visible and palpable.<sup>17</sup> Geopolitical shifts – which have led to a climate of fear around Muslim and ‘foreign’ elements in the country and an anti-democratic crackdown on the right to protest – have contributed to the expansion of policing powers in recent years. More and more policing agencies are also equipped with military-grade equipment thanks to arms, security, and tech companies, which see the police as a new market for their goods. Ironically, these trends have occurred amidst years of funding and staff cuts to territorial police forces across the country.<sup>18</sup> These funding cuts have, among other things, contributed to a collapse in rape prosecutions.<sup>19</sup>

Nowhere is hyper-militarisation more evident than in the realm of counterterrorism and border control. Increased funding to combat terrorism and irregular migration, particularly in the wake of the 9/11 and 7/7 attacks, has further blurred the line between the military and the police. Military-grade drones now patrol the English Channel and elements of the UK Border Force have been effectively put ‘under military command’.<sup>20</sup> Counter-terrorist efforts have led to the increased weaponisation of the UK police and the adoption of more aggressive, paramilitary tactics.<sup>21</sup> This report touches on some of the many ways that border control and anti-terrorist efforts have reshaped British policing.

Another notable change is the role of tech companies in amplifying police power. National, international, and multinational tech companies have won a number of lucrative contracts with British policing authorities in recent years. The Israeli digital forensics firm Cellebrite, for example, provides phone and data extraction tools to the Home Office and territorial police forces, which enable officers to download and analyse the contents of seized phones and other devices.<sup>22</sup> Several police forces have begun using controversial facial recognition tools provided by the Japanese company NEC. In 2017, the Met Police tested out NEC’s live facial recognition software at the Notting Hill Carnival, a popular Afro-Caribbean festival in London. Officers scanned thousands of revellers, cross-checking them against biometric databases and watchlists, in a trial deemed ‘racial profiling’ by anti-racist activists.<sup>23</sup>

17 Andrew Metheven, ‘Militarism and the police: How our streets became battlefields’, Transnational Institute (TNI), 16 May 2021, <https://www.tni.org/en/article/militarism-and-the-police>.

18 ‘Cut crime not police’, Unison, <https://www.unison.org.uk/at-work/police-and-justice-staff/key-issues/cut-crime-not-police>.

19 ‘Why do so few rape cases go to court?’ *BBC News*, 27 May 2022; <https://www.bbc.co.uk/news/uk-48095118>. See also: Adam Elliott-Cooper, ‘The Anti-Imperialist: Over-policed as citizens, under-policed as victims’, *Ceasefire*, 21 Nov 2010; <https://ceasefiremagazine.co.uk/anti-imperialist-1>.

20 ‘Pushback? How Britain is militarising the Channel’, ForcesWatch, 2 March 2022, <https://www.forceswatch.net/comment/pushback-militarising-the-channel>.

21 Darcie Rives-East, *Surveillance and Terror in Post-9/11 British and American Television* (New York: Palgrave Macmillan, 2019), 111.

22 Privacy International (PI), *Digital stop and search: how the UK police can secretly download everything from your mobile phone* (March 2018), <https://privacyinternational.org/sites/default/files/2018-03/Digital%20Stop%20and%20Search%20Report.pdf>; and Big Brother Watch, *Police Access to Digital Evidence: The powers of the Police to examine digital devices and how forces are training staff* (Nov 2017) <https://bigbrotherwatch.org.uk/wp-content/uploads/2017/11/Police-Access-to-Digital-Evidence-1.pdf>.

23 Vikram Dodd, ‘Met police to use facial recognition software at Notting Hill carnival’, *The Guardian*, 5 Aug 2017, <https://www.theguardian.com/uk-news/2017/aug/05/met-police-facial-recognition-software-notting-hill-carnival>.

The close relationship between the police and tech sector means that policing bodies have been equipped with powerful new surveillance technologies that vastly tip power in favour of the state. In many cases, these tools are aimed at ‘preemptive policing’, an approach that often justifies the indiscriminate use of technology and expanded surveillance in the name of crime prevention.<sup>24</sup> As former Met Police Commissioner Sir Bernard Hogan-Howe explained in a 2012 speech: ‘Our most important activity is often pre-emptive – targeting criminals before they strike – or preventative – trying to head off the risks’.<sup>25</sup> This report details how technologies aimed at predicting and preventing crime all too often reproduce and amplify racist and classist police practices.

Finally, in recent years, we have seen a resurgence of paramilitary-style policing of protests. In the 1980s, as discussed above, the police cracked down on strikes and urban rebellions throughout the country. With the rise of mass protest movements like BLM (Black Lives Matter) and Extinction Rebellion (XR), the police have renewed these tactics, empowered by recent legislation. The Policing, Crime, Sentencing and Courts Act 2022 (discussed in more detail in this report) has expanded police powers, broadening their ability to restrict public assemblies.<sup>26</sup>

To this day, Black protesters are disproportionately victims of excessive police force, as detailed in a recent Netpol report on the 2020 BLM protests.<sup>27</sup> Yet newly expanded police powers mean that even white, middle-class protesters may experience the kind of violence typically meted out against Black and working-class members of the public. This was brought into stark relief at the vigil for Sarah Everard, a young woman assaulted and murdered by a serving Met Police officer. On the evening of 4 March 2021, hundreds of people of wide-ranging backgrounds gathered in Clapham Common to honour her memory, only to be met with a disproportionate and violent response from the police.<sup>28</sup>

***More and more policing agencies are also equipped with military-grade equipment thanks to arms, security, and tech companies, which see the police as a new market for their goods.***

24 Rosamunde Van Brakel and Paul De Hert, ‘Policing, surveillance and law in a pre-crime society: Understanding the consequences of technology based strategies’, *Journal of Police Studies*, 20, no. 3 (2011): 163-192.

25 Kevin Blowe, ‘The rise of militarised policing’, *Red Pepper*, 20 Jan 2016, <https://www.redpepper.org.uk/the-rise-of-militarised-policing>.

26 Vikram Dodd and Jamie Grierson, ‘Protest laws move UK towards paramilitary policing, says former chief’, *The Guardian*, 28 March 2021, <https://www.theguardian.com/uk-news/2021/mar/28/protest-laws-move-uk-towards-paramilitary-policing-says-former-chief>; and UK Parliament, ‘Police, Crime, Sentencing and Courts Bill completes passage through Parliament’, 29 April 2022, <https://www.parliament.uk/business/news/2021/september-2021/lords-debates-police-crime-sentencing-and-courts-bill-at-second-reading/#:~:text=The%20Police%2C%20Crime%2C%20Sentencing%20and,for%20abolished%20same%2Dsex%20offences>.

27 Adam Elliott-Cooper and The Network for Police Monitoring (Netpol), *Britain Is Not Innocent: A Netpol report on the policing of Black Lives Matter protests in Britain’s towns and cities in 2020*, <https://netpol.org/wp-content/uploads/2020/11/Britain-is-not-innocent-web-version.pdf>.

28 Grace MacInnes, ‘I Went to Sarah Everard’s Vigil to Pay My Respects to a Woman Who Could Have Been Any of Us’, *Global Citizen*, 19 March 2021; <https://www.globalcitizen.org/en/content/sarah-everard-vigil-clapham-gender-violence-uk>; and Kate Kellaway, ‘Patsy Stevenson: “We were angry at being told we couldn’t mourn the death of a woman”’, *The Guardian*, 7 Dec 2021, <https://www.theguardian.com/uk-news/2021/dec/07/patsy-stevenson-interview-everard-arrest-faces-of-year>.

# Overview of the report

This report adopts an expansive definition of the police, examining a range of British policing agencies, including the Home Office, the Border Force, and territorial police forces. In a recent interview with scholars Annie Olaloku-Teriba and Adam Elliott-Cooper, journalist Rivkah Brown discusses the importance of seeing policing not as a singular institution or set of institutions, but as a network of forces that permeate society.<sup>29</sup> In line with this thinking, this report recognises that policing has been increasingly outsourced to non-policing bodies. Through policies like Prevent and the Hostile Environment (discussed in more detail below), the Home Office has made civil servants, health-care professionals, educators, and employers complicit in policing and immigration enforcement. In many respects, policing is a way of exercising power that has reshaped both public and private institutions.

This report also takes an intersectional approach, looking at the way race, religion, and gender intersect with policing in the UK. It focuses in particular on the historical over-policing of Black British communities. Many of the sources cited in this report make use of the category BAME (Black, Asian, and Minority Ethnic), a term increasingly rejected by British anti-racist campaigners. ‘Language matters deeply,’ argues Siana Bangura, who advocates moving away from homogenising terms that serve to erase Black people.<sup>30</sup> While the term BAME is difficult to avoid entirely as it is the basis for much statistical data on the UK, this report only uses it when quoting directly from a source. It also capitalises the word ‘Black’ to reflect a shared political, cultural, and social identity.<sup>31</sup> Similarly, the racially loaded and depoliticising term ‘riot’ is generally avoided when referring to events like the Brixton uprising.<sup>32</sup>

Drawing upon a range of documentary sources and informal conversations with experts on British policing and surveillance, this report looks at the role of Britain in militarised policing both at home and abroad. In doing so, it contributes to broader efforts to move beyond a US-centric analysis of the police. Gustavo A. Flores-Macías and Jessica Zarkin note that ‘scholarly, policy, and journalistic attention has mostly focused on a fairly narrow form of militarization—namely when the police take on similarities to militaries—with a fairly narrow geographic range: the United States’.<sup>33</sup> This neglects non-US settings, where in many cases ‘armed forces take on the responsibilities of civilian law enforcement agencies’ as well.<sup>34</sup>

The report is organised into three main parts. The first section looks at militarised policing in the post-Thatcher era, focusing in particular on changes since the 1990s. Three intertwined phenomena are examined: the rise of so-called ‘law and order’ or ‘public order’ policing, the increasing militarisation of border control, and the growth of counterterrorist policing. This section shows how a battlefield mentality has permeated British policing, helping to construct an ever-changing set of internal enemies.

29 ‘Police State of Mind’, *Novara Media*, 4 June 2021, <https://novaramedia.com/2021/06/04/police-state-of-mind>.

30 Siana Bangura, “‘Who built it and with what wood?’: A Black Feminist 10-point (ish) Programme for Transformation”, in *Loud Black Girls: 20 Black Women Writers Ask: What’s Next?* (Slay in Your Lane), eds. Yomi Adegoke and Elizabeth Uviebinené (HarperCollins, 2020), 193.

31 Christine Weeber, ‘Why Capitalizing “Black” Matters’, *Sapiens*, 29 Jul 2020, <https://www.sapiens.org/language/capitalizing-black>; and Jameelah Nasheed, ‘Capitalizing the B in Black is About Respecting Black Ancestry, Culture, and History’, *Teen Vogue*, 15 Dec 2021, <https://www.teenvogue.com/story/capitalizing-word-black>.

32 Police have often used riot charges for the purposes of ‘revenge policing’ against activists. For more, see ‘Kill the Bill activist cleared of riot charges in Bristol’, *Netpol*, 8 Feb 2022, <https://netpol.org/2022/02/08/kill-the-bill-activist-cleared-of-riot-charges-in-bristol>.

33 Gustavo A. Flores-Macías and Jessica Zarkin, ‘The militarization of law enforcement: Evidence from Latin America’, *Perspectives on Politics* 19, no. 2 (2021): 520.

34 *Ibid.*, 519.

The second section looks at the importance of high-tech and military-grade surveillance technologies, such as mobile fingerprint scanners, military-grade drones, and facial recognition systems. It also touches on the important role of the private tech sector, a topic addressed again in the third section. While these technologies have not replaced tried-and-tested police surveillance techniques (such as embedding undercover officers in activist groups), they have expanded the reach of the police, giving them unprecedented access to vast quantities of sensitive and personal data. Police agencies are rolling out these invasive surveillance technologies almost invariably in the absence of sufficient legislative or Parliamentary oversight.

In the third section, British policing is placed in a global context. UK authorities are both influenced by global trends in policing and help to actively shape them. By supporting legislative changes that enhance police power; working closely with international arms, defence, and security companies; and helping to train, equip, and fund foreign police and security agencies, the British government plays a central role in the spread of militarised policing techniques worldwide. These techniques are deeply shaped by an international arms and surveillance industry, which is increasingly marketing to both military and police agencies. As discussed in this section, the UK is a key node within the trade of military-grade weaponry and equipment.

Finally, the conclusion explores recent efforts by activist and grassroots movements in Britain to counter growing police power. Moving beyond calls for reform, this mobilisation is challenging the very legitimacy of the British police state.

# 1 Militarised policing in the post-Thatcher era

On the 4th of August 2011, 29-year-old Mark Duggan was fatally shot by the police in Tottenham during a ‘hard stop’ operation, where armed officers deliberately intercept a vehicle and force a confrontation. Family members found out about his death not from the Metropolitan Police but from news reports, which widely repeated police claims that Duggan had been armed and had shot first. Later it was revealed that there was no forensic evidence that Duggan was holding a gun at the time of his murder. During a protest led by Mark’s family in front of Tottenham Police Station two days later, violence erupted between police and protesters. This sparked six days of unrest, which spread across 60 locations in England, marking the largest waves of unrest since the 1981 Brixton uprising.<sup>35</sup>

While often described as the spontaneous work of ‘rioters’, this urban rebellion came after years of ‘unacceptable levels of over-policing’.<sup>36</sup> One example of such over-policing is the use of now-defunct Anti-Social Behaviour Orders (ASBOs). Since the late 1990s, young and disenfranchised people had been at the receiving end of a controversial government campaign to combat ‘antisocial behaviour’.<sup>37</sup> A central element of then-Prime Minister Tony Blair’s tough-on-crime agenda, ASBOs empowered the police and local councils to target individuals for petty and non-criminal behaviour, such as shouting, spitting, or playing loud music, leading

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35 Black Lives Matter UK, ‘10 years on from the London riots – how much has police violence changed in Britain?’ *gal-dem*, 4 Aug 2021; <https://gal-dem.com/2011-london-riots-police-violence>.

36 Aamna Mohdin and Jessica Murray, “‘The Mark Duggan case was a catalyst’: The 2011 England riots 10 years on”, *The Guardian*, 30 July 2021; <https://www.theguardian.com/uk-news/2021/jul/30/2011-uk-riots-mark-duggan>.

37 Craig Johnstone, ‘Whatever happened to anti-social behaviour?’, *British Politics and Policy at LSE* (blog), 7 Dec 2016, <https://blogs.lse.ac.uk/politicsandpolicy/whatever-happened-to-anti-social-behaviour>.

in some cases to prison sentences.<sup>38</sup> Much like ‘broken windows’ policing in the US, ASBOs expanded the discretionary power of the police while criminalising the way young people used public space.<sup>39</sup>

The murder of Mark Duggan proved a turning point in the history of British militarised policing. As Black Lives Matter UK notes, ‘the unrest resulted in more than 3,000 arrests and countless raids, increased stop and search and other instances of police violence and harassment’. It also further normalised a racialised crackdown on young Black men, justified by then-Prime Minister David Cameron as an “‘all-out war on gangs and gang culture’”.<sup>40</sup>

Over the years, this war mentality has constructed new and ever-changing categories of criminals. ‘Placing everyday policing on a war footing,’ Kevin Blowe of the Network for Police Monitoring (Netpol) explains, justifies ‘the need to respond to alleged “threats” to social order using extraordinary means – in other words, to break the notional rules of “policing by consent”’.<sup>41</sup> At various times, these threats have been defined as ‘anti-social’ youth, ‘gangs’, ‘illegal immigrants’, ‘terrorists’, or ‘aggravated activists’ – as the HM Inspectorate of Constabulary, Fire & Rescue Services now labels protesters.<sup>42</sup>

Mark Duggan’s shooting is part of a larger story of contemporary policing in the UK. In recent years, three intertwined phenomena have reshaped policing in Britain: the rise of so-called ‘**law and order**’ or ‘**public order**’ **policing**, the increasing **militarisation of border control**, and the growth of **anti-Muslim counterterrorist policing**. These three phenomena reflect a nexus of anti-migrant, anti-Muslim, anti-Black, and anti-working class policing practices.

## 1.1 ‘Public order’ policing

The Thatcher era exacerbated public hysteria around crime, justifying more militarised police responses and exposing the fiction of ‘policing by consent’. From the 1990s onwards, these trends have accelerated – characterised by greater surveillance and ‘preemptive’ policing; an increased use of violence during police operations; and the further over-policing of Black, brown, and working-class communities. Since the 1990s, a succession of Conservative and Labour governments have extended the powers of the police, encouraging officers to treat Black, Muslim, working-class and migrant communities as potential criminal risks.

One way in which public order policing has manifested itself is in **the increased use of stop-and-search**. As scholar and political activist Elliott-Cooper explains, in the 1990s, concerns around ‘football hooligans’ encouraged the Conservative government to expand the powers of the police, culminating in the Criminal Justice and Public Order Act of 1994. This Act allowed the police to conduct stop-and-searches

38 Mark Wilding, ‘The Age of the ASBO: How Britain Became a Police State’, *Vice* (blog), 10 Oct 2017, <https://www.vice.com/en/article/gy594q/the-age-of-the-asbo-how-britain-became-a-police-state>. See also: Helen Mills, ‘Happy 20th birthday anti-social behaviour’, *Centre for Crime and Justice Studies*, 13 Aug 2018, <https://www.crimeandjustice.org.uk/resources/happy-20th-birthday-anti-social-behaviour#:~:text=Tony%20Blair%20fathered%20anti%2Dsocial,alarm%2C%20or%20distress%20to%20others>. Gang injunctions, which allow courts to place a range of prohibitions on so-called ‘gang members’, also served a similar function. While promising to do away with the policing of anti-social behaviour, the Coalition government introduced a range of powers (such as dispersal orders) that reproduced many of the core functions of ASBOs.

39 ‘End Broken Windows Policing’, Campaign Zero, <https://campaignzero.org/brokenwindows.html>.

40 Black Lives Matter UK, ‘10 years on from the London riot’.

41 Blowe, ‘The rise of militarised policing’.

42 ‘Are you an Aggravated Activist?’ *Netpol*, 11 March 2021, <https://netpol.org/2021/03/11/are-you-an-aggravated-activist>.



in specific areas, often the neighbourhoods around football stadiums, without reasonable suspicion. New Labour extended these powers, enabling the police to conduct stop-and-searches in areas deemed prone to violence. Upon returning to power in 2010, the Conservative government expanded these powers yet again, this time to target ‘gangs’. Operation Blunt massively increased stop-and-search in Black and working-class neighbourhoods of London with allegedly high rates of gang activity.<sup>43</sup> Since 2012, many police officers across the country have been equipped with a powerful new surveillance technology while on patrol: mobile fingerprint scanners. These devices enable officers to scan people’s fingerprints on the go, and cross-check them against various criminal and immigration databases.<sup>44</sup>

This period also saw the **routine use of tasers by police officers**, who are increasingly armed with this supposedly ‘less-lethal’ weapon. First introduced to the UK in 2003, tasers spread rapidly amongst both firearms and non-firearms officers.<sup>45</sup> In the decade between 2009 and 2019, taser usage by police forces across England and Wales increased by more than 500%.<sup>46</sup> Similar trends are occurring in Scotland and Northern Ireland, where there have been calls to increase the number of officers armed with tasers.<sup>47</sup>

While the National Police Chiefs Council claims that tasers reduce deadly interactions,<sup>48</sup> evidence from the US suggests that tasers and stun guns ‘aren’t used as alternatives to guns and instead lead to increased brutality and escalate encounters’.<sup>49</sup> One experiment with the City of London Police found that officer-public interactions were more hostile when they involved officers carrying tasers.<sup>50</sup> In addition, tasers can themselves be deadly.<sup>51</sup> In the UK, at least 18 people have died after having a taser used against them.<sup>52</sup> Even when not deadly, tasers can trigger serious cardiac episodes and cause cognitive damage, leading to lasting and permanent damage.<sup>53</sup> Despite these risks, Home Secretary Priti Patel proudly announced that Special Constables (who are part-time civilian volunteers) will now be allowed to carry and use tasers.<sup>54</sup>

***First introduced to the UK in 2003, tasers spread rapidly amongst both firearms and non-firearms officers***

43 Adam Elliott-Cooper, *Black Resistance to British Policing* (Manchester University Press, 2021), 86.

44 Home Office-provided Strategic Mobile devices are connected to IABS, which holds the fingerprints of non-citizens who have entered the country, and IDENT1, which has the fingerprints of people taken into custody by the police.

45 Terry McGuinness, *Taser use in England and Wales*, House of Commons Briefing Paper, Number 7701, 12 Sept 2016, <https://researchbriefings.files.parliament.uk/documents/CBP-7701/CBP-7701.pdf>.

46 Resistance Lab, *A Growing Threat to Life: Taser Usage by Greater Manchester Police* (Manchester, 2020), <https://resistancelab.network/our-work/taser-report/index.html>; and ‘Taser use by police in England and Wales reaches record high’, *BBC News*, 20 Dec 2019, <https://www.bbc.com/news/uk-50862398>.

47 ‘Police Scotland confirm four-fold increase in Taser officers’, *BBC News*, 29 Sept 2021, <https://www.bbc.com/news/uk-scotland-58719944>; and Julian O’Neill, ‘More NI officers should carry Tasers’, *BBC News*, 10 Sep 2020, <https://www.bbc.com/news/uk-northern-ireland-54093896>.

48 National Police Chiefs’ Council (NPCC), ‘Frequently Asked Questions about TASER’, Updated June 2021, <https://www.npcc.police.uk/ThePoliceChiefsBlog/NPCCQuestionsandAnswersonTaser.aspx>.

49 Sam Levin, ‘Daunte Wright case: Why Tasers have failed to stop police killings’, *The Guardian*, 20 April 2021, <https://www.theguardian.com/us-news/2021/apr/20/tasers-stun-guns-police-shootings-daunte-wright>.

50 Sandeep Sandhu, ‘A Brief History of the Taser, the “Less-Lethal” Police Weapon That Keeps Killing People’, *Novara Media*, 26 May 2021; <https://novaramedia.com/2021/05/26/a-brief-history-of-the-taser-the-less-lethal-police-weapon-that-keeps-killing-people>.

51 Amnesty International, ‘UK: Public should “resist drum-beat of calls for all police to carry a Taser”’, Press Release, 13 Dec 2018; <https://www.amnesty.org.uk/press-releases/uk-public-should-resist-drum-beat-calls-all-police-carry-taser>.

52 Resistance Lab, *A Growing Threat to Life*.

53 Douglas P. Zipes, ‘Sudden Cardiac Arrest and Death Following Application of Shocks From a TASER Electronic Control Device’, *Circulation* 125, no. 20 (22 May 2012): 2417–22, <https://doi.org/10.1161/CIRCULATIONAHA.112.097584>; and Alex McKechnie, ‘Taser Shock Disrupts Brain Function, Has Implications for Police Interrogations’, *Drexel News*, 5 Feb 2016; <https://drexel.edu/news/archive/2016/february/taser-study>.

54 Kevin Donoghue, ‘How Special Constables Can Take a Stand on Tasers’, Donoghue Solicitors, <https://www.donoghue-solicitors.co.uk/special-constables-tasers/#:~:text=Today%20Home%20Secretary%20Priti%20Patel,to%20their%20full%20time%20colleagues>.

As Resistance Lab notes, these risks are ‘disproportionately borne by Black communities and individuals suffering from mental health conditions with potentially fatal consequences’.<sup>55</sup> Home Office figures show that Black people are almost eight times more likely to have tasers used against them compared to white people.<sup>56</sup> Several cases tell a deeply troubling story about the intersections of racist police practices and taser use. In 2016, a Black ex-footballer named Dalian Atkinson was killed after a police officer shot him with a taser for six times longer than recommended. Atkinson was unarmed and having a mental health episode when he was tasered and kicked in the head by an officer.<sup>57</sup> In another case, a Black race relations adviser was tasered by his own colleagues after being mistaken for a wanted man.<sup>58</sup> In 2020, Sadiq Khan opened up an investigation after rapper Wretch 32 posted a video on social media of his father being tasered by an officer inside his own home, and tumbling down a flight of stairs.<sup>59</sup> The 62-year-old Black man later told *The Guardian*: “I could so easily have died and had my name added to the long list of Black people who have died at the hands of the police in Tottenham...The police are not saying that I attacked them yet they Tasered me at the top of a flight of stairs”.<sup>60</sup>

***Black people are almost eight times more likely to have tasers used against them compared to white people***

The racialised use of tasers against those having mental health crises forecloses opportunities for de-escalation, often leading to tragic results.<sup>61</sup> In July 2022, Oladeji Adeyemi Omishore died jumping from a bridge in West London after being repeatedly tasered by police. As his family explains: ‘Deji was clearly suffering from a mental health crisis and he was vulnerable and frightened.’<sup>62</sup> Police claimed that he was ‘armed’ with a screwdriver, which turned out to be a kitchen fire lighter.<sup>63</sup>

### **Racial discrimination is also reflected in the demographics of the UK’s prisons.**

Much attention has been given to the American prison-industrial complex, which has the highest incarceration rate in the world and is deeply shaped by the legacies of US slavery.<sup>64</sup> However, by proportion of the total population of the country, there are more Black people in prison in the UK than in the US. As MP David Lammy notes in a review of the UK criminal justice system: ‘There is greater disproportionality in the number of Black people in prisons here than in the United States’ – 12% of UK prisoners are Black compared to 3% of the population, while in the US 35% of prisoners are Black

55 Resistance Lab, *A Growing Threat to Life*.

56 Jessica Pandian, ‘Taser trauma: an increasingly British phenomenon’, Institute of Race Relations, 16 July 2020, <https://irr.org.uk/article/taser-trauma-an-increasingly-british-phenomenon>.

57 Joseph Lee, ‘Dalian Atkinson: Police Apologise for killing black ex-footballer’, *BBC News*, 27 Dec 2021, <https://www.bbc.com/news/uk-59798500>.

58 Pandian, ‘Taser trauma’.

59 Jill Lawless, ‘London mayor seeks answers over Taser use on rapper’s father’, *ABC News*, 10 June 2020, <https://abcnews.go.com/Entertainment/wireStory/london-mayor-seeks-answers-taser-rappers-father-71170432>.

60 Diane Taylor, “I could so easily have died”: Wretch 32’s father on being shot with Taser’, *The Guardian*, 15 June 2020, <https://www.theguardian.com/uk-news/2020/jun/15/i-could-so-easily-have-died-wretch-32s-father-on-being-shot-with-taser>.

61 Mattha Busby, ‘Families urge ban on English police taser use against people in distress’, *The Guardian*, 25 Aug 2021, <https://www.theguardian.com/uk-news/2021/aug/25/families-urge-ban-on-english-police-taser-use-against-people-in-distress>.

62 ‘Family of man Tasered on Chelsea Bridge “deeply distressed” by what happened’, *Shropshire Star*, 22 June 2022, <https://www.shropshirestar.com/news/uk-news/2022/06/22/family-of-man-tasered-on-chelsea-bridge-deeply-distressed-by-what-happened>.

63 ‘Chelsea Bridge: Man who died after Taser was holding firefighter’, *BBC News*, 21 June 2022, <https://www.bbc.com/news/uk-england-london-61794542>.

64 Michelle Alexander, *The New Jim Crow: Mass Incarceration in the Age of Colorblindness* (The New Press, 2012).

compared to 13% of the population.<sup>65</sup> Those characterised as BAME (Black, Asian, and Minority Ethnic) are ‘more likely to be sent to prison for an indictable offence at the Crown Court, even when factoring in higher not-guilty plea rates.’<sup>66</sup>

Between 1991 and 2014, 509 people from ‘BME, migrant and refugee communities’ died under suspicious circumstances while in custody of police, prisons, or immigration authorities. Yet not a single person has been successfully prosecuted for these deaths.<sup>67</sup> It took years of campaigning by the family of Sheku Bayoh before the Scottish government established an independent inquiry into his death. Bayoh had sustained multiple injuries, dying in handcuffs while in custody in Kirkcaldy.<sup>68</sup> Such damning stories and statistics are rarely talked about, a fact that Monisha Issano Jackson attributes to ‘purposeful erasure’ and ‘racial amnesia’ on the part of the British public and its political leaders.<sup>69</sup>

Finally, over the last decade, **British police forces have sought to justify the use of excessive force against protesters**, having been given far more leeway from populist politicians. In 2010, police struggled to regain control when hundreds of students occupied Conservative Party Headquarters, protesting against the tripling of tuition fees.<sup>70</sup> This incident helped legitimise aggressive police responses to protesters. In 2012, then-Mayor of London Boris Johnson approved the purchase of three second-hand Wasserwerfer water cannons from German federal police. Johnson had been swayed by Met Police Commissioner Sir Bernard Hogan-Howe, who sought to strengthen the force’s riot control measures following the shooting of Mark Duggan. At the time, water cannons were not only linked to serious human rights abuses abroad, but had also not been authorised for use on the UK mainland. After widespread public opposition, the Home Secretary banned their use and they were eventually sold for scrap, at a loss of £300,000 in taxpayer money.<sup>71</sup>

While the Metropolitan Police never got the chance to use their new toy, the purchase of three unused water cannons speaks to the political climate in the wake of the August 2011 uprisings. After 2011, Scotland Yard also contemplated the use of CS gas (tear gas) against crowds and began stockpiling baton rounds (plastic bullets) for potential use as an anti-protest weapon.<sup>72</sup> While neither water cannons, tear gas, nor plastic bullets have ever been deployed against protesters in Great Britain, their contemplated use tells a deeply troubling story.

**Over the last decade, British police forces have sought to justify the use of excessive force against protesters**

65 ‘Lammy review: final report’, 8 Sept 2017, 3, 89, <https://www.gov.uk/government/publications/lammy-review-final-report>; and Benjamin Kentish, ‘Revealed: How “racial bias” at the heart of criminal justice system means black people in UK more likely to be in prison than those in the US’, *The Independent*, 8 Sept 2017, <https://www.independent.co.uk/news/uk/home-news/black-people-prison-uk-more-likely-us-lammy-review-a7935061.html>. Additionally, the prison population has risen by 70% in the last 30 years, giving Scotland, England, and Wales the ignoble record of having the highest imprisonment rates in all of western Europe. Prison Reform Trust, *Prison: The facts*, Bromley Briefings, Summer 2022, 2, <https://prisonreformtrust.org.uk/wp-content/uploads/2022/07/Prison-the-facts-2022.pdf>.

66 Prison Reform Trust, *Prison*, 8. Prison Reform Trust notes that: “Over a quarter (27%) of the prison population, 21,804 people, are from a minority ethnic group.”

67 Harmit Athwal and Jenny Bourne, eds. *Dying for Justice* (Institute for Race Relations, 2015), [https://irr.org.uk/app/uploads/2015/03/Dying\\_for\\_Justice\\_web.pdf](https://irr.org.uk/app/uploads/2015/03/Dying_for_Justice_web.pdf); and Mark Townsend, ‘No convictions over 500 black and Asian deaths in custody’, *The Guardian*, 21 March 2015; <https://www.theguardian.com/uk-news/2015/mar/21/500-black-asian-deaths-custody-no-prosecutions>. See also <https://www.inquest.org.uk/about-us>.

68 <https://www.shekubayohinquiry.scot>.

69 Monisha Issano Jackson, ‘Parallels Between UK and US Mass Incarceration’, *Medium*, 6 June 2020; <https://monishaissano.medium.com/parallels-between-uk-and-us-mass-incarceration-eed47cb0d8bb>.

70 Edward Siddons, ‘how the 2010 student protests in the uk shaped the rise of jeremy Corbyn’, *i-D*, 17 Nov 2017; [https://i-d.vice.com/en\\_uk/article/gvj9kw/how-the-2010-student-protests-in-the-uk-shaped-the-rise-of-jeremy-corbyn](https://i-d.vice.com/en_uk/article/gvj9kw/how-the-2010-student-protests-in-the-uk-shaped-the-rise-of-jeremy-corbyn).

71 CAAT, ‘Keep Water Cannons Off the Streets of London’, 20 March 2014, <https://caat.org.uk/news/keep-water-cannons-off-the-streets-of-london>; and Matthew Weaver, ‘Boris Johnson’s unused water cannon sold for scrap at £300,000 loss’, *The Guardian*, 19 Nov 2018, <https://www.theguardian.com/uk-news/2018/nov/19/boris-johnson-unused-water-cannon-sold-for-scrap-at-300000-loss>.

72 ‘CS gas use “could tackle rioters” – Met police review’, *BBC News*, 14 March 2012, <https://www.bbc.com/news/uk-17362438>; and Sandra Laville, ‘Metropolitan police plastic bullets stockpile up to 10,000 after UK riots’, *The Guardian*, 3 May 2012, <https://www.theguardian.com/uk/2012/may/03/metropolitan-police-plastic-bullets-stockpile-riots>.

All of **these anti-protest technologies have roots in colonial violence**. Pioneered by German police in the 1930s for riot control, water cannons were aimed at civil rights protesters in the American South in the 1960s and in Ireland during the Troubles.<sup>73</sup> CS gas was first used by British colonial forces during counterinsurgency operations in Cyprus and British Guiana. During this time, the US military also began testing it.<sup>74</sup> British colonial forces also developed and popularised the use of less-lethal ammunition. Police in the British Crown Colony of Hong Kong first deployed blunt bullets made out of teak against anti-colonial protesters. The British went on to develop rubber bullets, which were used to suppress people in Northern Ireland.<sup>75</sup> Often fired at close range and into crowds, rubber and plastic bullets were responsible for at least 17 deaths in Northern Ireland, eight of whom were children.<sup>76</sup> Between 1970 and 2005, over 125,000 rubber and plastic bullets were fired by the police force, the Royal Ulster Constabulary (RUC), and the British Army.<sup>77</sup>

By declaring a racialised war on gangs and ‘thugs’ in the wake of the August 2011 unrest, David Cameron had justified the use of weapons previously used only in colonial settings.<sup>78</sup> And by attempting to introduce these anti-protest weapons onto the streets of London, the Mayor of London and Scotland Yard were simply pursuing the logic of colonial violence. While water cannons and CS gas have yet to be deployed in Great Britain, police and politicians have made their use thinkable, pushing the boundaries of what is considered ‘acceptable’ police violence.

Since the rise of Black Lives Matter (BLM) and Extinction Rebellion (XR), there have been greater efforts to **entrench anti-protest policing into law**. The Coronavirus Act of 2020 gave the police sweeping new powers, which were used to crack down on protesters. Using evidence collected from over 100 witnesses, Elliott-Cooper and Netpol documented the use of excessive force against BLM protesters, ‘including baton charges, horse charges, pepper spray and violent arrest’.<sup>79</sup> At these protests, Black Protest Legal Support (BPLS) observers were threatened, abused, and later arrested at subsequent demonstrations.<sup>80</sup> Police violence at the vigil in honour of Sarah Everard, who was brutally assaulted and murdered by a serving Met police officer, were also justified in the name of pandemic restrictions.<sup>81</sup> What occurred at the vigil reflects a broader trend of police sexual violence and misogyny towards protesters, as was also observed at the anti-fracking protests in Barton Moss, Salford.<sup>82</sup>

73 Gianluca De Fazio, ‘Civil rights mobilization and repression in Northern Ireland: a comparison with the US Deep South’, *The Sixties: A Journal of History, Politics and Culture* 2, no. 2 (2009): 163-185.

74 Stuart Schrader, *Badges without Borders: How Global Counterinsurgency Transformed American Policing* (University of California Press: 2019), 199.

75 David Hambling, ‘The Deadly Truth About Rubber Bullets’, *Forbes*, 8 June 2020, <https://www.forbes.com/sites/davidhambling/2020/06/08/the-deadly-truth-behind-rubber-bullets>.

76 ‘Violence - List of People Killed by “Rubber” and “Plastic” Bullets’, Conflict and Politics in Northern Ireland (CAIN) Archive, Ulster University, <https://cain.ulster.ac.uk/issues/violence/rubberplasticbullet.htm>. The first victim killed was 10-year-old Stephen Geddis. Aisha Maniar, ‘Plastic bullets: fuel for racial tensions?’ Institute of Race Relations, 28 June 2012, <https://irr.org.uk/article/plastic-bullets-fuel-for-racial-tensions>.

77 Maev McDaid and Brian Christopher, ‘We don’t use rubber bullets in the United Kingdom. We don’t know what they are’, *Netpol*, 11 June 2020, <https://netpol.org/2020/06/11/we-dont-use-rubber-bullets-in-the-uk-we-dont-know-what-they-are>.

78 Black Lives Matter UK, ‘10 years on from the London riots – how much has police violence changed in Britain?’

79 Elliott-Cooper and Netpol, *Britain Is Not Innocent*, 3.

80 ‘BPLS Legal Observers have both witnessed and been victim to police discrimination’, Black Protest Legal Support, 9 Sept 2020; <https://blackprotestlaw.org/bpls-legal-observers-have-both-witnessed-and-been-victim-to-police-discrimination>; and Damien Gayle, ‘Met drops case and accepts the role of legal observers at protests’, *The Guardian*, 29 May 2021, <https://www.theguardian.com/uk-news/2021/may/29/met-drops-case-and-accepts-the-role-of-legal-observers-at-protests>. For more on police treatment of legal observers, see Rachel Currie, *Protecting Protest: Ground-breaking findings on police treatment of Legal Observers* (Article 11 Trust, Netpol, and the Barry Amiel & Norman Melburn Trust, May 2022), <https://article11trust.org.uk/protecting-protest-ground-breaking-findings-on-police-treatment-of-legal-observers-copy>.

81 Clea Skopeliti and Lucy Campbell, ‘Sarah Everard vigils: Cressida Dick says she will not resign – as it happened’, *The Guardian*, 14 March 2021, <http://www.theguardian.com/uk-news/live/2021/mar/14/sarah-everard-vigils-metropolitan-police-clapham-cressida-dick-live>.

82 Helen Monk, Joanna Gilmore, and William Jackson, ‘Gendering pacification: Policing women at anti-fracking protests’, *Feminist Review* 122, no. 1 (2019): 64-79.





Police outside Parliament

Credit: Bob Bob / bobaliciouslondon | Source: Flickr

Amidst these controversies, Parliament passed the Police, Crime, Sentencing and Courts (PCSC) Act. As Sam Knights writes, this Bill was dreamt up by police chiefs and the ‘result of years of lobbying by police’.<sup>83</sup> The Act has a number of troubling implications for the future of protest. Among many things, it gives the police the power ‘to impose noise-based restrictions on protest’ and increases penalties for ‘wilful obstruction of the highway’,<sup>84</sup> whether or not it is already obstructed, in an overt attempt to clamp down on climate activists.<sup>85</sup> By criminalising trespass, it also threatens one of the most marginalised populations in Britain: the Gypsy, Roma, and Traveller communities.<sup>86</sup>

In a worrying sign for the future of protest, demonstrators challenging the Bill have been jailed on trumped-up riot charges. In Bristol in March 2021, ‘Kill the Bill’ demonstrations were met with police violence. There were reports of people being hit with batons and shields, kicked and punched by police, pepper-sprayed, and bitten by police dogs. Despite a Parliamentary inquiry that found police used unnecessary and excessive force, dozens of people were arrested and charged in the wake of the demonstrations, some receiving years behind bars.<sup>87</sup> A 25-year-old was sentenced

83 Sam Knights, ‘Who Dreamt Up the Police Bill? The Police, Of Course’, *Novara Media*, 25 March 2021; <https://novaramedia.com/2021/03/25/who-dreamt-up-the-police-bill-the-police-of-course>.

84 This was amended to only include the Strategic Road Network.

85 ‘The Policing Bill – What Happened, and What Now?’ Liberty, 29 April 2022; <https://www.libertyhumanrights.org.uk/issue/the-policing-bill-what-happened-and-what-now>; ‘Police, Crime, Sentencing and Courts Act 2022’, Legislation.gov.uk, <https://www.legislation.gov.uk/ukpga/2022/32/section/80/enacted>; and ‘Overview: The Police, Crime, Sentencing and Courts Act’, Netpol, <https://netpol.org/pcsc-act-2022>.

86 ‘FFT Statement on Police, Crime, Sentencing and Courts Bill’, Friends, Families, and Travellers, 26 April 2022, <https://www.gypsy-traveller.org/news/fft-statement-on-pcsc-bill>.

87 ‘Figures reveal scale of Bristol protesters injured by police’, Netpol, 14 April 2021; <https://netpol.org/2021/04/14/figures-reveal-scale-of-bristol-protesters-injured-by-police>; Hannah Vickers, ‘Police used “excessive force” during Bristol Kill the Bill protests, as parliamentary inquiry finds “significant failings”’, *Bristol Cable*, 1 July 2022, <https://thebristolcable.org/2021/07/police-used-excessive-force-during-bristol-kill-the-bill-protests-as-parliamentary-inquiry-finds-significant-failings>; ‘Kill the Bill activist cleared of riot charges in Bristol’, Netpol, 8 Feb 2022, <https://netpol.org/2022/02/08/kill-the-bill-activist-cleared-of-riot-charges-in-bristol>; and Steven Morris, ‘Woman jailed over role in Bristol riot despite mental health issues’, *The Guardian*, 14 March 2022, <https://www.theguardian.com/uk-news/2022/mar/14/woman-jailed-over-role-in-bristol-riot-despite-mental-health-issues>.

# Legislation that expands police power

	2021						2022			
	Mar	May	July	Sept	Nov	Jan	Mar	May	July	Sept
<b>Police, Crime, Sentencing and Courts (PCSC) Act</b>		9/3/2021 Introduced in House of Commons	5/7/2021 Completes passage through Commons			25 Jan 2022 Passes Lords with amendments	28/2/2022 Commons rejects most Lords amendments	28/4/2022 Act becomes law		
<b>Nationality &amp; Borders Act (NBA)</b>			6/7/2021 Introduced in House of Commons		8/12/2021 Passes Commons	14/3/2022 Passes Lords with amendments	22/3/2022 Commons rejects most Lords amendments		28/4/2022 Act becomes law	
<b>Public Order Bill 2022 (POB)</b>							11/5/2022 Introduced into House of Commons	23/5/2022 Passes Second Reading	9/6/2022 Committee Stage begins	
<b>National Security Bill (NSB)</b>							11/5/2022 Introduced into House of Commons	6/6/2022 Passes Second Reading	7/7/2022 Committee Stage begins	
<b>British Bill of Rights (BBor)</b>								22/6/2022 Introduced into House of Commons	12/9/2022 Second Reading due	

## Police, Crime, Sentencing and Courts (PCSC) Act

- Gives police the power to impose noise-based restrictions on protest
- Increases penalties for wilful obstruction of the highway, whether or not it is already obstructed
- Threatens Gypsy, Roma, and Traveller communities by criminalising certain types of trespass

## Nationality & Borders Act (NBA)

- Weakens anti-slavery protections
- Allows government to strip people of citizenship without notice if they hold or are ostensibly entitled to dual nationality
- Criminalises asylum-seeking by offshoring asylum processing and creating two tiers of asylum seekers: those who enter the country 'legally' and those who enter 'illegally'. The latter are now liable to prosecution and subject to harsher immigration measures

## Public Order Bill 2022 (POB)

- Reintroduces some of the most egregious anti-protest measures removed from the PCSC Bill
- Will increase stop-and-search powers
- Will enable police to use 'Serious Disruption Prevention Orders' to ban certain individuals from attending, organising, or promoting protests, even if not convicted of any crime
- Will criminalise 'locking on' by protesters

## National Security Bill (NSB)

- Will criminalise public interest journalism
- Will give ministers immunity from involvement in war crimes
- Will target anti-nuclear and anti-war protests

## British Bill of Rights (BBor)

- Will repeal and dial back the Human Rights Act of 1998, weakening the obligations of police and other public authorities to protect our fundamental human rights



to 14 years in prison.<sup>88</sup> Another protester was sentenced to three years for ‘simply standing her ground near the front of the crowd, in the face of a police line in full riot gear.’<sup>89</sup> This is not the first time the police have used ‘rioting’ to depoliticise and delegitimise protest, and to justify imposing long sentences on young people.<sup>90</sup> Such overcharging, notes Netpol, ‘is designed to scare people and send a clear message that dissent, and defending yourself from excessively brutal policing, will not be tolerated’.<sup>91</sup>

While some of the most egregious anti-protest aspects of the PCSC Bill were ultimately removed thanks to dissent from civil society, the government is attempting to reintroduce them via the Public Order Bill 2022. Among other things, this Bill will increase stop-and-search powers and enable the police to use ‘Serious Disruption Prevention Orders’ to ban certain individuals from attending, organising, or promoting protests, even if not convicted of any crime. As Netpol warns, these proposed new orders could be used ‘to seek out and target people whom the police perceive as key organisers and to potentially ban them from attending, organising, or promoting protests’.<sup>92</sup> The Public Order Bill also promises to criminalise ‘locking on’ by protesters. It even makes it an offence to come to a demonstration ‘equipped for locking on’ – which could potentially mean that someone carrying ‘a bicycle D-lock or a tube of superglue’ in the vicinity of a protest could be slapped with a maximum penalty of an ‘unlimited fine’.<sup>93</sup> Alongside other proposed legislation, like the National Security Bill and the Orwellian-named British Bill of Rights, the government is effectively enshrining the police state into law. The National Security Bill could ‘criminalise public interest journalism’, give ministers ‘immunity from involvement in war crimes’,<sup>94</sup> and target ‘anti-nuclear and anti-war protests’,<sup>95</sup> while the proposed British Bill of Rights would repeal and dial back the Human Rights Act of 1998, weakening the obligations of police to protect fundamental human rights.<sup>96</sup>

88 ‘Kill the Bill: Protester who tried to torch police vans jailed’, *BBC News*, 17 Dec 2021, <https://www.bbc.com/news/uk-england-bristol-59705203>.

89 ‘#KillTheBill – Solidarity for Charlie Pitman’, Netpol, 7 July 2022, <https://netpol.org/2022/07/07/charlie-pitman>.

90 Haroon Siddique and Maya Wolfe-Robinson, ‘Courts failed people “caught up” in England riots in 2011, says ex-chief prosecutor’, *The Guardian*, 1 Aug 2021, <https://www.theguardian.com/uk-news/2021/aug/01/courts-failed-people-caught-up-in-uk-riots-in-2011-says-ex-chief-prosecutor>.

91 ‘Guilty pleas in Bristol KTB cases should not detract from police violence defendants faced’, Netpol, 24 May 2022, <https://netpol.org/2022/05/24/guilty-pleas-in-bristol-ktb-cases-should-not-detract-from-police-violence-defendants-faced>.

92 ‘Explainer: The Public Order Bill 2022’, Netpol, 17 May 2022, <https://netpol.org/2022/05/17/public-order-bill-2022>.

93 *Ibid.*

94 Adam Bychawski, ‘National Security Bill: UK’s latest crackdown on journalists explained’, *OpenDemocracy*, 8 June 2022, <https://www.opendemocracy.net/en/national-security-bill-priti-patel-journalists>.

95 ‘Anti-nuclear and anti-war protest under threat’, Netpol, 6 June 2022, <https://netpol.org/2022/06/06/anti-nuclear-and-anti-war-protest-under-threat>.

96 Joshua Rozenberg, ‘Bill of rights? Or ragbag of restrictions?’ *A Lawyer Writes* (blog), 22 June 2022, <https://rozenberg.substack.com/p/bill-of-rights>. By repealing and replacing the Human Rights Act 1998, which enshrines the European Convention for Human Rights into British law, the British Bill of Rights would weaken the power of European judges over the UK.

## 1.2 The growth of counterterrorist policing

On 22 July 2005, two weeks after the 7/7 bombings in London, Brazilian electrician Jean Charles de Menezes was shot seven times in the head in front of horrified passengers after he boarded a crowded Northern Line train at Stockwell Tube station. De Menezes was killed by London Metropolitan Police officers, who had mistaken him for a terrorist suspect who had been under surveillance for an attack thwarted the day before. He was left unrecognisable, having been shot using hollow-tip 'dum-dum' style bullets, which had been banned from use in warfare.<sup>97</sup>

The operation that resulted in de Menezes's murder was guided by Operation Kratos, a set of protocols developed after 9/11 in consultation with police forces around the world, including those of Israel, Russia, and Sri Lanka. Operation Kratos advocated a shoot-to-kill approach for suspected suicide bombers, a method borrowed directly from Israeli police.<sup>98</sup> The commander who oversaw the operation and gave the order to shoot, Cressida Dick, faced few consequences for the murder of an innocent civilian, and was later promoted to Met Police Commissioner.

The militarisation of policing is perhaps most pronounced in the realm of counterterrorism. Armed counterterrorism units draw directly from the 'military handbook, using dawn raids, and relying on intelligence gathering procedures that are exempt from public scrutiny as they are kept secret in ensuing court processes'.<sup>99</sup> Since 9/11 and the 7/7 bombing, the government has also introduced a host of new legislation that has extended the power of the police and allowed police and prosecutors to circumvent the European Convention on Human Rights (ECHR).

This new legislation has **enabled the state to treat individuals as guilty until proven otherwise and punish people without charge or trial**. The Anti-terrorism, Crime and Security Act 2001 gave the Home Secretary the power to indefinitely detain foreign terrorist suspects who could not be deported under the ECHR. This was followed by the Prevention of Terrorism Act 2005, which allowed the Home Secretary to impose control orders on both British and foreign nationals.<sup>100</sup> These orders allowed authorities to 'place far-reaching movement, communication and work restrictions on individuals' if there was 'reasonable suspicion' they could pose a threat.<sup>101</sup>

97 Vikram Dodd, 'Police used dum-dum bullets on Brazilian shot at tube station', *The Guardian*, 16 Nov 2005, <https://www.theguardian.com/uk/2005/nov/16/july7.menezes>.

98 Peter Taylor, 'The terrorist who wasn't', *The Guardian*, 8 March 2006, <https://www.theguardian.com/uk/2006/mar/08/menezes.july7>; and Nick Vaughan-Williams, 'The shooting of Jean Charles de Menezes: New border politics?' *Alternatives* 32, no. 2 (2007): 177-195.

99 'Is UK Policing Becoming More Like the Military?' War Resisters' International, 28 April 2015, <https://wri-irg.org/en/story/2015/uk-policing-becoming-more-military>.

100 'Counter-terrorism and human rights', Justice, <https://justice.org.uk/counter-terrorism-human-rights>; and 'Prevention of Terrorism Act 2005 (repealed)', Legislation.gov.uk, <https://www.legislation.gov.uk/ukpga/2005/2/contents>.

101 'UK: adoption of a controversial new control-order law', International Commission of Jurists, Advocates for Justice and Human Rights, <https://www.icj.org/ebulletin/uk-adoption-of-a-controversial-new-control-order-law>.

Control orders in effect breached due process. They were the result of a ‘legal quandary’ of the government’s ‘own making’, notes Max Rowland for Statewatch: ‘it is unwilling to authorise the disclosure of evidence held on terrorism suspects, but is equally reluctant to let people it believes pose a security threat walk free’.<sup>102</sup> Thus, people could find themselves severely restricted, in *de facto* or *de jure* house arrest, without knowing the exact reasons why, making it virtually impossible for them to mount an effective legal defence. The Terrorism Prevention and Investigation Measures (TPIM) Act 2011 was meant to reform and replace the much-criticised control orders.<sup>103</sup> But, in effect, it just reproduced their most egregious features. Like control orders, TPIMs can be used to impose ‘curfews, electronic tagging, and restrictions on freedoms of association, employment and movement’, all without a trial or conviction.<sup>104</sup>

The tendency to operate extrajudicially, preemptively police, and criminalise people for ‘pre-crime’ behaviour is perhaps most pronounced in the government’s Prevent strategy. Prevent is aimed at stopping acts of terrorism before they happen. First introduced in 2003, it took shape under the Counterterrorism and Security Act 2015.<sup>105</sup> This Act made it a duty for anyone working in education or health care to report those they deem at risk of ‘radicalisation’ to counterterrorism police. Widely considered racist and Islamophobic, Prevent has been roundly condemned by civil rights groups. By requiring educators and health care providers – many of whom work with vulnerable children and teenagers – to inform on those they serve, Prevent has embedded domestic surveillance into routine public services.<sup>106</sup> There is also little evidence that the programme even works at fulfilling its intended aims.<sup>107</sup> In one case, mental health professionals in Vulnerability Support Hubs referred patients to the police.<sup>108</sup> The programme has also criminalised activism and public discussion of controversial subjects, making it extremely difficult, for example, for students to engage in Palestine solidarity work on campus.<sup>109</sup> In practice, Prevent reflects a fundamental suspicion and hostility towards Muslim and migrant communities, as will be discussed in more detail in the next section.

***By requiring educators and health care providers to inform on those they serve, Prevent has embedded domestic surveillance into routine public services***

102 Max Rowlands, ‘Analysis: Criticism of UK Terrorism Prevention and Investigation Measures mounts as government retains power to forcibly relocate suspects’, Statewatch, 1, <https://www.statewatch.org/media/documents/analyses/no-160-uk-tpims.pdf>.

103 ‘Terrorism Prevention and Investigation Measures Act 2011’, Legislation.gov.uk, <https://www.legislation.gov.uk/ukpga/2011/23/contents>.

104 Rowlands, ‘Analysis Criticism of UK Terrorism Prevention’, 2.

105 ‘Counter-terrorism and Security Act 2015’, Legislation.gov.uk, <https://www.legislation.gov.uk/ukpga/2015/6/contents/enacted>.

106 Ruth Blakeley, Ben Hayes, Nisha Kapoor, Arun Kundnani, Narzanin Massoumi, David Miller, Tom Mills, Rizwaan Sabir, Katy Sian, and Waqas Tufail, *Leaving the War on Terror: A Progressive Alternative to Counter-Terrorism Policy* (Amsterdam: TNI, July 2019), <https://www.tni.org/en/publication/leaving-the-war-on-terror>.

107 ‘About Prevent’, PreventWatch, <https://www.preventwatch.org/about>.

108 Maryam Jameela, ‘Explosive evidence shows counter-terror police use health workers to surveil patients’, *The Canary*, 29 May 2021, <https://www.thecanary.co/investigations/2021/05/29/explosive-evidence-shows-counter-terror-police-use-health-workers-to-surveil-patients>.

109 Alia Malak, ‘Prevent: Silencing Palestine on Campus’, *Feminist Dissent* 4 (2019): 194–201.

## 1.3 Increasing militarisation of border control

In recent years, the English Channel has come to resemble not a passage between the UK and continental Europe but a highly militarised, highly fortified border zone. The Home Office has deployed a range of military-grade and cutting-edge technologies to stop unregulated land and water crossings. This includes tools like x-ray monitors, drones, and carbon dioxide detectors. To identify people hiding in vehicles crossing via the Channel Tunnel, the Border Force has paid UK-based Clantect Ltd. over £1.4 million for heartbeat monitors.<sup>110</sup> In 2020, the Border Force also began using Watchkeeper drones, which had been previously deployed in combat settings like Afghanistan.<sup>111</sup>

While the Home Office claims that embracing such high-tech surveillance will make the Channel less deadly, the number of recorded crossings and deaths have reached record levels, as other passages to arrival have been blocked.<sup>112</sup> Increased use of high-tech surveillance has come at a time when countries like the UK have **reduced opportunities for safe and legal routes into the country.**<sup>113</sup>

Now, the government is attempting to further eliminate methods of safe passage to the UK through the draconian Nationality and Borders Bill, which was passed by Parliament in April 2022.<sup>114</sup> The Act weakens anti-slavery protections and allows the government to strip people of citizenship without notice if they hold or are ostensibly entitled to dual nationality. It also criminalises asylum-seeking by offshoring asylum processing and creating two tiers of asylum seekers: those who enter the country ‘legally’ and those who enter ‘illegally’. The latter are now liable to prosecution and subject to harsher immigration measures.<sup>115</sup> As the relative generosity shown toward Ukrainian refugees has shown, the UK and other European nations apply different rules to refugees constructed as ‘white’ and imagined as victims, rather than potential threats.<sup>116</sup> Empowered by the Nationality and Borders Act, the Home Office immediately began trying to deport asylum seekers to processing centres in Rwanda, in a move that has shocked even hardened migration rights campaigners.<sup>117</sup>

110 PI, *The UK's Privatised Migration Surveillance Regime: A rough guide for civil society* (Feb 2021), 30, [https://www.privacyinternational.org/sites/default/files/2021-01/PI-UK\\_Migration\\_Surveillance\\_Regime.pdf](https://www.privacyinternational.org/sites/default/files/2021-01/PI-UK_Migration_Surveillance_Regime.pdf).

111 ‘An overview of Britain's drones and drone development projects’, Drone Wars UK, updated May 2022; <https://dronewars.net/british-drones-an-overview>; and George Allison, ‘Watchkeeper drone carries out border patrol over the English Channel’, *UKDJ*, 5 Sept 2020; <https://ukdefencejournal.org.uk/watchkeeper-drone-carries-out-border-patrol-over-the-english-channel>. The Home Office has deployed drones provided by Portuguese arms company Tekever to spot refugee and migrant boats attempting to cross the English Channel. George Allison, ‘Tekever say their drones in channel “help prevent illegal migration”’, *UKDJ*, 15 Sept 2021, <https://ukdefencejournal.org.uk/tekever-say-their-drones-in-channel-help-prevent-illegal-migration>.

112 Rajeev Syal, Angelique Chrisafis, and Diane Taylor, ‘Tragedy at sea claims dozens of lives in deadliest day of Channel crisis’, *The Guardian*, 25 Nov 2021, <https://www.theguardian.com/world/2021/nov/24/several-people-dead-migrant-boat-capsizes-channel>.

113 Sebastian Klovig Skelton, ‘English Channel surveillance used “to deter and punish migrants”’, *Computer Weekly*, 3 March 2022, <https://www.computerweekly.com/feature/English-Channel-surveillance-used-to-deter-and-punish-migrants>.

114 Freedom Collaborative, ‘The UK's strategy of shutting down safe migration routes is fueling the trafficking industry it claims it wants to break’, 30 Nov 2021; <https://freedomcollaborative.org/newsletter-archive/the-uks-strategy-of-shutting-down-safe-migration-routes-is-fueling-the-trafficking-industry-it-claims-it-wants-to-break>.

115 Alex Balch, ‘Nationality and Borders Act becomes law: five key changes explained’, *The Conversation*, 29 April 2022, <https://theconversation.com/nationality-and-borders-act-becomes-law-five-key-changes-explained-182099>.

116 Eva Połomska-Kimunguyi, ‘War, Resistance and Refuge: Racism and double standards in western media coverage of Ukraine’, *Media@LSE* (blog), 10 May 2022, <https://blogs.lse.ac.uk/medialse/2022/05/10/war-resistance-and-refuge-racism-and-double-standards-in-western-media-coverage-of-ukraine>.

117 ‘UK court says flight taking asylum seekers to Rwanda can go ahead’, *Al Jazeera*, 13 June 2022, <https://www.aljazeera.com/news/2022/6/13/uks-plan-to-deport-refugees-to-rwanda-faces-last-gasp-challenge>.

Both the securitisation of the Strait of Calais/Strait of Dover and the Nationality and Borders Act are simply the latest manifestations of years of anti-migrant rhetoric, which intensified after the 9/11 and 7/7 attacks, the 2015 European migrant ‘crisis’, and the Brexit referendum vote. Despite romanticised portraits of the Windrush Generation, the British government has tightly regulated migration for well over a century, particularly from the colonial and postcolonial world.<sup>118</sup> Since the turn of the twenty-first century, however, the mechanisms for controlling immigration control have not only become more militarised but, in many cases, data-driven and digitised. In addition, **border controls are increasingly extending well beyond the border and into everyday life.**

This is perhaps most evident in the Home Office’s Hostile Environment policy. Introduced by then-Home Secretary Theresa May, this approach has aspired to make the UK an unwelcoming environment for irregular migrants so they ‘voluntarily’ leave. **Hostile Environment policies have effectively outsourced immigration** by requiring employers, landlords, NHS staff, and other public and private sector workers to check a person’s immigration status before offering them a job, healthcare, housing, or other public services. This has been accompanied by opaque data-sharing arrangements that feed information into the hands of immigration police: ‘Now, when an undocumented migrant does something as innocuous as sending their child to school or registering with a GP, the address they give can be hoovered up by the Home Office and used for immigration enforcement’.<sup>119</sup>

The hostile environment is just the latest in a decades-long effort to criminalise irregular migration and asylum seeking. According to scholars Ben Bowling and Sophie Westenra, since the early 1970s, successive governments have developed ‘a bespoke “crimmigration control system”, which has criminalised ‘administrative breaches of UK immigration law – such as unlawful entry, arriving without documents, breaching visa conditions or overstaying’.<sup>120</sup> Today, ‘simply being unable to prove one’s right to remain in the UK, can lead to being defined as a criminal offender’.<sup>121</sup> In addition, migrants are subject to some of the harshest policing penalties. New Labour’s 2007 UK Border Act enabled the Home Office to automatically pursue deportation of anyone given a prison sentence of over 12 months.<sup>122</sup> As academic and writer Luke de Noronha explains, this linking of deportation and criminality has only worsened in subsequent years: ‘Since then, there has been a successive lowering of the threshold for “criminality” in deportation cases. Individuals are increasingly being deported on the basis of minor and non-custodial convictions; many are defined as “persistent offenders” despite not having received prison terms’.<sup>123</sup>

118 Alison Bashford and Jane McAdam, ‘The right to asylum: Britain’s 1905 Aliens Act and the evolution of refugee law’, *Law and History Review* 32, no. 2 (2014): 309–350.

119 *A Guide to the Hostile Environment: The border controls dividing our communities – and how we can bring them down* (Liberty: May 2019), [https://www.libertyhumanrights.org.uk/wp-content/uploads/2020/02/Hostile-Environment-Guide-%E2%80%93-update-May-2019\\_0.pdf](https://www.libertyhumanrights.org.uk/wp-content/uploads/2020/02/Hostile-Environment-Guide-%E2%80%93-update-May-2019_0.pdf).

120 Ben Bowling and Sophie Westenra, ‘“A really hostile environment”: Adiaphorization, global policing and the crimmigration control system’, *Theoretical Criminology* 24, no. 2 (2020): 163, 166.

121 *Ibid.*, 166. This demand for documentary proof of right-to-remain was one of the factors that led to the Windrush scandal. See Guy Hewitt, ‘The Windrush scandal: An insider’s reflection’, *Caribbean Quarterly* 66, no. 1 (2020): 108–128.

122 ‘UK Borders Act 2007’, Legislation.gov.uk, <https://www.legislation.gov.uk/ukpga/2007/30/contents>.

123 Luke de Noronha, *Deporting Black Britons: Portraits of Deportation to Jamaica* (Manchester University Press, 2020), 16.

More and more, **police officers are now acting like border guards.**<sup>124</sup> Since 2012, under a joint policy known as Operation Nexus, the police have been working with the Home Office to carry out immigration control. Police in England and Wales even report witnesses and victims of crime, who come forward seeking help, to immigration authorities. In one case, a pregnant woman who had been the victim of sexual assault was arrested on immigration charges.<sup>125</sup> Despite promises in 2018 to end this practice following public outcry,<sup>126</sup> police continue to report hundreds of crime victims each month to the Home Office for possible deportation.<sup>127</sup> This has chilling effects on vulnerable women who fear being deported or disbelieved due to their insecure legal status.<sup>128</sup> On-the-spot fingerprint scanning has made it even easier for police to check if individuals are wanted by the Home Office and arrest them.<sup>129</sup>

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124 Remi Joseph-Salisbury, 'Stop the scan: turning police into border guards', *Red Pepper Magazine*, 7 July 2019, <https://www.redpepper.org.uk/stop-the-scan-turning-police-into-border-guards/>.

125 Samir Jeraj and Natalie Bloomer, 'Woman reports rape to police – and is arrested on immigration charges', *Politics.co.uk*, 28 Nov 2017, <https://www.politics.co.uk/news/2017/11/28/woman-reports-rape-to-police-and-is-arrested-on-immigration-charges>.

126 Vikram Dodd, 'Police to stop passing on immigration status of crime victims', *The Guardian*, 7 Dec 2018, <https://www.theguardian.com/uk-news/2018/dec/07/police-to-stop-passing-on-immigration-status-of-victims>.

127 Sebastian Shehadi, 'Police report hundreds of crime victims a month to immigration service', *New Statesman*, 27 June 2022, <https://www.newstatesman.com/society/2022/06/police-refer-crime-victims-deportation-home-office>; and Home Office, 'Guidance: Review of data sharing: migrant victims and witnesses of crime (accessible version)', 15 Dec 2021, <https://www.gov.uk/government/publications/review-of-data-sharing-migrant-victims-and-witnesses-of-crime/review-of-data-sharing-migrant-victims-and-witnesses-of-crime-accessible-version>.

128 Step Up Migrant Women UK, 'Step Up Migrant Women: Reporting to the police should not be more dangerous than staying with the perpetrator', 23 May 2019, <https://stepupmigrantwomen.org/2019/05/23/research-righttobebelieved>.

129 De Noronha, *Deporting Black Britons*, 80, 267.



# 2 Militarised policing and surveillance

The growing use of mobile fingerprint scanners (discussed in more detail below) is just one example of how surveillance technology is reshaping contemporary policing in the UK. Of course, British police continue to rely on tried-and-tested, traditional strategies of surveillance. This includes enlisting civilians to become informants or placing police in groups they deem to be ‘threatening’. For four decades, the British police ran a programme that embedded undercover police in mostly left-wing activist groups, spying on thousands of citizens. This practice ultimately culminated in a public scandal after it was revealed that police officers engaged in deceptive romantic relationships with unwitting activists and spied on grieving families.<sup>130</sup>

Increasingly, however, the **police are also relying on high-tech, data-driven, and military-grade technology to surveil the British population**, test out new policing techniques, and expand the power of ordinary officers. In many cases, cutting-edge technologies are introduced in the absence of legal provisions or parliamentary scrutiny.<sup>131</sup> As the House of Lords recently noted, there are no overarching rules governing the introduction of controversial new technologies like AI and facial recognition for policing. Nor is there any single body guiding the adoption of such new technology, with more than 30 organisations playing a role in determining how and what tools police forces can adopt.<sup>132</sup> Of these, the Home Office, the College of Policing, and the National Police Chiefs’ Council (NPCC) play an outsize influence.

In such an unregulated and uncoordinated environment, policing bodies have enormous discretion to both test out and wholeheartedly embrace contentious new surveillance technologies. And **new technologies tend to beget more technology**.

*Increasingly, the police are relying on high-tech, data-driven, and military-grade technology to surveil the British population*

<sup>130</sup> ‘Undercover Research Group’, <https://undercoverresearch.net>; and Rob Evans and Paul Lewis, ‘The True Story of Britain’s Secret Police Undercover’, SpyCops, <https://www.spycops.co.uk/the-story>.

<sup>131</sup> Big Brother Watch, ‘Face Off: The lawless growth of facial recognition in UK policing’, May 2018, <https://bigbrotherwatch.org.uk/wp-content/uploads/2018/05/Face-Off-final-digital-1.pdf>.

<sup>132</sup> Lindsay Clark, ‘UK police lack framework for adopting new tech like AI and face recognition, Lords told’, *The Register*, 19 Jan 2022, [https://www.theregister.com/2022/01/19/uk\\_police\\_lack\\_framework\\_for](https://www.theregister.com/2022/01/19/uk_police_lack_framework_for).

Famously, London is one of the most surveilled cities in the world, with the average Londoner being caught on camera around 300 times a day.<sup>133</sup> Yet the police have struggled to manage the sheer volume of footage caught by CCTV cameras, a problem that has driven the adoption of automated tracking and analysis systems, including facial recognition (discussed below).<sup>134</sup> Below are examples of technologies adopted by British policing bodies in recent years, almost always in the absence of proper public discussion or sufficient legislative oversight.

## 2.1 Mobile fingerprint scanners

As discussed above, mobile fingerprinting has become an increasingly regular part of stop-and-search procedures in many parts of the country, giving police officers expanded surveillance powers and enabling them to effectively act as border guards. As of 2019, three quarters of police forces in England and Wales had access to Home Office-provided mobile scanners.<sup>135</sup> These devices are connected to IABS (The Immigration and Asylum Biometric System), which holds the fingerprints of non-citizens who have entered the country, and IDENT1 (the Law Enforcement and Security Biometrics System), which has the fingerprints of people taken into custody by the police. Officers can scan someone's fingerprints even if they are not under arrest, with or without their consent, if they suspect an individual has committed an offence and are unable to verify their details (or believe they've given a false name).<sup>136</sup> In 2018, the London Metropolitan Police Service implemented its own in-house mobile fingerprinting kits, which can identify someone in under 60 seconds, rapidly expanding their ability to perform stop-and-scans.<sup>137</sup>

**Mobile fingerprinting has only amplified racist police practices.** In some constabularies, Black Britons are up to 18 times more likely to be stopped and scanned than their white counterparts.<sup>138</sup> The Racial Justice Network and Yorkshire Resists conducted a study of one biometric scanning pilot project in West Yorkshire. Their findings showed that Black people were stopped and scanned at over three times the rate of white British and Irish people.<sup>139</sup> One person surveyed felt that

133 'How Many CCTV Cameras in London?' Caught on Camera, <https://www.caughtoncamera.net/news/how-many-cctv-cameras-in-london>. See also: Big Brother Watch, *The Price of Privacy: The £515m cost of CCTV* (Feb 2012), <https://bigbrotherwatch.org.uk/wp-content/uploads/2012/02/The-Price-of-Privacy.pdf>.

134 James Temperton, 'One nation under CCTV: The future of automated surveillance', *WIRED*, 17 Aug 2018, <https://www.wired.co.uk/article/one-nation-under-cctv>.

135 Xavier Richer Vis, 'Police use of fingerprint scanners disproportionately targets Black Britons', *WIRED*, 3 Nov 2020, <https://www.wired.co.uk/article/police-fingerprint-scan-uk>; and PI, *The UK's Privatised Migration Surveillance Regime*, 25.

136 'Home Office Biometrics Programme Privacy Impact Assessment', Version 1.5, agreed on 2 May 2018, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/721096/HOB\\_Programme\\_Privacy\\_Impact\\_Assessment\\_Final\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/721096/HOB_Programme_Privacy_Impact_Assessment_Final_.pdf); 'Your Rights and Mobile Fingerprinting', Netpol, 28 Jan 2013, <https://netpol.org/2013/01/28/your-rights-and-mobile-fingerprinting>; 'Know Your Rights', Stop the Scan, <https://stopthescan.co.uk/know-your-rights>; and Home Office, *Police and Criminal Evidence Act 1984 (PACE): CODE D Revised Code of Practice for the identification of persons by Police Officers* (Feb 2017), [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/903812/pace-code-d-2017.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/903812/pace-code-d-2017.pdf).

137 Anmar Frangoul, 'London police develop biometrics device to confirm a suspect's identity in 60 seconds', *CNBC*, 14 Aug 2018, <https://www.cnn.com/2018/08/14/police-develop-biometrics-device-to-confirm-suspects-identity.html>; and Nick Charity, 'Met Police rolls out new fingerprint scanners to identify suspects on street amid backlash', *London Evening Standard*, 14 Aug 2018, <https://www.standard.co.uk/news/london/met-police-officers-roll-out-new-fingerprint-scanners-to-identify-suspects-on-street-amid-backlash-a3910766.html>.

138 Vis, 'Police use of fingerprint scanners disproportionately targets Black Britons'.

139 The Racial Justice Network and Yorkshire Resists, *Public's Perception on the Biometric Services Gateway (mobile fingerprint app)*, Jan 2021, 13, <https://stopthescan438237173.files.wordpress.com/2021/01/report-public-perception-biometric-gateway.pdf>. The study used surveys and data from FOIAs (Freedom of Information Act Requests).

## 5 key repressive surveillance technologies

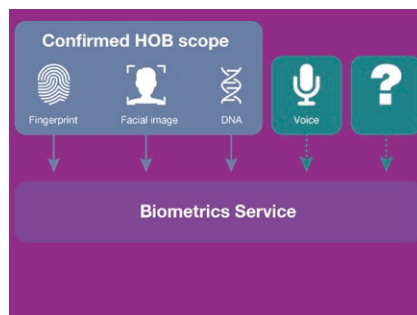
### Mobile fingerprint scanners



Credit: West Midlands Police, Source: Flickr

- > Used by 3/4 of UK police forces by 2019
- > Connected to biometric immigration and asylum database
- > Amplify racist police practices such as stop and search

### Centralised databases



Home Office Biometrics Strategy, 2018

- > Home Office collects biometric info on millions of citizens and foreign nationals
- > Databases linked, giving the state overarching surveillance capabilities
- > Met Police Gangs Matrix criminalises young Black men through racist stereotyping and vague definition of 'gangs'

### Social Media Surveillance



Source: Liberty / Privacy International

- > Used to criminalise young people by 'guilt through association' - again overwhelmingly Black and brown youth
- > Use of urban slang and posting of music videos used as evidence of 'gang' membership

### Facial Recognition



Credit: Mike MacKenzie, Source: Flickr

- > Increasing use and precision expands state surveillance capabilities
- > Yet repeatedly shown to involve race and gender bias, misidentifying women and people of colour more than white men
- > Leads to further over-policing of already criminalised communities

### Military-grade drones



Credit: British Army

- > Industry and government expanding use to domestic, non-combat settings
- > Military drones used to patrol English Channel for border control purposes
- > New MOD 'Protector' drone 'certified to fly unrestricted in civilian air-space'

*London is one of the most surveilled cities in the world, with the average Londoner being caught on camera around 300 times a day*

the use of mobile fingerprint devices would ‘mean many people will be made to feel less of a citizen of this country by being “checked”’.<sup>140</sup> The study also found that non-British white populations, including Polish, Romanian, and Slovakian communities as well as Roma people, were disproportionately targeted.<sup>141</sup>

During lockdown, there was a dramatic increase in fingerprint scans on the streets of London. The police’s biometric scanning app was also updated with a Covid-19 penalty function.<sup>142</sup> As Netpol warned in 2013: ‘If the extended use of mobile fingerprinting becomes “normalised” the police will have, in effect, the means to demand the biometric identification of any person they choose’.<sup>143</sup> Now, the Home Office is attempting to merge and expand the database backend linked to mobile fingerprint scanners, giving police access to even more information.<sup>144</sup>

## 2.2 Centralised databases

The introduction of mobile fingerprint scanners was only possible because the Home Office had spent years **building biometric mega-databases of citizens and foreign nationals**. The development of huge biometric databases accelerated in the wake of 9/11. Security agencies across the world began to turn to biometrics as a counterterrorism strategy, collecting DNA, fingerprints, and iris prints on an unprecedented scale. Afghanistan and Iraq became laboratories for the US military, which developed large centralised databases with millions of Iraqis and Afghans’ most sensitive information.<sup>145</sup> Like the US, the UK has been at the leading edge of these global trends. The Home Office is now focused on merging its biometric systems, making them more interoperable and more easily accessible to policing and security authorities.

*The Home Office has spent years building biometric mega-databases of citizens and foreign nationals*

### The Home Office Biometrics programme

As Mary Atkinson of the Joint Council for the Welfare of Immigrants points out, the government is pouring millions of pounds into creating ‘an all-digital system that allows biometric and other data to be shared seamlessly between police, immigration enforcement and other government departments...with no further parliamentary scrutiny’.<sup>146</sup> Under the Home Office Biometrics programme, or HOB, the government is attempting to merge the National DNA Database (which holds the DNA profiles of subjects in criminal cases), IDENT1, and IABS into a single, centralised platform.<sup>147</sup> UK arms company BAE Systems, US company Leidos, and Indian multinational Mastek have all been involved in its

<sup>140</sup> *Ibid*, 26.

<sup>141</sup> *Ibid*, 13.

<sup>142</sup> Vis, ‘Police use of fingerprint scanners disproportionately targets Black Britons’; and Racial Justice Network–UK, ‘COVID-19 penalty functions added to police mobiles’, 16 June 2020, <https://racialjusticenetwork.co.uk/2020/06/16/c19-police-app>.

<sup>143</sup> ‘Your Rights and Mobile Fingerprinting’, Netpol.

<sup>144</sup> ‘Home Office to consolidate biometrics systems’, *UK Authority News*, 9 Jan 2018; <https://www.ukauthority.com/articles/home-office-to-consolidate-biometrics-systems>.

<sup>145</sup> Katja Lindskov Jacobsen, ‘Biometric data flows and unintended consequences of counterterrorism’, *International Review of the Red Cross* 103, no. 916-917 (2021): 619-652.

<sup>146</sup> Mary Atkinson (@MaryCATkinson), ‘Let’s talk about some of the costs of borders and the hostile environment’, Twitter, 30 June 2020, <https://twitter.com/MaryCATkinson/status/1277929931503218688>.

<sup>147</sup> ‘Home Office to consolidate biometrics systems’.

implementation.<sup>148</sup> HOB may prove yet another expensive, ineffectual Home Office IT project, which will do little more than line the pockets of arms and surveillance companies.<sup>149</sup> Yet if successful, the initiative will increase the surveillance powers of the British state by enabling more government agencies access to biometric data.

Particularly concerning, HOB aims to support data-sharing with international security agencies. With the upgraded systems, the Home Office plans to share DNA and fingerprint records ‘with EU nations for the purpose of law enforcement and counter terrorism’ and develop a ‘new algorithm...for law enforcement facial image matching’.<sup>150</sup> This opens the door for racial discrimination, since the most commonly used facial algorithms have been shown to be racially discriminatory.<sup>151</sup> Sharing biometric data with EU nations could also enhance the ability of countries to police migration, further restricting opportunities for safe refuge.

## The Gangs Matrix

It is not only the Home Office that has been captured by data-driven methods, relying on the creation of large databases of individuals. After the August 2011 unrest, the Metropolitan Police Service developed the Gangs Violence Matrix, a database of suspected gang members in London. Though not on the scale of some of the Home Office mega-databases mentioned above, the Gangs Matrix is no less troubling.

The origins of the Gangs Matrix lie in efforts by police and politicians to pin blame for the 2011 unrest on young Black men. By assigning scores based on an individual’s supposed propensity towards violence, the database has fed into a growing moral panic around gangs – a nebulous, ill-defined term that has created enormous scope for abuse.

It has also only contributed to the criminalisation of Black teenagers and young adults. As Elliott-Cooper notes, Black and brown youth are no more likely than white young people to be involved in what the police refer to as ‘Serious Youth Violence’.<sup>152</sup> Yet the Gangs Matrix overwhelmingly targets young Black men. According to Amnesty International, an analysis of the Matrix in July 2016 ‘revealed that 87 percent were from black, Asian and minority ethnic (BAME) backgrounds (78 percent were black). Eighty percent were between the ages of 12 and 24, and 15 per cent were minors (the youngest was 12 years old). Ninety nine per cent were male’.<sup>153</sup> By actively constructing criminality, the Gangs Matrix helps to reproduce racist stereotypes and reify the concept of the ‘gang’ within policing practice.

148 BAE Systems, ‘Enabling front line law enforcement with a next gen solution at scale’, <https://www.baesystems.com/en/cybersecurity/feature/working-with-the-home-office-and-biometrics>; Angelica Mari, ‘Home Office picks supplier for £300m biometrics project’, *ComputerWeekly.com*, 4 Oct 2019, <https://www.computerweekly.com/news/252471875/Home-Office-picks-supplier-for-300m-biometrics-project>; Luana Pascu, ‘Leidos partners with UK Home Office to modernize critical biometrics system’, *BiometricUpdate*, 2 Oct 2019, <https://www.biometricupdate.com/201910/leidos-partners-with-uk-home-office-to-modernize-critical-biometrics-system>; and ‘Home Office picks Mastek to support HOB biometrics programme’, *Government Computing*, 26 Oct 2018, <https://www.governmentcomputing.com/central-government/news/home-office-picks-mastek-support-hob-biometrics-programme>.

149 The Home Office ‘has an abysmal record on delivering IT projects’, notes Privacy International, ‘with the effect that it fails to provide basic and vital services for people while continuing to award lucrative contracts to big arms and surveillance companies which enjoy minimal scrutiny and are seldom held accountable in the public discourse’. PI, *The UK’s Privatised Migration Surveillance Regime*, 5.

150 Home Office, *Biometrics Programme Privacy Impact Assessment*, 11.

151 Asa Fitch, ‘Facial-Recognition Software Suffers From Racial Bias, U.S. Study Finds’, *The Wall Street Journal*, 19 Dec 2019, <https://www.wsj.com/articles/facial-recognition-software-suffers-from-racial-bias-u-s-study-finds-11576807304>.

152 Elliott-Cooper, *Black Resistance to British Policing*, 115.

153 Amnesty International United Kingdom Section, *Trapped in the Matrix: Secrecy, stigma, and bias in the Met’s Gangs Database* (May 2018), 2, [www.amnesty.org.uk/files/reports/Trapped%20in%20the%20Matrix%20Amnesty%20report.pdf](http://www.amnesty.org.uk/files/reports/Trapped%20in%20the%20Matrix%20Amnesty%20report.pdf).



## 2.3 Social media surveillance (SOCMINT)

The police use a variety of techniques to profile so-called gang members. In some cases, they identify suspected gang members on the basis of content posted on YouTube and other sites.<sup>154</sup> This means that someone could find themselves on the Gangs Matrix having never committed a crime, simply because they posted music or used slang associated with urban and Black cultural trends that police deem ‘gang-related’. Social media surveillance (SOCMINT) is one of the most dubious methods by which the police criminalise young Black men.<sup>155</sup>

SOCMINT is also a means for the police to **practice collective punishment, a technique overwhelmingly used against Black and brown youth and their families**. As Elliott-Cooper explains: ‘A “proven” gang member does not have friends, close family members or acquaintances, but “gang affiliates” and accomplices, who should be similarly monitored, harassed and, if necessary, convicted and imprisoned under JE’.<sup>156</sup> Under JE or Joint Enterprise, those considered secondary offenders – defined as those who ‘intended to encourage or assist’ the main offender ‘to commit the offence’ – can be prosecuted as though they committed the crime.<sup>157</sup> This is often used to convict entire groups of people, using social media posts as evidence of ‘gang affiliations’ in court. Elliott-Cooper explains:

It is not uncommon for the police to play footage from rap videos and social media posts which show the defendants together. This is used to ‘prove’ they are part of the same gang and therefore demonstrating a shared ‘belief and contemplation’. Consequently, whoever the principal ‘offender’ in the group may have been, those in their ‘gang’ are equally guilty of the offence.<sup>158</sup>

In one particularly damning case, four Black teenagers in Manchester were found ‘guilty by association’ and sentenced to eight years in prison, all based on evidence from a Telegram chat following their friend’s murder. None ‘had any weapons, nor took part in any violent acts or “scoping missions” to locate individuals to be targeted for violence’, but were considered guilty because they listened to drill music and were part of an online conversation about seeking revenge for their late

***SOCMINT is also a means for the police to practice collective punishment, a technique overwhelmingly used against Black and brown youth and their families***

<sup>154</sup> *Ibid.*, 11–13.

<sup>155</sup> Such prejudice also shapes how the police investigate cases when young black men are the victims of crimes. In 1998, an inquiry was conducted into the Metropolitan Police’s mishandling of the racially motivated murder of Black British teenager Stephen Lawrence. The MacPherson Report, which was published the following year, found the Met Police to be institutionally racist. *The Stephen Lawrence Inquiry: Report of an Inquiry by Sir William MacPherson of Cluny* (Feb 1999), [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/277111/4262.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/277111/4262.pdf). Despite subsequent reforms during the Blair years – including the creation of the Independent Police Complaints Commission (now the Independent Office for Police Conduct or IOPC) – the Met Police has continued to be tainted by accusations of racism, sexism, and general misconduct. A recent investigation by the IOPC revealed that officers at Charing Cross police station routinely exchanged racist, misogynistic, and homophobic messages, joking about raping women and killing black children. ‘IOPC recommendations to tackle Met culture after investigation uncovers bullying and harassment in the ranks’, IOPC, 1 Feb 2022, <https://www.policeconduct.gov.uk/news/iopc-recommendations-tackle-met-culture-after-investigation-uncovers-bullying-and-harassment>; and Chiara Giordano, ‘Revealed: The “sickening” messages Metropolitan Police officers swapped joking about rape’, *The Independent*, 1 Feb 2022, <https://www.independent.co.uk/news/uk/home-news/metropolitan-police-messages-racist-sexist-b2005367.html>.

<sup>156</sup> Elliott-Cooper, *Black Resistance to British Policing*, 137.

<sup>157</sup> ‘5 Things You Need to Know About Joint Enterprise’, *Liberty*, 7 April 2022, <https://www.libertyhumanrights.org.uk/issue/5-things-you-need-to-know-about-joint-enterprise>.

<sup>158</sup> Elliott-Cooper, *Black Resistance to British Policing*, 136.



friend.<sup>159</sup> Criticising ‘the policing of grief’, Manchester-based Kids of Colour, who are campaigning on their behalf, blamed prosecutors for misconstruing messages made during a time of distress and conflating music with gang affiliation: ‘Some are on trial for making drill music, liking drill music, social media activity, or enjoying a culture: the argument, this makes them “part of the gang”. Some are on trial simply for some messages after a friend’s death, which led to no harm’.<sup>160</sup>

While social media surveillance may be a twenty-first century police practice, collective punishment dates back to the colonial era. Collective punishment was used to suppress uprisings and anti-colonial rebellions in Kenya, Malaya, and Cyprus. As Jasbinder S. Nijjar argues, these ‘echoes of empire’ reverberate in the contemporary policing of gangs in the UK, reflecting a ‘discursive overlap between race and collective criminality’.<sup>161</sup>

## 2.4 Facial recognition

Although social media surveillance is often used to target individuals and small groups, the police are now beginning to rely on much more high-tech and invasive forms of surveillance capable of monitoring large populations. In recent years, UK police forces have attracted national and international condemnation for using facial recognition technology on the British public.<sup>162</sup> Facial recognition systems allow authorities to match a human face from a photo or video against a database of faces, enabling officers to automatically scan and cross-check millions of images, often in real time. Because facial recognition can be deployed without people’s consent or knowledge, it is frequently impossible to opt out of. The Met was one of the first forces to trial live facial recognition, which enables real-time surveillance, and has more recently purchased retrospective facial recognition technology, allowing it to analyse past footage from CCTV and social media feeds. Much of this software is provided by Japanese tech giant NEC (discussed in more detail in section 3).<sup>163</sup>

Facial recognition software is worrying for both its accuracies *and* inaccuracies. Owing to advancements in neural network computing, the precision of face recognition has increased dramatically in recent years, worrying many privacy experts and civil rights campaigners.<sup>164</sup> These advances, however, have not eliminated problems of misidentification, which tend to follow discriminatory patterns. **Racism and sexism are, in fact, baked into many of the most widely used facial recognition systems.** A large-scale US study in 2019 found that some of the most common algorithms were racially discriminatory, misidentifying Asian- and

***Racism and sexism are baked into many of the most widely used facial recognition systems***

159 Helen Pidd, ‘Fury in Manchester as black teenagers jailed as result of Telegram chat’, *The Guardian*, 1 July 2022, [https://www.theguardian.com/uk-news/2022/jul/01/fury-in-manchester-as-black-teenagers-jailed-as-result-of-telegram-chat?utm\\_term=Autofeed&CMP=tw\\_t\\_gu&utm\\_medium&utm\\_source=Twitter#Echobox=1656696732](https://www.theguardian.com/uk-news/2022/jul/01/fury-in-manchester-as-black-teenagers-jailed-as-result-of-telegram-chat?utm_term=Autofeed&CMP=tw_t_gu&utm_medium&utm_source=Twitter#Echobox=1656696732). Campaigners have also pointed to injustices in the trials of the six other teenagers. See also: Helen Pidd, ‘Manchester MP to write to minister over “guilty by association” verdicts’, *The Guardian*, 4 July 2022, <https://www.theguardian.com/law/2022/jul/04/manchester-mp-to-write-to-minister-over-guilty-by-association-verdicts>.

160 Kids of Colour (@KidsofColourHQ), ‘Life Sentences for Text Messages?’ Twitter, 7 May 2022, <https://twitter.com/KidsofColourHQ/status/1522852630988480512/photo/3>.

161 Jasbinder S. Nijjar, ‘Echoes of Empire’, *Social Justice* 45, no. 2/3 (152/153) (2018): 153.

162 Cahal Milmo, ‘Police defy human rights outcry to press ahead with facial scanning technology’, *iNews*, 12 Feb 2022, <https://inews.co.uk/news/long-reads/police-facial-scanning-technology-hunt-fugitives-human-rights-1454833>.

163 Luana Pascu, ‘Met Police deploy NEC facial biometrics across London’, *Biometric Update*, 24 Jan 2020, <https://www.biometricupdate.com/202001/met-police-deploy-nec-facial-biometrics-across-london>.

164 ‘NIST Evaluation Shows Advance in Face Recognition Software’s Capabilities’, National Institute of Standards and Technology, 30 November 2018, <https://www.nist.gov/news-events/news/2018/11/nist-evaluation-shows-advance-face-recognition-software-capabilities>.



Hi-res facial recognition at Oxford Circus, July 2022

African-Americans at far higher rates than white populations.<sup>165</sup> Another MIT study found that commercial facial recognition systems ‘including those created and sold by Microsoft and IBM, misidentified dark-skinned women up to 35% of the time compared to 1% for light-skinned men’.<sup>166</sup> The Met Police have even admitted that their facial recognition software contains gender bias, misidentifying women at higher rates than men.<sup>167</sup>

Facial recognition is also riddled with other problems, which tend to lead to the over-policing of already criminalised populations. A study by researchers at the University of Essex concluded that the Met’s facial recognition system failed 80% of the time. This was partly because the watchlist used to cross-check people included out-of-date information, causing those whose cases had been concluded to be stopped and questioned.<sup>168</sup>

Beyond concerns with the algorithms and database backend, civil rights groups have also raised alarms about who this highly intrusive technology will primarily target. As Big Brother Watch explains, algorithmic biases can be ‘further compounded if police disproportionately deploy automated facial recognition in areas with high BME populations...using the British African Caribbean community as guinea pigs for this authoritarian new technology’.<sup>169</sup> In 2017, the Met Police trialled facial recognition software at the Notting Hill Carnival, scanning thousands of revellers attending the popular Afro-Caribbean festival. Stafford Scott of the Monitoring Group, an anti-racist charity in the UK, denounced this practice as ‘racial profiling’, noting that a ‘technique they use for terrorists is going to be used against young Black people enjoying themselves’.<sup>170</sup>

165 Patrick Grother, Mei Ngan, and Kayee Hanaoka, *Face Recognition Vendor Test (FRVT): Part 3, Demographic Effects*, National Institute of Standards and Technology, 2019, <https://nvlpubs.nist.gov/nistpubs/ir/2019/NIST.IR.8280.pdf>; and Fitch, ‘Facial-recognition software suffers from racial bias’.

166 *Big Brother Watch Briefing on facial recognition surveillance* (June 2020), 15, <https://bigbrotherwatch.org.uk/wp-content/uploads/2020/06/Big-Brother-Watch-briefing-on-Facial-recognition-surveillance-June-2020.pdf>.

167 *Ibid*, 16.

168 Thomas Brewster, ‘London Police Facial Recognition “Fails 80% Of The Time And Must Stop Now”’, *Forbes*, 4 July 2019, <https://www.forbes.com/sites/thomasbrewster/2019/07/04/london-police-facial-recognition-fails-80-of-the-time-and-must-stop-now>.

169 Big Brother Watch, ‘Face Off: The lawless growth of facial recognition in UK policing’, May 2018, 17.

170 Dodd, ‘Met police to use facial recognition software at Notting Hill carnival’.

NEC also supplies facial recognition technology to the South Wales Police,<sup>171</sup> which recently lost a court case brought by civil society campaigners alarmed by the rapid roll-out of the technology in the absence of legal constraints.<sup>172</sup> The court of appeal ruled that the Police's deployment of facial recognition systems 'breached privacy rights and broke equalities law'. It also determined that the department had failed to properly audit the software to determine if it 'exhibited any race or gender bias'. The South Wales Police, however, plans to continue using NEC's software, with only minor modifications.<sup>173</sup> This is in spite of the findings of a Commons Select Committee, which has called on the government to issue a moratorium and stop all facial recognition trials until 'a legislative framework has been introduced and guidance on trial protocols, and an oversight and evaluation system, has been established'.<sup>174</sup>

Given this growing controversy, it might be surprising to learn how the South Wales Police have deployed facial recognition technology. At a recent talk at the London School of Economics, Anne Russell of the Information Commissioner's Office spoke about necessity and proportionality, noting that facial recognition technology should only be used for serious crime. Taking issue with this position, Jeremy Vaughan, Chief Constable of the South Wales Police, questioned what constituted 'serious crime'. He mentioned one case in which facial recognition was deployed to deal with phone thefts at a concert in Cardiff.<sup>175</sup> This seemingly cavalier attitude towards facial recognition, which contradicted advice from the Information Commissioner's Office, speaks to the normalisation of a controversial technology with serious implications for civil liberties and chilling effects on people's right to freely use public space. Worryingly, Wales has been at the forefront of facial recognition for policing, taking a national lead thanks to funding from the Home Office.<sup>176</sup>

## 2.5 Military-grade drones

Tech and digital rights campaigners often worry about function creep, the gradual expansion of a technology from its original use to new domains. One of the most troubling examples of function creep is when military-style weapons and technologies are repurposed for civilian settings. This has been the case for military-grade drones (unmanned aerial vehicles) in the UK. Since mid-2007, the UK has been deploying armed and surveillance drones in Iraq and Afghanistan.<sup>177</sup> But increasingly, **with the help of aerospace and defence companies in search of new markets, the government is using military-grade drones domestically and in**

171 'Case Study-Facial Recognition: South Wales Police-Smarter Recognition, Safer Community', NEC, <https://www.necsws.com/case-studies/public-safety/facial-recognition/facial-recognition-south-wales-police>.

172 Jenny Rees, 'Facial recognition use by South Wales Police ruled unlawful', *BBC News*, 11 Aug 2020, <https://www.bbc.com/news/uk-wales-53734716>.

173 Dan Sabbagh, 'South Wales police lose landmark facial recognition case', *The Guardian*, 11 Aug 2020, <https://www.theguardian.com/technology/2020/aug/11/south-wales-police-lose-landmark-facial-recognition-case>.

174 'Issues with biometrics and forensics significant risk to effective functioning of the criminal justice system', UK Parliament, Science and Technology Committee, News Articles, 18 July 2019, <https://committees.parliament.uk/committee/135/science-and-technology-committee/news/100970/issues-with-biometrics-and-forensics-significant-risk-to-effective-functioning-of-the-criminal-justice-system>; and Milmo, 'Police defy human rights outcry to press ahead with facial scanning technology'.

175 'Is there a legitimate role for facial recognition in policing and law enforcement?' Public event hosted by the Centre for Research into Information, Surveillance & Privacy (CRISP), London School of Economics, 14 June 2022, <https://stirling.cloud.panopto.eu/Panopto/Pages/Viewer.aspx?id=56d462f3-a8f5-44b3-9ffc-aeba00db92df>.

176 Big Brother Watch, 'Face Off', 10.

177 'What are drones?' Drone Wars UK, <https://dronewars.net/aboutdrone>.



**non-combat settings.** As mentioned above, the Home Office and Border Force have been deploying drones to patrol the English Channel. Now, the Ministry of Defence is pushing their use in civilian airspace.

In 2015, then-Prime Minister David Cameron announced that the government would be phasing out its Reaper drones and more than doubling its fleet of armed drones by becoming the first country to purchase the SkyGuardian (euphemistically rebranded the 'Protector' by the British government) from US company General Atomics.<sup>178</sup> Part of its Airspace Modernisation Strategy, the Ministry of Defence claims that the Protector fleet will 'increase the UK's ability to identify, track, deter and ultimately counter potential threats' and 'substantially enhance the UK's global Intelligence Surveillance and Reconnaissance capability'.<sup>179</sup>

Unlike its predecessor, the Protector is 'certified to fly unrestricted in civil airspace', though this requires the convincing of airspace regulators.<sup>180</sup> In 2021, the RAF announced that it would be conducting trials of the SkyGuardian, which would take off from the RAF base in Waddington, England and land in Lossiemouth, Scotland.<sup>181</sup> During the trial, the drone flew over Manchester and other busy areas of the country.<sup>182</sup> In addition to posing significant privacy and civil liberty concerns, the use of drones in UK domestic air space can compromise air safety, especially as large drones frequently crash.<sup>183</sup> There is also evidence that the new, strike-capable Protector drones will serve a border patrol role, possibly monitoring the Channel.<sup>184</sup>



Protest banner, Security and Policing 2016

178 'Protector briefing: 2021 update, Protector: The UK's next generation armed drone', Drone Wars UK, <https://dronewars.net/wp-content/uploads/2021/02/DW-Protector-WEB.pdf>.

179 'New investment in counter terrorism for UK Armed Forces', Ministry of Defence, 4 Oct 2015, <https://www.gov.uk/government/news/new-investment-in-counter-terrorism-for-uk-armed-forces>.

180 'An overview of Britain's drones and drone development projects'.

181 George Allison, 'SkyGuardian drone to undertake trials in UK skies', *UKDJ*, 25 Aug 2021, <https://ukdefencejournal.org.uk/skyguardian-drone-to-undertake-trials-in-uk-skies>.

182 'SkyGuardian trial flight, Sep 2021', Facebook, 1 Oct 2021, <https://www.facebook.com/watch/?v=194392526109088>.

183 'Protector briefing', Drone Wars UK, 5-6.

184 Peter Burt, 'Drone Wars Select Committee submission on use of the military drones in countering migrant crossings', Drone Wars UK, 7 Feb 2022, <https://dronewars.net/2022/02/07/drone-wars-select-committee-submission-on-use-of-the-military-drones-in-countering-migrant-crossings/#more-15388>.

# 3 Britain and militarised policing across the globe

The purchase of the Predator fleet is also a sign of Britain's close ties to militarising policing across the globe. The new fleet will not only normalise the use of armed drones domestically, but also potentially pave the way for their introduction across Europe and beyond. As the NGO Drone Wars UK notes, 'General Atomics sees the UK as a key gateway to opening up airspace in Europe and around the globe for its drones' and recently 'contracted BAE Systems to help facilitate the integration of Protector into UK airspace'.<sup>185</sup> In addition, the Protector fleet, the first of which were scheduled to arrive between 2021 and 2024, could enable the British government to set up a training school, which could be used by governments friendly to the UK.<sup>186</sup> As the Ministry of Defence noted in its 2019-20 annual report: 'The announcement by both Belgium and Australia in 2019 that they will also procure the MQ-9B/Protector capability opens up opportunities for synergies in certification, training and future operations'.<sup>187</sup>

As plans for the Predator fleet suggest, the British government seeks to position itself as a global leader in security, defence, and policing. Their purchase also speaks to the influence of large arms and defence companies, such as General Atomics and BAE, seeking to expand their market into civilian policing.

The following section focuses on Britain's entanglements in global policing networks. By regularly exchanging ideas, tactics, and technologies with geopolitically powerful states like Germany, Israel, and the US, the British government has played an outsized role in shaping global policing trends. It also exercises its influence by training police and security forces around the world, particularly across its orbit in the former British Empire and postcolonial world. Additionally, the UK is a key node within the international weapons trade. Bolstered by the Department for International Trade, the Home Office, and the Ministry of

<sup>185</sup> 'Protector briefing', Drones Wars UK, 5.

<sup>186</sup> *Ibid.*, 2-3.

<sup>187</sup> *Ministry of Defence Annual Report and Accounts 2019-20, For the year ended 31 March 2020*, 66, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/928741/6.6565\\_MoD\\_Annual\\_Report\\_and\\_Accounts\\_2019-20\\_211020\\_WEB\\_3\\_.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/928741/6.6565_MoD_Annual_Report_and_Accounts_2019-20_211020_WEB_3_.pdf).

Defence, British arms, tech, and security companies export harmful equipment and armaments to regimes and police forces. At the same time, British police forces often contract with international firms that sell digital technologies.

This section focuses particularly on the role of private industry in global policing networks. As Mark Akkerman writes, ‘through their lobbying, involvement in government “expert” groups, revolving doors with state agencies, it becomes clear that corporations are not just accidental beneficiaries of the militarisation of borders’.<sup>188</sup> The same holds true for policing more broadly. The close relationship between corporations and the state has facilitated the global dissemination of shared militarised tactics, technologies, and tools.

## 3.1 British exports of spyware, weaponry, and anti-protest gear

It is no accident that Britain is the second biggest arms exporter in the world,<sup>189</sup> the fourth largest exporter of security technology,<sup>190</sup> and a major supplier of other police equipment. **The British government has created a climate friendly for the defence and security sector.** In 2019, then-Secretary of State for International Trade Elizabeth Truss described the UK as ‘a world-leader in the security sector’, commending the fact that UK companies had ‘won multi-million pound deals ranging from access control solutions to Indonesia, X-ray screening equipment into Europe and counter drone systems for North America’.<sup>191</sup>

Campaign Against Arms Trade (CAAT) has documented how **successive governments have promoted the export of deadly goods and armaments across the world.** This includes British-made anti-protest gear and equipment. After coming to power in 2010, the Coalition government (2010-2015) approved export licences for at least £15.9 million in anti-protest goods. The equipment cleared included crowd control ammunition, riot shields, and tear gas, often approved for export to countries with serious records of human rights abuses, such as Libya, Saudi Arabia, Israel, Russia, and Hong Kong.<sup>192</sup> More recently, British companies

***Successive governments have promoted the export of deadly goods and armaments across the world***

188 Mark Akkerman, *Financing Border Wars: The border industry, its financiers and human rights*, Border Wars Briefing (TNI and Stop Wapenhandel, March 2021), 1, <https://www.tni.org/en/financingborderwars>.

189 Dan Sabbagh, ‘UK remains second biggest arms exporter with £11bn of orders’, *The Guardian*, 6 Oct 2020, <https://www.theguardian.com/world/2020/oct/06/uk-remains-second-biggest-arms-exporter-with-11bn-of-orders>.

190 Department for International Trade, *Security Export Strategy: Growing UK exports for global security* (Sept 2019), [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/830060/security-export-strategy.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/830060/security-export-strategy.pdf).

191 *Ibid.*, 5.

192 Cahal Milmo, ‘Revealed: UK sells tear gas and rubber bullets to regimes on Foreign Office blacklist’, *The Independent*, 9 March 2015, <https://www.independent.co.uk/news/uk/home-news/revealed-uk-sells-tear-gas-and-rubber-bullets-to-regimes-on-foreign-office-blacklist-10094650.html>.



## 5 key companies involved in police militarisation

### BAE SYSTEMS

- › Top UK arms company, now expanded into policing, security and surveillance technology
- › Sells high-tech surveillance and internet interception equipment to repressive regimes across the Middle East
- › BAE's Evident system can intercept and scan millions of people's telecommunications and pinpoint their location. Used to repress protests during 2011 'Arab Spring'

### COBHAM

- › Primarily an aerospace company; also provides military-grade spyware to security and police forces around the world
- › Sells IMSI catchers that allow cell phones to be identified and tracked - sold to several repressive regimes
- › Acquired by US private equity company Advent in 2020; some parts of company sold off

### Cellebrite

- › Israeli subsidiary of a Japanese company, producing mobile phone data extraction tools
- › Technology used by police forces across the UK and by the Home Office
- › Used to extract vast quantities of personal data, including from victims and witnesses of crimes

### NEC

- › Japanese digital technology conglomerate, and leading supplier of facial recognition systems to UK police
- › London mayor Sadiq Khan signed 4-year £3 million deal with NEC in 2021 for retrospective facial recognition technology
- › Announced in 2021 that its systems could identify people wearing masks

### PREDPOL®

- › Leading producer of 'predictive policing' technology, using large datasets and algorithms to predict where crimes will occur and who will commit them
- › Predpol's own founders concluded that their systems amplify racial bias
- › Widely used by US police forces - trialled, but not yet in regular use by UK forces

have been accused of supplying gear and equipment to US police forces that responded violently to Black Lives Matter protests. Several British companies that produce crowd control equipment have applied for export licences to the US. In 2017, Aegis Engineering and LBA International (two UK subsidiaries of the American company Safariland) applied for licences for anti-riot ballistic shields, helmets, and body armour.<sup>193</sup> Videos and photographs have also revealed that UK-made riot shields produced by DMS Plastics were used against BLM activists protesting the murder of unarmed Black Americans.<sup>194</sup>

## The Security and Policing event

The Home Office has played an instrumental role in positioning the UK as a major supplier of anti-protest equipment, among other policing technologies. Every year, in coordination with the arms industry trade body ADS Group,<sup>195</sup> the Home Office hosts the secretive Security and Policing trade show. Hundreds of companies exhibit their wares at the event, marketing to police, intelligence, military, and government agencies from around the world. Journalists are barred from attending. Exhibitors include British arms and aerospace company BAE Systems; Heckler and Koch, a German company that manufactures handguns, rifles, submachine guns, and grenade launchers; and Gamma Group, an Anglo-German tech company that sells surveillance software to governments and police forces.<sup>196</sup> In 2020, 64 countries were invited to attend the event according to CAAT, ‘including many with police forces that have been accused of torture’.<sup>197</sup>

British arms fairs like the Security and Policing event expose the blurry line between military and civilian policing. They enable companies to market their weapons equally to police forces and military agencies. The DSEI arms fair, which is held biannually in London, recently changed its name from ‘Defence Systems and Equipment International’ to ‘Defence & Security Equipment International’ to reflect this marketing strategy. Many of the corporate exhibitors – two of which are discussed below – have been actively courting police and security agencies worldwide.<sup>198</sup>

## BAE Systems

One of the companies that regularly attends the Security and Policing event is BAE Systems. Among the world’s largest arms producers, BAE produces a range of deadly artillery, weapon systems, armoured vehicles, warships, and combat aircraft.<sup>199</sup> Headquartered in the UK, it sells arms to countries around the world, though its primary customers are the UK, US, and Saudi Arabia.<sup>200</sup> The company has been accused of complicity in various war crimes, including Saudi Arabia’s deadly assaults on Yemen.<sup>201</sup>

***British arms fairs like the Security and Policing event expose the blurry line between military and civilian policing***

193 ‘FAQ–UK “Crowd Control” Manufacturers’, CAAT, 11 Feb 2022, <https://caat.org.uk/data/countries/united-states/militarised-policing/faq-uk-crowd-control-manufacturers>.

194 Ruth Michaelson, ‘US police used British anti-riot gear at Black Lives Matter protests’, *The Guardian*, 5 Oct 2020, <https://www.theguardian.com/global-development/2020/oct/05/us-police-used-british-anti-riot-gear-at-black-lives-matter-protests>.

195 ADS describes itself as ‘the Premier Trade Organisation for companies in the UK Aerospace, Defence, Security and Space sectors’, <https://www.adsgroup.org.uk/about>.

196 <https://www.securityandpolicing.co.uk>; and Tara Tabassi and Andrew Dey, ‘Police militarisation is global’, War Resisters’ International, 29 March 2016; <https://wri-irg.org/en/story/2016/police-militarisation-global>.

197 ‘Security & Policing’, CAAT, 18 Feb 2022, <https://caat.org.uk/challenges/arms-fairs/security-policing>.

198 ‘Policing’, CAAT.

199 ‘Products & Services’, BAE Systems, <https://www.baesystems.com/en-uk/what-we-do/products-and-services>.

200 ‘BAE Systems’, CAAT, 7 Oct 2021, <https://caat.org.uk/data/companies/bae-systems>.

201 Amnesty International UK, ‘Yemen: BAE Systems and other arms companies face legal challenge at The Hague’, Press Release, 12 Dec 2019, <https://www.amnesty.org.uk/press-releases/yemen-bae-systems-and-other-arms-companies-face-legal-challenge-hague>.



A policeman aiming tear gas, Washington DC, May 2020  
Credit: bgrocker | Source: Shutterstock

BAE, however, is not only operating in combat zones. It also **sells advanced technology and equipment to police and security services in the UK and internationally**. As Privacy International notes, ‘intelligence and security agencies have a close and established ally: the war profiteers’.<sup>202</sup> Arms companies like BAE are finding new markets by selling surveillance technology to police, security, and border forces, thus helping to bring military-grade technology into civilian policing.

BAE is among over a dozen British companies that, since early 2015, have applied for and been granted licences to export high-tech surveillance equipment, including telecommunications interception technology, to countries across the world.<sup>203</sup> The company has made large-scale sales to repressive regimes across the Middle East and North Africa, including Saudi Arabia, the UAE, Qatar, Oman, Morocco, and Algeria. Through its Danish subsidiary ETI, it has exported a system known as Evident, which allows ‘governments to conduct mass surveillance of their citizens’ communications’.<sup>204</sup> Capable of analysing millions of people’s electronic communications, Evident can be used to pinpoint a person’s location based on their mobile phone data and intercept their internet traffic.<sup>205</sup> BAE has been accused of selling this equipment to regimes like the Tunisian government under President Zine al-Abidine Ben Ali, which used Evident to crack down on political opponents and protesters during the Arab Spring uprisings.<sup>206</sup>

202 PI, ‘The Military-Industrial Complex’s Secret War for Our Data’, 1 Dec 2017; <https://privacyinternational.org/blog/678/military-industrial-complexs-secret-war-our-data>.

203 Joseph Cox, ‘British Companies Are Selling Advanced Spy Tech to Authoritarian Regimes’, *Motherboard Tech By Vice*, 26 Aug 2016, <https://www.vice.com/en/article/4xaq4m/the-uk-companies-exporting-interception-tech-around-the-world>.

204 ‘How BAE sold cyber-surveillance tools to Arab states’, *BBC News*, 15 June 2017, <https://www.bbc.com/news/world-middle-east-40276568>.

205 Rob Evans, ‘BAE “secretly sold mass surveillance technology to repressive regimes”’, *The Guardian*, 15 June 2017, <https://www.theguardian.com/business/2017/jun/15/bae-mass-surveillance-technology-repressive-regimes>.

206 ‘How BAE sold cyber-surveillance tools to Arab states’, *BBC News*.



## Cobham

Another British company with an ignoble record of exporting dangerous technology is Cobham. Founded in 1934, Cobham is a British aerospace manufacturing company that was recently purchased by the US private equity firm Advent International. Based in Bournemouth, England, Cobham has been trading in military-grade spyware. It is also the main contractor for Australia's border security efforts, providing maritime surveillance to a government known for grave human rights abuses against asylum seekers and migrants. Cobham's dealings can be difficult to track. Over the years, it has bought firms and sold off parts of its company. In 2020, it was taken over by Advent, which has started to break up and sell off the company. Over its long history, however, Cobham has been enhancing the surveillance powers of security and police forces across the world.

**Cobham is among several UK companies that have sold telecommunications spyware and other surveillance tools to governments**, enabling them to intercept phone calls and secretly locate people through their mobile phones. A leaked Cobham catalogue, circulated confidentially to US law enforcement, showcased a range of military-grade spyware that could 'intercept wireless calls and text messages, locate people via their mobile phones, and jam cellular communications in a particular area'.<sup>207</sup> In 2010, a Muslim American student found a Cobham GPS tracking device hidden under his car. When he posted an image on social media, he soon discovered that he had been under surveillance by the FBI, who contacted him, demanding he return their gadget.<sup>208</sup> Cobham has also applied for export licences to send devices used for geo-location, tracking, data analysis, and phone-call and SMS interception to Turkmenistan, a country with a dire human rights record.<sup>209</sup> Cobham (and its subsidiaries) are regular attendees at the Home Office's annual Security and Policing event.<sup>210</sup>

UK export data reveals that the company has also applied for and been granted at least one licence to sell IMSI catchers.<sup>211</sup> IMSI catchers (often known as Stingrays) can locate and track mobile phones by 'catching' the unique number associated with a SIM card, and have been used by police to identify demonstrators who attend protests.<sup>212</sup> Cobham has exported IMSI catchers to various countries, including Namibia, Nigeria, Algeria, Colombia, Brazil, Turkmenistan, Oman, the UAE, and North Macedonia.<sup>213</sup> Not much is known about the use of IMSI catchers in the UK. However, a contract obtained by investigative journalists at Motherboard shows that Cobham provided the Scottish Prison Service with IMSI catchers, which were

207 Sam Biddle, 'Leaked Catalogue Reveals a Vast Array of Military Spy Gear Offered to U.S. Police', *The Intercept*, 1 Sept 2016, <https://theintercept.com/2016/09/01/leaked-catalogue-reveals-a-vast-array-of-military-spy-gear-offered-to-u-s-police>.

208 Wilson Rothman, 'FBI busted tracking student, demands GPS spy gear return', *NBC News*, 8 Oct 2010, <https://www.nbcnews.com/id/wbna39583860>. <https://www.nbcnews.com/id/wbna39583860>.

209 Joseph Cox, 'Spy Brochures and Export Data', *Medium*, 5 Sept 2016, <https://medium.com/@josephhcox/spy-brochures-and-export-data-9dcd73008ae6>,

210 Hayley Richardson, 'Weapons Sold at Secretive UK Arms Fair Could End Up "Anywhere"', *Newsweek*, 9 March 2015, <https://www.newsweek.com/weapons-sold-secretive-uk-arms-fair-could-end-anywhere-312388>. Domo Tactical Communications (DTC) Ltd (formerly Cobham TCS) has also attended several events (see: <https://web.archive.org/web/20170929052446/http://www.securityandpolicing.co.uk/exhibitors/exhibitors-list-2017>).

211 Cox, 'British Companies Are Selling Advanced Spy Tech to Authoritarian Regimes'.

212 'How IMSI catchers can be used at a protest', PI, 5 May 2021, <https://privacyinternational.org/explainer/4492/how-imsi-catchers-can-be-used-protest>.

213 Joseph Cox, 'This Map Shows the UK's Surveillance Exports', *Motherboard Tech By Vice*, 3 April 2017, <https://www.vice.com/en/article/538a75/uk-surveillance-export-map>; and 'UK Surveillance Exports', <https://josephcox.carto.com/builder/fa788f42-1873-11e7-81aa-0e98b61680bf/embed?state=%7B%22map%22%3A%7B%22ne%22%3A%5B32.80574473290688%2C-368.04199218750006%5D%2C%22sw%22%3A%5B56.486761752490885%2C-309.68261718750006%5D%2C%22center%22%3A%5B45.89000815866184%2C-338.8623046875%5D%2C%22zoom%22%3A5%7D%7D>.

intended to block prisoners' phone calls.<sup>214</sup> Other British companies, like Cellxion and Datong, have also supplied this technology to UK police forces.<sup>215</sup> In 2016, parent company Cobham sold Cobham Tactical Communications and Surveillance (the communications and surveillance wing of the company) to Marlin Equity Partner, changing its name to Domo Tactical Communications (DTC).<sup>216</sup>

While Cobham may have sold off its telecommunications surveillance branch, it continues to provide aerial and satellite surveillance to repressive regimes. Through its subsidiary Surveillance Australia, **Cobham is the main provider of border security for the Australian government.**<sup>217</sup> Australia has been accused of forceful push-backs of migrant vessels, a practice that the UN Human Rights Council has called 'cruel and deadly'.<sup>218</sup> Since 2013, the Australian government has also been forcefully transferring thousands of asylum seekers to poorly run and administered offshore processing camps, where people have spent years suffering from abuse and medical neglect. According to Sophie McNeill, Australia researcher at Human Rights Watch: 'The cruelty of these camps, in which seven people have committed suicide and children have been terribly traumatized, should not be replicated elsewhere'.<sup>219</sup> Through a A\$1 billion (US\$768 million) contract known as Project Sentinel, Cobham Aviation Services provides airborne surveillance to the Australian Border Force, using specialised aircraft to surveil the country's waters.<sup>220</sup> According to Cobham's website, these aircraft 'are fitted with new generation surveillance sensors and fully integrated advanced satellite systems to allow real time communication with the Australian Border Force command centre in Canberra'.<sup>221</sup> By providing this surveillance, the company is directly complicit in the militarisation of Australia's borders.

## ***Arms companies like BAE are finding new markets by selling surveillance technology to police, security, and border forces, thus helping to bring military-grade technology into civilian policing***

214 Joseph Cox, 'Here Is the Contract for the UK's First Confirmed IMSI Catcher', *Motherboard Tech By Vice*, 13 Sept 2016, <https://www.vice.com/en/article/wnxpmw/here-is-the-contract-for-the-uks-first-confirmed-imsi-catcher>.

215 David Pegg and Rob Evans, 'Controversial snooping technology "used by at least seven police forces"', *The Guardian*, 10 Oct 2016, <https://www.theguardian.com/world/2016/oct/10/controversial-phone-snooping-technology-imsi-catcher-seven-police-forces>; and Ryan Gallagher and Rajeev Syal, 'Met police using surveillance system to monitor mobile phones', *The Guardian*, 30 Oct 2011, <https://www.theguardian.com/uk/2011/oct/30/metropolitan-police-mobile-phone-surveillance>.

216 Clayton Vallabhan, 'Cobham Tactical Communications and Surveillance changes its name to DTC', *SatellitePro ME*, 24 Feb 2016, <https://satellitepromer.com/news/cobham-tactical-communications-and-surveillance-changes-its-name-to-dtc>.

217 Akkerman, *Financing Border Wars*, 37.

218 Ben Doherty, 'UN human rights expert decries boat turnbacks as Australia criticised for secrecy of "on-water matters"', *The Guardian*, 8 July 2021, <https://www.theguardian.com/australia-news/2021/jul/08/un-human-rights-expert-decries-boat-turnbacks-as-australia-criticised-for-secrecy-of-on-water-matters>; and Felipe González Morales, Special Rapporteur on the human rights of migrants, 'Report on means to address the human rights impact of pushbacks of migrants on land and at sea', Human Rights Council, Forty-seventh session, 21 June–9 July 2021 (12 May 2021), <https://daccess-ods.un.org/tmp/1406734.88378525.html>.

219 'Australia: 8 Years of Abusive Offshore Asylum Processing', Human Rights Watch, 15 July 2021, <https://www.hrw.org/news/2021/07/15/australia-8-years-abusive-offshore-asylum-processing>.

220 Akkerman, *Financing Border Wars*, 37.

221 'Airborne surveillance', Cobham, <https://www.cobham.com.au/special-missions/capabilities/airborne-surveillance>.



## 3.2 Contracts with foreign tech companies

Companies like Cobham and BAE Systems have operated with the active support and intervention of the British government. Cobham's takeover by US equity firm Advent International, for example, was approved by Boris Johnson's government despite national security concerns which initially delayed the deal.<sup>222</sup> **This close relationship between the state and private defence and security sector has also made the UK an attractive environment for foreign companies seeking to win lucrative contracts with British policing agencies.**

In recent years, British policing authorities have penned a number of deals with international and multinational firms. This has been partly driven by the government's promotion of austerity and privatisation. Facing funding cuts, police forces have been encouraged to turn to private companies, ostensibly to cut costs.<sup>223</sup> Key functions – such as the running of prisons and detention centres – have been outsourced to private companies like G4S and Serco, despite their appalling human rights records.<sup>224</sup> Ironically, both companies have also been accused of overcharging the government for their services, calling into question the very logic behind privatisation.<sup>225</sup>

Tech companies have also made grandiose, if questionable, claims that their digital tools will help cut costs and automate routine policing.<sup>226</sup> The following section focuses on three cases of police partnerships with foreign and international tech firms: Cellebrite is an Israeli digital forensics firm that sells phone extraction tools to the Home Office and territorial police forces. NEC, a Japanese company, is the main provider of facial recognition technology to the Met Police. Finally, Predpol is among several American tech companies that have made inroads into Britain by selling predictive policing systems, which were first pioneered in the US.

### Cellebrite

Since at least 2012, police forces across the UK have been using phone and data extraction tools, which enable them to download and analyse the content of seized phones and other devices. The company at the leading edge of this technology is Cellebrite, an Israeli digital forensics company and subsidiary of Japan's Sun Corporation. Cellebrite claims that its tools can bypass PINs and passwords on locked devices, collect data from apps and the cloud, and be deployed in a variety of

***The close relationship between the state and private defence and security sector has made the UK an attractive environment for foreign companies seeking to win lucrative contracts with British policing agencies***

222 'Cobham takeover: Boris Johnson defends £4bn sale to US equity firm', *BBC News*, 21 Dec 2019, <https://www.bbc.com/news/uk-50879809>.

223 Ben Priestley, 'Privatising police services', UNISON, <https://www.unison.org.uk/at-work/police-and-justice-staff/key-issues/privatising-police-services>.

224 'Brook House: "Fundamental action" needed after "chilling" evidence', *BBC News*, 5 April 2022, <https://www.bbc.com/news/uk-england-sussex-60996359>; Calum Rosie, 'Private Prisons Have Shown A Lax Approach To Human Rights', *EachOther* (blog), 26 April 2021, <https://eachother.org.uk/private-prisons-have-shown-a-lax-approach-to-human-rights>; and William McLennan, 'UK: Outsourcing giant Serco faces sexual assault inquiry following allegations of abuse at Yarl's Wood immigration detention centre', Business & Human Rights Resource Centre, 18 May 2014, <https://www.business-humanrights.org/en/latest-news/uk-outsourcing-giant-serco-faces-sexual-assault-inquiry-following-allegations-of-abuse-at-yarls-wood-immigration-detention-centre>.

225 Alan Travis and Simon Bowers, 'G4S and Serco: Key players in criminal justice privatisation', *The Guardian*, 11 July 2013, <https://www.theguardian.com/politics/2013/jul/11/g4s-serco-criminal-justice-privatisation>; and 'Government questioned as Serious Fraud Office fine Serco £19.2million', News from UK Parliament, 4 July 2019; <https://www.parliament.uk/business/news/2019/july/government-questioned-as-serious-fraud-office-fine-serco/>

226 Mike French, 'Real Time Networks: Using Smart Technology to Cut Costs', *PoliceMag*, 26 Nov 2021, <https://www.policemag.com/624187/real-time-networks-using-smart-technology-to-cut-costs>.

settings, 'whether in the lab, a remote location, or in the field'.<sup>227</sup> With this technology, the UK police can even gain access to data you may think you have deleted.<sup>228</sup>

Cellebrite is one of several Israeli hacking and spyware companies that export their technology worldwide. Dubbing itself the 'startup nation', Israel has projected an image of itself as the next Silicon Valley, focusing on the export of cybersecurity, military, and artificial intelligence technologies.<sup>229</sup> It has also used Palestine as a testing ground for surveillance and military technology, which can then be showcased to potential investors and clients.<sup>230</sup>

Cellebrite has developed close links to British police. Territorial police forces across the country, including the Nottinghamshire Police, Lancashire Constabulary, Avon and Somerset Constabulary, and Gloucestershire Constabulary, have purchased Cellebrite software and tools.<sup>231</sup> Cellebrite has also worked with the UK Home Office. In 2019, the company agreed to supply the Home Office with 'equipment for download and analysis of data held on mobile devices'.<sup>232</sup>

By collecting wide-ranging data from people's devices, these extraction tools by their very nature violate the privacy of those who come into contact with police, including victims and witnesses of crime. A 2020 report from the Information Commissioner's Office noted that the police were, in many cases, collecting 'excessive amounts of personal data...without an appropriate basis in existing data protection law'.<sup>233</sup>

## NEC

Cellebrite is not the only company helping the police scoop up vast swathes of data. As discussed in the section above, police forces like the Metropolitan Police and South Wales Police have embraced live facial recognition, despite the controversies around this invasive surveillance tool. The main provider of facial recognition systems to British police is the Japanese company NEC Corporation. NEC has largely managed to fly under the radar, avoiding significant public scrutiny. It lacks the name recognition of companies like Clearview AI, which has garnered significant controversy for its unethical business practices and dealings with US police. Yet the company has quietly made inroads across the globe, providing hundreds

227 <https://cellebrite.com/en/ufed>.

228 PI, *Digital stop and search*, 7-8. A 2017 report from Big Brother Watch says that 93% of British police forces extract data from digital devices 'including mobile phones, laptops, tablets and computers which are seized as evidence from suspects, victims and witnesses'. Big Brother Watch, *Police Access to Digital Evidence: The powers of the Police to examine digital devices and how forces are training staff* (Nov 2017), 3, <https://bigbrotherwatch.org.uk/wp-content/uploads/2017/11/Police-Access-to-Digital-Evidence-1.pdf>.

229 Omer Keilaf, 'An Oasis of Mobility Innovation: The Origins of Israel's Silicon Wadi,' *Forbes*, 3 July 2020, <https://www.forbes.com/sites/forbestechcouncil/2020/07/03/an-oasis-of-mobility-innovation-the-origins-of-israels-silicon-wadi/?sh=228d4f8023a0>; and Richard Behar, 'Inside Israel's Secret Startup Machine,' *Forbes*, 11 May 2016, <https://www.forbes.com/sites/richardbehar/2016/05/11/inside-israels-secret-startup-machine/?sh=4436b7db1a51>

230 Helga Tawil-Souri, 'Digital Occupation in Gaza's High-Tech Enclosure', in *State Power 2.0: Authoritarian Entrenchment and Political Engagement Worldwide*, ed. Muzammil M. Hussain (Abingdon: Routledge, 2016), 57-68; and Coalition of Women for Peace and Hamushim, *A Lab and a Showroom: The Israeli Military Industries and the Oppression of the Great March of Return in Gaza* (June 2018), <https://enhamushim.files.wordpress.com/2018/06/report-with-covers1.pdf>.

231 'DMU - Cellebrite licences', Lancashire Constabulary, Gov.uk Contracts Finder, 20 April 2021, <https://www.contractsfinder.service.gov.uk/notice/e9a04ae6-d911-4660-a34e-54516c5edd2b?origin=SearchResults&p=1>; 'Cellebrite Premium', EMSCU Nottinghamshire Police, Gov.uk Contracts Finder, 3 March 2020, <https://www.contractsfinder.service.gov.uk/notice/24271bbc-771f-4577-9890-c493012ecf8d?origin=SearchResults&p=1>; PI, *Digital stop and search*, 13.

232 'Digital Forensics Technology', Home Office, 17 June 2019, Gov.uk Contracts Finder, <https://www.contractsfinder.service.gov.uk/notice/ff6229ae-f9d8-415c-8bb5-2cb2429f881a?origin=SearchResults&p=1>.

233 Information Commissioner's Office, *Mobile phone data extraction by police forces in England and Wales: Investigation report* (June 2020), 2, [https://ico.org.uk/media/about-the-ico/documents/2617838/ico-report-on-mpe-in-england-and-wales-v1\\_1.pdf](https://ico.org.uk/media/about-the-ico/documents/2617838/ico-report-on-mpe-in-england-and-wales-v1_1.pdf). See also Owen Bowcott, 'Police take too much data from victims' phones, says watchdog', *The Guardian*, 18 June 2020, <https://www.theguardian.com/uk-news/2020/jun/18/police-in-england-and-wales-taking-excessive-personal-data-from-mobile-phones>.

of governments and private sector clients across more than 70 countries with cutting-edge facial recognition systems.<sup>234</sup>

In August 2021, Mayor of London Sadiq Khan quietly approved a £3 million, four-year deal with NEC to provide the police with retrospective facial recognition technology (RFT).<sup>235</sup> Five other police forces across England and Wales also have access to this technology.<sup>236</sup> RFT will enable the police to analyse historical images from a variety of sources, including CCTV cameras and social media.<sup>237</sup> This will allow officers to cross-check an even larger number of images against an even wider array of databases, more than is currently possible with its live facial recognition system.<sup>238</sup> Ella Jakubowska, policy advisor at European Digital Rights, warns: ‘Those deploying it can in effect turn back the clock to see who you are, where you’ve been, what you have done and with whom, over many months or even years’.<sup>239</sup> This has enormous implications for civil liberties, with potential chilling effects on the right to protest and significant scope for function creep. Such technology changes the relationship between the state and its citizens by shifting power so significantly in favour of the police.

British police forces like the Met continue to work closely with NEC, even as European regulators and a growing number of cities across the US call for bans on facial recognition technology in public places.<sup>240</sup> Meanwhile, NEC shows no sign of slowing down. In 2021, it made headlines for announcing that its facial recognition systems could identify people wearing masks, a troubling development in the era of Covid-19.<sup>241</sup>

## Predpol

Facial recognition is not the only new technology being tried and tested by UK police. In recent years, **police forces have been trialling predictive policing software produced by American tech companies like Predpol**. Utilising large datasets, computational power, and algorithms, these systems try to predict neighbourhoods where crime will occur or the likelihood of a particular individual committing a crime or re-offending.<sup>242</sup> One of the earliest uses of predictive policing was in a combat setting: in the mid-2000s, the RAND corporation developed software for use in Iraq to predict where improvised explosive devices (IEDs) would be planted.<sup>243</sup> These tools are now used in many American police departments and courtrooms to forecast crime. Predictive policing advocates claim that these tools are more objective,

234 Dave Gershgorin, ‘Carnival Cruises, Delta, and 70 Countries Use a Facial Recognition Company You’ve Never Heard Of’, *OneZero (Medium)*, 18 Feb 2020; <https://onezero.medium.com/nec-is-the-most-important-facial-recognition-company-youve-never-heard-of-12381d530510>.

235 The Mayor’s Office for Policing And Crime (MOPAC), ‘DMPC Decision – PCD 1008, Retrospective Facial Recognition System’, 19 Aug 2021, [https://www.london.gov.uk/sites/default/files/pcd\\_1008\\_retrospective\\_facial\\_recognition\\_system.pdf](https://www.london.gov.uk/sites/default/files/pcd_1008_retrospective_facial_recognition_system.pdf).

236 HMICFRS, *Getting the balance right? An inspection of how effectively the police deal with protests*, 44 <https://www.justiceinspectorates.gov.uk/hmicfrs/wp-content/uploads/getting-the-balance-right-an-inspection-of-how-effectively-the-police-deal-with-protests.pdf>.

237 Samuel Woodhams, ‘London is buying heaps of facial recognition tech’, *WIRED*, 27 Sept 2021, <https://www.wired.co.uk/article/met-police-facial-recognition-new>.

238 Emma Woollacott, ‘London’s Met Police Buying Retrospective Facial Recognition Technology’, *Forbes*, 28 Sept 2021, <https://www.forbes.com/sites/emmawoollacott/2021/09/28/londons-met-police-buying-retrospective-facial-recognition-technology/?sh=6a382e7612ea>.

239 Woodhams, ‘London is buying heaps of facial recognition tech.’

240 <https://www.banfacialrecognition.com/map>; and Melissa Heikkilä, ‘European Parliament calls for a ban on facial recognition’, *Politico*, 6 Oct 2021, <https://www.politico.eu/article/european-parliament-ban-facial-recognition-brussels>.

241 ‘Facial recognition identifies people wearing masks’, *BBC News*, 7 Jan 2021, <https://www.bbc.com/news/technology-55573802>.

242 Tim Lau, ‘Predictive Policing Explained’, The Brennan Center for Justice, 1 April 2020; <https://www.brennancenter.org/our-work/research-reports/predictive-policing-explained>.

243 Walter L. Perry, Brian McInnis, Carter C. Price, Susan C. Smith, and John S. Hollywood, *Predictive Policing: The Role of Crime Forecasting in Law Enforcement Operations* (RAND Corporation, 2013), <http://www.jstor.org/stable/10.7249/j.ctt4cgcgz>.

accurate, and cost effective than human decision-making. But critics have shown time and time again that the software can amplify racist and classist practices, while failing to live up to its purported benefits.

Predpol (recently rebranded as Geolitica) began as a project with the Los Angeles Police Department, whose use of predictive policing has sparked significant public outcry.<sup>244</sup> Based in Santa Cruz, California, the secretive company sells one of the most commonly used algorithmic systems in the US, which produces jurisdiction maps showing red zone 'hotspots' where crime is supposed to occur each day.<sup>245</sup> According to scholar Ruha Benjamin, such crime prediction algorithms are better thought of as 'crime production algorithms'. This is because they predispose officers to overpolice certain areas and look for crime where they expect to find it.<sup>246</sup> Since predictive mapping uses historical arrest and crime data, systemic bias is, in essence, baked into these tools.<sup>247</sup> Predpol's own founders have studied their algorithms and have concluded that their tools amplify racial bias.<sup>248</sup>

Predpol mapping software has been trialled by both the Kent Police and the London Metropolitan Police. While neither force still uses the software, the Met has developed its own internal predictive mapping program and the Kent Police have been looking to do the same or to purchase a similar commercial product at lower cost.<sup>249</sup> Other forces, including the Avon and Somerset Police, the Greater Manchester Police, the West Midlands Police, Humberside Police, West Yorkshire Police, and Hampshire Police, are also known to have used or to be developing predictive policing software.<sup>250</sup>

Predpol is not the only American tech company to have worked with British police. The Met Police has tried a system called HunchLab sold by Philadelphia-based Azavea,<sup>251</sup> which 'crunches vast amounts of data to help predict where crime will happen next'.<sup>252</sup> The Met has also tried out predictive policing software by Palantir,<sup>253</sup> the notorious and controversial data analytics company that has been making inroads into UK public life. Palantir, which powers US Immigration and Customs Enforcement (ICE)'s immigration raids,<sup>254</sup> has been expanding into the UK, having recently penned a deal with the NHS.<sup>255</sup>

244 Johana Bhuiyan, 'LAPD ended predictive policing programs amid public outcry. A new effort shares many of their flaws', *The Guardian*, 8 Nov 2021, <https://www.theguardian.com/us-news/2021/nov/07/lapd-predictive-policing-surveillance-reform>.

245 Jackie Wang, *Carceral Capitalism* (MIT Press: 2018), 245-6.

246 Ruha Benjamin, *Race After Technology: Abolitionist Tools for the New Jim Code* (Medford, MA: Polity), 83.

247 Will Douglas Heaven, 'Predictive policing algorithms are racist. They need to be dismantled', *MIT Technology Review*, 17 July 2020, <https://www.technologyreview.com/2020/07/17/1005396/predictive-policing-algorithms-racist-dismantled-machine-learning-bias-criminal-justice>.

248 Cory Doctorow, 'Predictive Policing Reinforces and Accelerates Racial Bias', *Medium*, 2 Dec 2021, <https://onezero.medium.com/massive-predpol-leak-confirms-that-it-drives-racist-policing-86c9238aaf95>.

249 Hannah Couchman, *Policing By Machine: Predictive Policing and the Threat to Our Rights* (Liberty, Jan 2019), 53, 55, <https://www.libertyhumanrights.org.uk/wp-content/uploads/2020/02/LIB-11-Predictive-Policing-Report-WEB.pdf>.

250 Lizzie Dearden, 'How technology is allowing police to predict where and when crime will happen', *The Independent*, 7 Oct 2017, <https://www.independent.co.uk/news/uk/home-news/police-big-data-technology-predict-crime-hotspot-mapping-rusi-report-research-minority-report-offenders-risk-a7963706.html>; Couchman, *Policing By Machine*, 46; and Maryam Jameela, 'FOI requests reveal which police forces use crime prediction software', *The Canary*, 3 Dec 2021, <https://www.thecanary.co/investigations/2021/12/03/foi-requests-reveal-which-police-forces-use-crime-prediction-software>.

251 Couchman, *Policing By Machine*, 55.

252 Maurice Chammah, with additional reporting by Mark Hansen, 'Policing the Future', *The Verge*, <https://www.theverge.com/2016/2/3/10895804/st-louis-police-hunchlab-predictive-policing-marshall-project>.

253 Couchman, *Policing By Machine*, 55.

254 George Joseph, 'Data Company Directly Powers Immigration Raids in Workplace', *WNYC*, 16 July 2019, <https://www.wnyc.org/story/palantir-directly-powers-ice-workplace-raids-emails-show/>; and Edward Ongweso Jr, 'Palantir's CEO Finally Admits to Helping ICE Deport Undocumented Immigrants', *Motherboard Tech by Vice*, 24 Jan 2020, <https://www.vice.com/en/article/pkeg99/palantirs-ceo-finally-admits-to-helping-ice-deport-undocumented-immigrants>.

255 Philip Aldrick, 'Palantir Hires AI Chief From U.K.'s NHS as It Bids to Expand', *Bloomberg*, 21 April 2022, <https://www.bloomberg.com/news/articles/2022-04-21/palantir-hires-ai-chief-from-nhs-in-u-k-as-it-bids-to-expand>.

Facing funding cuts, many British forces claim to have abandoned predictive policing after brief trials.<sup>256</sup> Yet such experiments, even if they don't lead to the long-term adoption of predictive policing systems, speak to the **close relationship between British police forces and American tech companies**. They also show **the influence of US policing on the UK**.

## 3.3 UK training of foreign police and security agencies

Yet another key way that Britain participates in global policing networks is **through international training and partnerships**. The Home Office advertises itself as having 'a worldwide reputation for excellence and for bringing progressive policing practices to the international arena'. Through a variety of international police programmes, it claims 'to promote the development of robust, democratic police services around the world'.<sup>257</sup> Its record, however, tells a different story.

Founded in 2012, the College of Policing, a professional body for the police in England and Wales, offers 'bespoke training programmes...both here in the UK and overseas'.<sup>258</sup> Yet the College seems to have little consideration for partner countries' histories of human rights abuses. It has trained at least 12 countries listed as 'human rights priority countries' by the government's own Foreign Commonwealth & Development Office, including Bahrain, China, Rwanda, and Sri Lanka. It has also trained countries with police forces accused of torture, such as Nigeria, Qatar, the UAE, and the US.<sup>259</sup> Police Scotland International Academy offers similar programmes, both in Scotland and overseas. Based in Tulliallan, the Academy has trained officers from Colombia, Sri Lanka, and Zambia, among others. It recently hosted the FBI's National Executive Institute, the first time the course was held outside the US in a decade, which was attended by senior American police officers.<sup>260</sup>

***The College of Policing has trained at least 12 countries listed as 'human rights priority countries' by the Foreign Commonwealth & Development Office. It has also trained countries with police forces accused of torture***

256 Jameela, 'FOI Requests Reveal Which Police Forces Use Crime Prediction Software'.

257 Home Office, 'Have you got what it takes? Providing international police assistance', Archived 31 March 2016, [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/512537/international-police-assistance.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/512537/international-police-assistance.pdf).

258 'Our international work', *College of Policing*, 15 Feb 2021, <https://www.college.policing.uk/about/international>.

259 'Campaigners Call for Investigation of UK Training for International Police Forces Accused of Torture', CAAT, 13 Jan 2021, <https://caat.org.uk/news/campaigners-call-for-investigation-of-uk-training-for-international-police-forces-accused-of-torture>.

260 'Police Scotland International Academy to support human rights across the world', Police Scotland, <https://www.scotland.policing.uk/what-s-happening/news/2021/july/police-scotland-international-academy-to-support-human-rights-across-the-world>.



The British government often claims that such overseas training promotes more democratic policing. Yet British-trained police forces have been linked to a range of human rights abuses. In 2017, mass protests broke out in Nigeria against the Special Anti-Robbery Squad (SARS) unit, who are linked to torture and extrajudicial killings.<sup>261</sup> The End SARS movement has called for the dismantling of the notorious unit, which has been accused of rape, kidnapping, extortion, and the extrajudicial killing and torture of citizens, particularly young Nigerian men. Despite initial claims to the contrary, then-Minister for Africa James Duddridge later confirmed that the UK government had trained and supplied communications equipment to SARS units from 2016 to 2020, even amidst these mass protests. Britain has also sent UK military personnel to train the Nigerian Army, who have been accused of shooting and killing unarmed protesters.<sup>262</sup>

The UK frequently works with foreign security agencies as part of a broader effort to police irregular migration. The Home Office (as discussed in more detail above) has been pursuing increasingly draconian immigration policies at home. At the same time, it also seeks to externalise border control. **Significant foreign aid money has been put aside for the Home Office to fund, train, and equip foreign border control agencies.** Through Project Hunter, the UK Border Force has worked with drug enforcement, border, and intelligence agencies across dozens of countries in an effort to strengthen their immigration enforcement capabilities. Foreign authorities have also been trained in skills like forgery detection and passenger profiling by the Home Office's Immigration Enforcement arm.<sup>263</sup> In some cases, the British government has sent in troops to countries like Tunisia and Sierra Leone for training and joint exercises, all with the aim of 'stopping migration'.<sup>264</sup> As one government source told the press: '[w]e want to do more than pull migrants out of the water, we want to stop them before they get there'.<sup>265</sup>

**Significant foreign aid money has been put aside for the Home Office to fund, train, and equip foreign border control agencies**

Programmes like Project Hunter also reflect 'the broader move within development policy from poverty alleviation towards more militarised concerns'.<sup>266</sup> As de Noronha explains, in recent years, ODA (Official Development Assistance) funding has been diverted away from the Department for International Development (DFID) and towards the Ministry of Defence and Foreign Office.<sup>267</sup> Increasingly, the UK is spending its aid budget on border and securitisation programmes aimed at keeping out migrants and externalising risk.

Academia also plays a quiet role in placing Britain (and British expertise) at the forefront of international policing. **The role of academics in supporting the police is a topic that often goes overlooked.** Yet such collaborations are not uncommon.

261 'Nigeria: Crackdown on Police Brutality Protests', Human Rights Watch, 16 Oct 2020, <https://www.hrw.org/news/2020/10/16/nigeria-crackdown-police-brutality-protests>.

262 'Campaigners Call for a Suspension and Review of All UK Military and Police Training in Nigeria, Following SARS Revelations', CAAT, 30 Oct 2020, <https://caat.org.uk/news/campaigners-call-for-a-suspension-and-review-of-all-uk-military-and-police-training-in-nigeria-following-sars-revelations>; and 'Nigeria: The Lekki Toll Gate massacre – new investigative timeline', Amnesty International, 28 Oct 2020, [www.amnesty.org/en/latest/news/2020/10/nigeria-the-lekki-toll-gate-massacre-new-investigative-timeline](https://www.amnesty.org/en/latest/news/2020/10/nigeria-the-lekki-toll-gate-massacre-new-investigative-timeline).

263 'Project Hunter: The UK Programme Exporting its Border Abroad', PI, 9 April 2019, <https://privacyinternational.org/long-read/2780/project-hunter-uk-programme-exporting-its-border-abroad>; PI, *The UK's Privatised Migration Surveillance Regime*, 43, [https://www.privacyinternational.org/sites/default/files/2021-01/PI-UK\\_Migration\\_Surveillance\\_Regime.pdf](https://www.privacyinternational.org/sites/default/files/2021-01/PI-UK_Migration_Surveillance_Regime.pdf); and Border Force, 'Project Hunter', presentation at World Border Security Congress in Casablanca, Morocco, 21 March 2019, <http://www.worldsecurity-index.com/shareDir/documents/15537847470.pdf>.

264 Mark Akkerman, *Expanding the Fortress: The policies, the profiteers and the people shaped by EU's border externalisation programme* (TNI, May 2018), 18, [https://www.tni.org/files/publication-downloads/expanding\\_the\\_fortress\\_-\\_1.6\\_may\\_11.pdf](https://www.tni.org/files/publication-downloads/expanding_the_fortress_-_1.6_may_11.pdf).

265 *Ibid.*, 18.

266 De Noronha, *Deporting Black Britons*, 292.

267 *Ibid.* DFID has since been closed and replaced by the Foreign, Commonwealth & Development Office.

A number of predictive policing systems, for example, were designed in partnership with academic institutions. With support from the College of Policing, the West Yorkshire Police uses Patrol-Wise (a mapping tool used to identify 'high risk' areas), which was developed by University College London and funded by the Home Office.<sup>268</sup> Durham Constabulary also developed an AI system, in partnership with computer scientists at Cambridge University, which is 'designed to predict whether suspects are at low, moderate, or high risk of committing further crimes in the next two years'.<sup>269</sup> Known as the Harm Assessment Risk Tool (HART), this system is used to determine whether or not a convicted person should be referred to a rehabilitation programme known as Checkpoint.<sup>270</sup>

Beyond such partnerships, some British academic institutions also serve as international hubs for the training of police, security, and military forces. The Handa Centre for the Study of Terrorism and Political Violence (CSTPV) at the University of St. Andrews, for example, offers a variety of part-time and full-time courses in terrorism and political violence. This includes an online course in transnational counter-terrorism for individuals, military, police, and public and private-sector organisations.<sup>271</sup> Over 5,000 participants from 75 countries have enrolled in this course.<sup>272</sup> Honorary Fellows at the Centre include the former Director General of the British Security Service MI5<sup>273</sup> and the former Assistant Commissioner (Specialist Operations) for New Scotland Yard.<sup>274</sup>

In some cases, former British police and security agents have gone on to have careers in academia. John Dines, a former undercover officer in the Special Demonstration Squad, was exposed for engaging in a two-year deceptive relationship with environmental and social justice activist Helen Steel. She was among seven women to bring a court case against the Metropolitan Police Service for their spying programme. Dines went on to become a course director at Australia's leading police college: the Australian Graduate School of Policing and Security at Charles Sturt University in Sydney. There, he was involved in the training of Indian police officers, including in how to combat 'leftwing extremism'.<sup>275</sup> This revolving door between British officers and police academies is just one way that British policing tactics are exported worldwide.

268 Jameela, 'FOI Requests Reveal Which Police Forces Use Crime Prediction Software'; and West Yorkshire Police, Response to FOIA Request, Dec 2020, [https://www.westyorkshire.police.uk/sites/default/files/foi/2020-12/december\\_2020\\_foi\\_6668-20\\_digital\\_policing\\_technology.pdf](https://www.westyorkshire.police.uk/sites/default/files/foi/2020-12/december_2020_foi_6668-20_digital_policing_technology.pdf).

269 Matt Burgess and Marion Oswald, 'Durham Constabulary experiments with predictive policing', PI, <https://privacyinternational.org/examples-abuse/1976/durham-constabulary-experiments-predictive-policing>.

270 'Checkpoint', Durham Constabulary, <https://www.durham.police.uk/Services/Checkpoint/Checkpoint.aspx>. For many years, postcodes were inputted into HART until it was determined that such location data could discriminate against the poor. Matt Burgess, 'UK police are using AI to make custodial decisions – but it could be discriminating against the poor', *WIRED UK*, 1 March 2018, <https://www.wired.co.uk/article/police-ai-uk-durham-hart-checkpoint-algorithm-edit>.

271 'About Terrorism Studies by St. Andrews University', Defence Online; <https://www.defenceonline.co.uk/stakeholders/terrorism-studies-by-st-andrews-university>.

272 'Study the Characteristics of Terrorism, Terrorist Tactics and Counter-Terrorism: Join Terrorism Studies from St. Andrews University', Informa, <https://informaconnect.com/terrorism-studies-st-andrews>

273 'Jonathan Evans, Baron Evans of Weardale, Honourary Professor', The Handa Centre for the Study of Terrorism and Political Violence, <https://cstpv.wp.st-andrews.ac.uk/people/evans>.

274 'Sir David Veness, Honourary Professor', *The Handa Centre for the Study of Terrorism and Political Violence*; <https://cstpv.wp.st-andrews.ac.uk/people/veness>.

275 Paul Farrell and Rob Evans, 'Undercover UK police spy apologises after being tracked down by woman he deceived', *The Guardian*, 9 March 2016, <https://www.theguardian.com/uk-news/2016/mar/09/undercover-uk-police-spy-apologises-after-being-tracked-down-by-woman-he-deceived>; Amelia Gentleman, 'It was as if he set out to destroy my sanity': How the spy cops lied their way into women's hearts – and beds', *The Guardian*, 11 May 2022, <https://www.theguardian.com/uk-news/2022/may/11/it-was-as-if-he-set-out-to-destroy-my-sanity-how-the-spy-cops-lied-their-way-into-womens-hearts-and-beds>; Police Spies Out of Lives, 'Statement in Australian Parliament Demanding John Dines Cease Teaching Police in Sydney', <https://policespiesoutoflives.org.uk/dines-australian-parliament-statement>; and Eveline Lubbers, Undercover Research Group, 'UK Professor quit course over involvement #spycop John Dines', 4 July 2016, <https://undercoverresearch.net/2016/07/04/uk-professor-quits-course-over-involvement-spycop-john-dines>.

# Conclusion

On 13 June 2020, an estimated 10,000 people marched in Brighton as part of an increasingly transnational BLM movement. Challenging police violence and acting in solidarity with US activists protesting the murder of George Floyd, the march stretched across an entire mile of the shore front.<sup>276</sup>

While the developments described in this report are deeply troubling, the hyper-militarisation of British policing agencies has not gone uncontested. Several grassroots movements – working closely with researchers, civil society groups, lawyers, and journalists – have emerged in recent years to challenge the growing power of the police. 2020 saw large BLM protests across the UK, in cities like Liverpool, Birmingham, Manchester, and Bristol.<sup>277</sup> Sisters Uncut, a feminist direct action group with members across Scotland and England, has been organising actions challenging police violence against women.<sup>278</sup> And a wide coalition of groups mobilised in 2021 under the ‘Kill the Bill’ movement, eroding public support for the Police, Crime, Sentencing and Courts (PCSC) bill.<sup>279</sup>

In light of the contemporary legislative climate, which is aimed at stripping back civil liberties, several new and longstanding organisations have amplified their efforts to protect the right to protest. Groups like Green & Black Cross, Black Protest Legal Support, and the Scottish Community and Activism Legal Project offer know-your-rights resources and legal support to protesters.<sup>280</sup> The Network for Police Monitoring (Netpol) has launched the Defend Dissent campaign and developed a new Charter for Freedom of Assembly Rights.<sup>281</sup> And Campaign Against Arms Trade, which has worked closely with Netpol to fight regressive bills, has pointed to the hypocrisy of a government claiming to ‘promote human rights and democracy around the world’ yet curtailing the rights of protesters at home.<sup>282</sup>

***While the developments described in this report are deeply troubling, the hyper-militarisation of British policing agencies has not gone uncontested***

276 ‘Black Lives Matter: Brighton protest attended by thousands’, *BBC News*, 13 June 2020; <https://www.bbc.co.uk/news/uk-england-sussex-53037041>.

277 <https://blacklivesmatter.uk>.

278 <https://www.sistersuncut.org>.

279 ‘Kill The Bill Coalition Statement’, *Netpol*, 31 March 2021, <https://netpol.org/2021/03/31/kill-the-bill-coalition-statement>.

280 <https://greenandblackcross.org/about>; <https://blackprotestlaw.org>; and <https://www.scottishactivistlegalproject.co.uk>.

281 ‘Demand that the National Police Chiefs Council adopts a new, eleven-point Charter for Freedom of Assembly Rights – or explain why they refuse to do so’, *Netpol*, <https://netpol.org/charter>; and ‘Defending Dissent – now police have new powers, what happens next? *Netpol*, 4 May 2022, <https://netpol.org/2022/05/04/defending-dissent>.

282 ‘Stop the Police, Crime, and Sentencing and Courts Bill’, CAAT, 2 Dec 2021, <https://caat.org.uk/stop-the-police-crime-and-sentencing-and-courts-bill>.

As Moya Lothian-McLean argues: ‘...this might seem like a sudden burst of activity. But this momentum didn’t come from nowhere’.<sup>283</sup> It is the result of years of organising and mobilising, including activity that has often been dismissed as ‘rioting’. It is also a sign of a changing political landscape – marked by growing disillusionment with electoral politics, increasing economic disenfranchisement, escalating inequality, and growing awareness of the need for a politics that is both intersectional and transnational. And it comes after decades of failed attempts at police reform. Over the years, the same cycle of promised reform seems to repeat itself with each new police scandal. After the death of newspaper seller Ian Tomlinson, who was struck by an officer during the 2009 G20 protest, an inquest followed, as did a rash of changes to the way police managed protests.<sup>284</sup> Yet little changed on the ground. The following year, an undergraduate student was left with brain injuries after being struck on the head with a police baton during demonstrations over tuition fee hikes.<sup>285</sup>

As the police increasingly criminalise a wide swathe of the British left, activist groups are increasingly challenging their very legitimacy.<sup>286</sup> This mobilisation is helping to dismantle the widespread public myth that British police are unarmed and govern through consent. This myth has long obscured what is now becoming harder to ignore: militarised policing is a longstanding British phenomenon with deep roots in the country’s past. As Siana Bangura argues, ‘it’s time for Brits to face up to our very British problems’.<sup>287</sup>

***Militarised policing is a longstanding British phenomenon with deep roots in the country’s past. It’s time for Brits to face up to our very British problems***

283 Moya Lothian-McLean, ‘Direct Action is Just What the Doctor Ordered’, *Novara Media*, 16 June 2022, <https://novaramedia.com/2022/06/16/direct-action-is-just-what-the-doctor-ordered>.

284 Paul Lewis, ‘How Ian Tomlinson’s death at the G20 protests changed policing’, *The Guardian*, 25 Nov 2009, <https://www.theguardian.com/politics/2009/nov/25/ian-tomlinson-death-changed-policing>.

285 Alfie Meadows, ‘I suffered a brain injury at the hands of the police. I am still waiting for justice’, *The Guardian*, 3 Dec 2019, <https://www.theguardian.com/commentisfree/2019/dec/03/brain-injury-police-waiting-for-justice>. For more on the abolition (as opposed to the reform) of the police, see this statement by the 4Front Project: <https://www.4frontproject.org/post/abolition-not-reformation>.

286 Nosheen Iqbal, Adam Elliott-Cooper, Courtney Yusuf, Axel Kacoutié, Phil Maynard, and Archie Bland, ‘Racism, policing and austerity: Have lessons been learned since England’s 2011 riots?’ *The Guardian*, 6 Aug 2021, <http://www.theguardian.com/news/audio/2021/aug/06/racism-policing-and-austerity-have-lessons-been-learned-since-englands-2011-riots-podcast>.

287 Siana Bangura, ‘We Need to Talk about Police Brutality in the U.K.’, *Fader*, 29 March 2016, <https://www.thefader.com/2016/03/29/police-brutality-uk-essay>.



Kill the Bill protester, London, January 2022  
Credit: Alisdare Hickson | Source: Shutterstock





# List of abbreviations

➤ ASBO	Anti-Social Behaviour Order
➤ BME	Black and Minority Ethnic
➤ BAME	Black, Asian, and Minority Ethnic
➤ BLM	Black Lives Matter
➤ CAAT	Campaign Against Arms Trade
➤ CCTV	Closed-Circuit Television
➤ ECHR	European Convention on Human Rights
➤ FBI	Federal Bureau of Investigations
➤ HOB	Home Office Biometrics
➤ IABS	The Immigration and Asylum Biometric System
➤ IMSI	International Mobile Subscriber Identity
➤ IDENT1	The Law Enforcement and Security Biometrics System
➤ Netpol	The Network for Police Monitoring
➤ NGO	Non-Governmental Organisation
➤ PCSC	Police, Crime, Sentencing and Courts Act
➤ RFT	Retrospective Facial Recognition Technology
➤ SOCMINT	Social Media Intelligence
➤ The Met/ Met Police/ London Met	The Metropolitan Police Service
➤ TPIM	Terrorism Prevention and Investigation Measures
➤ TSG	Territorial Support Group





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