

Two-tier policing

An insight report

1. What is 'two-tier' policing?

There are many definitions describing the concept of 'two-tier' policing, but in essence, it is a term used to describe the idea that some groups of people, or some behaviour (for example protests and demonstrations) are dealt with more harshly, more robustly, than others.

Recently, the term has been used by people on the far-right wing to argue that 'right wing' protests are policed more aggressively, and those offenders punished more severely, than others.

2. Where did the term 'two-tier' policing' originate?

Although the term has had prominent use in recent weeks and months (particularly in relation to the policing approach and subsequent swift convictions and sentencing of rioters) it has been used by a number of high-profile people for some time, particularly in relation to the policing of Black Lives Matter (BLM) protests, and more recently the Metropolitan Police's handling of Israeli and Palestinian protests.

People championing the term include the English Defence League (EDL) founder Tommy Robinson, political activist Laurence Fox and also Elon Musk, who has publicly called the Prime Minister "*two-tier Kier*" on a number of occasions.

A number of politicians have also voiced concerns about the existence of two-tier policing, including former Home Secretary Suella Braverman and Reform UK leader Nigel Farage, with the latter saying in August this year that the "*soft policing of Black Lives Matter protests has led to the impression of two-tier policing*" and that "*most of us think that ethnic minority groups are policed entirely differently to that of white British people*".

In November 2023, the then Home Secretary Suella Braverman wrote in the national press that the Metropolitan Police had "*double standards*" in "*largely ignoring the mobs*" taking part in pro-Palestinian protests, whilst taking a "*stern response*" to right-wing protesters.

Resultantly, Braverman then commissioned an inspection by His Majesty's Inspectorate for Constabulary, Fire and Rescue Service (HMICFRS) into 'activism and impartiality in the police'. However, on publication of the inspection report in September 2024, its lead, HMIC Andy Cooke, criticised the public nature of Braverman's comments, concluding that "*forces and politicians alike should pay close attention to the risk of political interference*".

This report made 22 recommendations, covering in chief matters of equality, impartiality and the need to review and update relevant guidance and training, but did not conclude that two-tier policing was an issue.

3. The origin, spread and nature of the 2024 riots

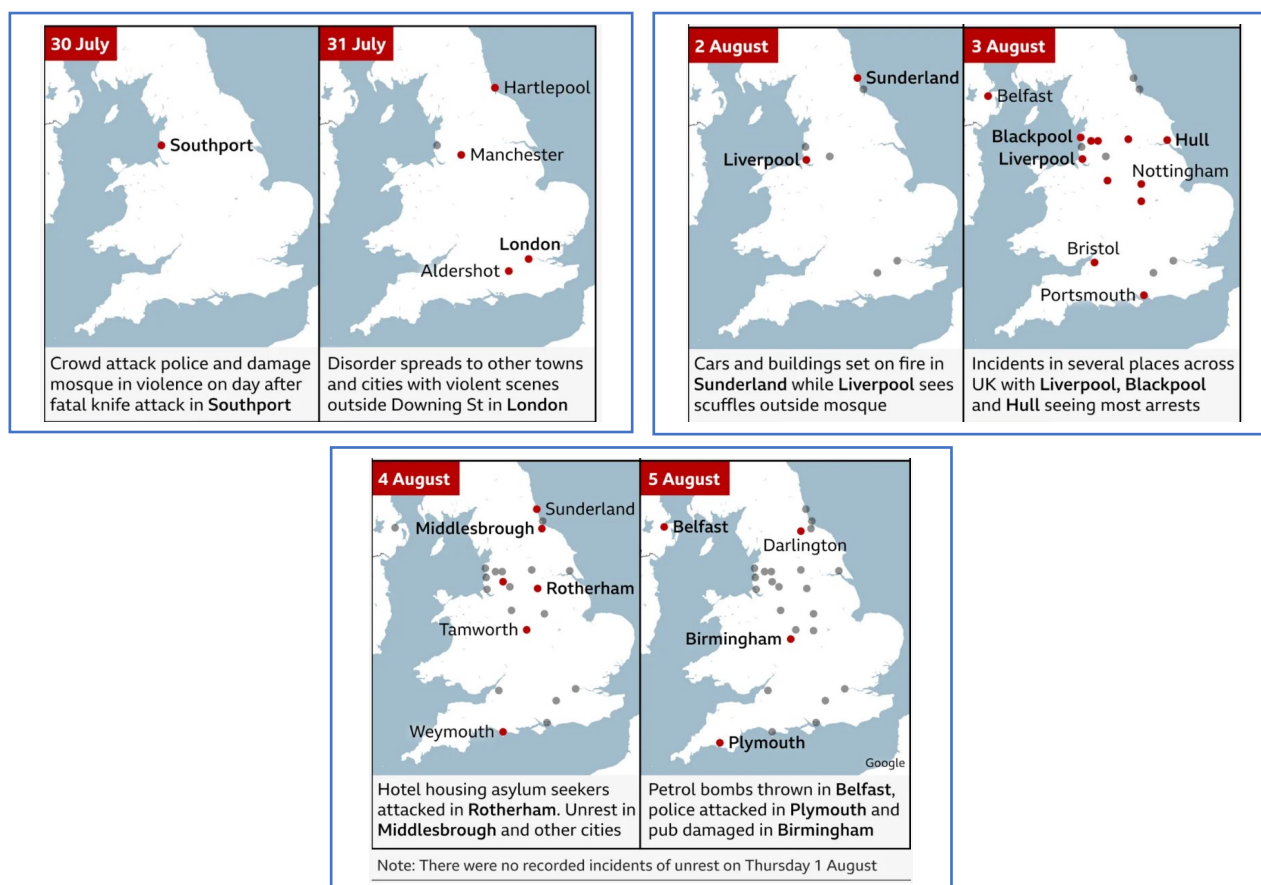
Following the fatal stabbing of three young girls in Southport, late July 2024, serious public disorder occurred in a number of UK towns and cities.

This disorder was fuelled by significant amounts of misinformation that was circulated, predominantly via social media, with a manufactured narrative giving a name and origin of a person who was falsely alleged to be the offender.

The profile and popularity of this misinformation was increased by the ‘fame’ of some of the people posting and publishing it, including Tommy Robinson.

The majority of this misinformation was xenophobic or racist in nature, and grew to support an aggressive anti-immigrant narrative. This in turn led to the spread of violent disorder, with locations housing and associated with asylum seekers, refugees and other people seeking to immigrate into the UK, a focus for the violence.

The following graphic, produced by the BBC, shows how the disorder spread across the UK:



The majority of the people involved in the disorder were reported as white British. The disorder and riots were typified by shouts and chants of a racist nature, with Sky News and other news agencies reporting that across the country, many of these chants involved allegations that ‘immigrants’ – particularly from the Middle East, Asia and Eastern Europe – were routinely involved in sexual attacks on white British girls and young women.

4. Governmental, political and policing rebuttals to ‘two-tier’ policing

- The government has rejected that two-tier policing is an issue, with the Prime Minister Kier Starmer saying, “*There is no two-tier policing*” and “*There is policing without fear or favour – exactly as it should be, exactly what I would expect and require. So that is a non-issue*”.
- When interviewed by Times Radio on 5th August 2024, former Home Secretary Dame Priti Patel expressed strong disagreement with the comments made about the existence of two-tier policing, and in particular, those made by Nigel Farage. In response to being asked whether claims that two-tier policing exists, Dame Priti said “*That is not correct. It is not correct*”.

- On 7th August 2024, Metropolitan Police Commissioner Sir Mark Rowley described accusations of two-tier policing as “*Complete nonsense*”. He said, “*We operate independently under the law without fear or favour*”.

In explaining the different approach taken to incidents, the Government and the Police have made clear that legitimate protest and criminal disorder are not the same.

This was also highlighted by Dame Priti, who said, “*There is a clear difference between effectively blocking streets or roads being closed, to burning down libraries, hotels, food banks and attacking places of worships*” and “*What we have seen is thuggery, violence and racism*”.

In an article published in Police Oracle directly after the riots, Chris Hobbs, a former Special Branch officer and ‘expert’ in the policing of protests, debunked much of the argument that two-tier policing exists, highlighting commonality in the policing of many recent protests.

Whilst Hobbs identified several areas that require improvement, his view was that these improvements were required across the board and did not apply to any one group of people.

5. Government, policing and public response to the 2024 riots

To help stop the disorder, the Government required policing to take a robust approach to incidents of disorder and rioting.

Policing and the wider criminal justice system were also required to take a robust, swift and highly public deterrent approach to the arrest and processing of relevant suspects, and where convicted, the sentencing of offenders.

This requirement was communicated directly by the Home Secretary Yvette Cooper to Chief Constables, Police and Crime Commissioners and leads of other agencies, including the CPS and HMPPS, in meetings that were also attended by the Minister of State for Crime, Policing and Fire, Dame Diana Johnson.

This strategy of employing robust, swift and public tactics was informed in part by learning from the 2011 riots which occurred following the death of a young black man, shot in error by the Police. These riots extended from London into several other cities, lasted for five days, led to five deaths, and resulted in more than 2000 people being convicted of riot-related offences. The London Evening Standard reported that the majority of these people were men from a minority ethnic background.

At the time of the 2011 riots, current Prime Minister Sir Kier Starmer was Director of Public Prosecutions (DPP), and he put in place a strategy designed to effect a ‘swift and severe’ judicial response. This included the following:

- The implementation of the ‘additional courts protocol’ – the opening of courts 24/7 which saw rioters in court within 24 to 48 hours of participating in disorder
- The relaxing of thresholds to determine whether or not to charge suspects
- The enabling of magistrates to hand down harsher sentences.

On debriefing in response to the 2011 riots, these tactics were found to have contributed to bringing the situation back under control, and to deterring further disorder.

Although there has been limited research into the public’s response to 2024’s robust, swift approach to justice, when interviewed by the media, people have been broadly positive about the speed of processing riot-related offenders, and the severity of sentences.

However, formal research was undertaken after the 2011 riots, with the resultant report published in the British Journal of Criminology – *Sentencing Riot-Related Offending: Where do the public stand?* – which concluded that the majority of the public supported the imposition and deterrent nature of harsher sentences for riot-related offences.

6. The local disorder and subsequent response

- On 5th August 2024, civil unrest - subsequently classified as rioting - took place in Plymouth, centring on Royal Parade.
- Starting with two separate groups - one a legitimate protest organised openly and in consultation with the police, and the second, organised in chief through closed social media groups and without any consultation with, or notification to the authorities - the ensuing violence saw a number of police officers injured, property damaged and serious disruption caused to public transport and local businesses.
- There was significant publicity surrounding both the lead up to the evening and the actual disorder itself, with Tommy Robinson tweeting videos of the Police's response to the Plymouth disorder alongside a since-edited post where he sought to draw parallels between the Plymouth disorder, and with what Robinson alleged – without corroborative evidence – was 'Muslims running riot in Birmingham'.
- However, informed in part by the publicity given to the protests, and Devon and Cornwall Police's effective analysis of relevant intelligence, the response was well-planned, well-resourced and well-executed, despite the injuries sustained.
- With images and videos circulated widely on social media (much of it in live time) the reaction from both the media and the public was largely, positive. Devon and Cornwall Police received plaudits at both a local and national level, in the media and from affected people and groups, for their approach and handling of the serious disorder.

"The police did a tremendous job"

Mohamed Muganzi – Director, Plymouth Islamic Education Trust

- Within 72 hours of the Plymouth riot occurring, four men were arrested, charged, convicted and imprisoned for taking part. To date, 24 people have been charged with 23 people sentenced - 16 receiving custodial sentences.
- From these 24 offenders, the details of 8 were withheld. In relation to the gender of the remaining 16, 15 were male and one was female. In relation to ethnicity, 14 of these 16 people were of white origin, with two being from a mixed or multiple ethnic group (as defined by the 2021 census ethnic grouping). This reflected the overall demographic profile of people perceived to have participated in the disorder.
- In respect of cause, during sentencing, one of the offenders stated that he took part in the riot to protest about *"an immigrant that had killed girls"*.

However, in response, Judge Linford refuted this strongly, saying, *"You didn't really care about that. It was just an excuse to go out and have a go at people with whose views you disagree"*.

- On 7th August, the Police and Crime Commissioner convened and chaired an extraordinary Local Criminal Justice Board (LCJB) meeting which brought together the most senior people from all of the region's criminal justice partners and organisations. This meeting saw a sharing of aims and objectives, and the agreement of a joined-up approach to the securing of swift justice for riot-related offences.

An open letter, signed by the Police and Crime Commissioner, Chief Constable and Chief Crown Prosecutor, emphasised this collective agreement and successfully received region-wide attention the following day, being published as the front-page story of the Western Morning News.

- To help ensure that the local policing response was effective, proportionate and legitimate, the Police and Crime Commissioner and Chief Constable agreed that the OPCC should

put in place an appropriate level of immediate oversight. Resultantly, it was agreed that the OPCC would ask five questions of the police.

These five questions, together with the Police response were:

1. What is a legitimate protest/event?

“There are a range of documents for public order commanders to lead in this work such as Authorised Professional Practice, ‘Adapting to Protest’, 10 principles of risk, 7 core principles of public life, 6 core principles of public order and wider case law which is constantly evolving. Police will enable peaceful protest when in attendance or in planning. Most protests in DCP are notified in advance and we can use the national decision model to assess risk and engage with potential organisers, partners and communities to understand intentions. Police do not use legitimate in terms of our language in Public Order Public Safety (POPS) command. ECHR legislation is key to balancing the rights of all protest/event communities and ensuring the recognition of groups within groups”.

2. What are the responsibilities of protest/event organisers in ensuring that their event is legitimate?

“We send out guidance to event organisers and if needed utilise specialist engagement teams to understand intentions, open dialogue and give advice where needed. The majority of protest in DCP passes peacefully without police attendance”.

3. What is the police response to a request/notification of a protest/event?

“The person notifying Police of any event electronically will get a response. Single online home (SOH – a police database) also has guidance shared with the person submitting. If this meets the threshold in terms of assessment a member of Operations Planning Department will be in touch with the event organiser/person submitting to discuss. Partners are also notified if needed through a Safety Advisory Group (SAG)”.

4. For the recent/current disorder in the force area (at the time of writing focusing on Plymouth), what are the enforcement statistics? (i.e. who was arrested from what ‘group’, where are they from and what is their ethnicity/gender?)
See annexe A.

5. How often are protests/events of this type refused by the police? “Nil”

a. If events are refused but proceed anyway (or proceed without the Police having been notified), what is the Police response?

“This is varied and will depend on the event. Typically led by the Safety Advisory Group (SAG) for “events” – in terms of protest this would be reviewed by an accredited public order and public safety commander, utilise the national decision model – engagement – Force Legal and many more options for a proportionate policing response meeting the 6 core principles of public order policing”.

- Additional scrutiny of the Police’s tactical plan of how to respond to the Plymouth protests provided further reassurance, with the following extracts from police documents detailing the required ethics, values, standards, style and tone required of all officers and staff involved (note: ‘Gold’ refers to the strategic level of command, ‘Silver’ the tactical level of command, and ‘Bronze’ the operational level of command).

[Plymouth protests policing plan extract: Ethics and values](#)

- *There will be a briefing by Silver to all supervisors which will be recorded, followed by a deployment briefing by Bronze commanders to set the Professional Standards, Style and Tone for the operation and to communicate key messages from the Gold Strategy and this tactical plan.*

[Plymouth protests policing plan extract: Ethics and values](#) *(continued)*

- *The key message to staff will be to ‘Educate, Facilitate, Communicate and Differentiate’ in a proportionate, positive and professional manner with those attending the event. This will be important to help identify our groups and intentions. It will specifically look to differentiate groups within groups.*
- *Consistent with the Gold strategy, a community-based style of policing will be maintained with a strong emphasis on engagement and communication.*
- *All officers will communicate with each other and the public in a professional and positive manner, supporting the community and partner organisations*
- *All officers will seize the opportunity to engage in a friendly and relaxed manner with those attending, being approachable and helpful when asked for help or advice*
- *Officers will be reminded of the use of social media, the impact their image/ actions can have on public confidence and the risks to tactical plans from inappropriate use. There will be no social media during the operation other than from the Force Communications.*
- *All public order resources involved in this operation will be in code 3 dress with flat caps. Any waterborne assets will be dressed as per safety guidance. Insignia and numbers should be clearly identifiable. This is considered a proportionate mode of dress for our policing response to this event. Long batons are not authorised at this time.*

[Plymouth protests policing plan extract: Working strategy including Policing Standards, Style and Tone](#)

- *The gold strategy has an overall strategic aim of providing an effective, fair and proportionate policing response which seeks to balance the rights of all communities, whilst prioritising public safety and minimising disruption to those in the surrounding area. This is in line with the Mission, Vision and Values and in conjunction key stakeholders we will endeavour to be:*
Engaging, Respectful and Courteous. Fair and Impartial. Proportionate and Lawful
- *Where there is a need to deploy Police personnel, the Police will employ a community policing style to improve trust and confidence in the Police.*
- *Dress code will be determined by the Silver commander, balancing the safety of officers with the desired style and tone of the operation.*
- *Officers will engage with protestors, staff and residents at the facility, the wider community and stakeholders.*
- *We will adopt a ‘no surprises and no promises’ approach in all we do. Protest Liaison Officers will be used to build professional relationships, where possible, with protestors.*
- *Our policing response should be delivered in a graduated manner, which minimises the likelihood of recourse to the use of force and disproportionality restrict individuals’ rights. This will be in accordance the Code of Ethics.*
- *In the face of violence, we will be professional, calm and restrained and will apply only that force which is reasonable, necessary and proportionate to accomplish our lawful duty.*
- *The style and tone of the policing of protest cannot be underestimated. Reviews of public order policing have highlighted “The British model of policing places a high value on tolerance and winning the consent of the public” and College of Policing APP states: “Commanders need to set the policing style and tone at the start of the operation and be aware of the potential impact on the public”.*

- The formal classification of the disorder by the government as ‘riots’ gave access to compensation claims for any uninsured losses under the Riot Compensation Act 2016.

The compensation scheme - claims under which would be administered by the Office of the Police and Crime Commissioner - was open to both personal claimants and businesses, though within Devon and Cornwall, no claims were received.

- A separate central fund - the ‘Community Recovery Fund’ – announced by the Government in September 2024, saw Plymouth allocated a post-unrest sum of £600,000, with the published aim that the monies would “*support the work that is already underway and ensure that communities have the resources they need to rebuild*”.

7. Conclusion

In reviewing whether two-tier policing is an issue, I have identified two main considerations.

The first is that legitimate protests and serious public disorder should not be conflated.

Whilst large-scale protests can involve some less-serious elements of disorder, peaceful protest is lawful and the right to hold it needs to be protected and policed accordingly. Serious disorder and riot, however, requires a robust and swift policing response.

Taking two current matters into consideration as an example, the Police’s facilitation of lawful pro-Palestinian protests cannot be compared on a ‘like-with-like’ basis with the policing of planned disorder and riot.

The second factor is the issue of how the Police and the wider criminal justice system responds to serious disorder. The strategy of swift, severe justice is a proven deterrent to further disorder, and is one that was used effectively in the aftermath of the 2011 riots and is assessed to have been similarly effective in 2024.

With reference to accusations of discrimination, an analysis of the offending demographic is useful; the 2011 riots had a significant involvement of people from a minority ethnic background, whereas white British people were the predominant offending group in the 2024 riots. Both of these periods of rioting saw a similar implementation of swift, severe justice to deal with offenders, which, taking into account the differing profile of offending groups, indicates that the use of these tactics was non-discriminatory - with a focus on deterring disorder irrespective of who was involved.

In addition to these two considerations, it is also worthy of note that where formal research has been undertaken (ref: ‘*Sentencing Riot-Related Offending: Where do the public stand? (2013)*’), it has been found that the majority of the public support the imposition of harsh, deterrent sentencing for serious disorder and riot-related offending.

As such, the conclusion of the author is that in relation to the policing of protests, civil unrest and riots, there is no substantive evidence that two-tier policing existed in the policing response to the disorder that occurred within Devon and Cornwall.

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Annexe A

Plymouth disorder – sentencing

(note: information in public domain)

Name	Age	Sentence	Gender
Withheld	34	Pending	Withheld
Withheld	17	Referral order – 5 months	Withheld
Ormand	29	Imprisonment – 18 months	M
Williams	52	Imprisonment – 32 months	M
Withheld	18	Referral order – 9 months	Withheld
McGuire	45	Imprisonment – 26 months	M
Braidwood	44	Imprisonment – 20 months	M
Sullivan	43	Imprisonment – 36 months	M
Crimp	49	Imprisonment – 32 months	M
Howe	53	Imprisonment – 10 months	M
Withheld	16	Referral order – 12 months	Withheld
Cann	51	Imprisonment – 36 months	M
Bailey	41	Imprisonment – 30 months	M
Walid	24	Imprisonment – 20 months	M
Harkness	51	Imprisonment – 12 months	M
Withheld	17	Referral order – 12 months	Withheld
Braidwood	41	Imprisonment – 32 months	M
Ball	49	Imprisonment – 32 months	M
Gove	34	Imprisonment – 18 months	F
Withheld	17	Referral order – 12 months	Withheld
Withheld	15	Referral order – 12 months	Withheld
Temesgen	19	Imprisonment – 14 months	M
West	34	Imprisonment – 20 months	M
Withheld	15	Referral order – 12 months	Withheld