

**Race, Policing, and Public Inquiries During the  
1980-81 Collective Violence in England**

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## **ABSTRACT**

### **'RACE, POLICING, AND PUBLIC INQUIRIES DURING THE 1980-81 COLLECTIVE VIOLENCE IN ENGLAND'**

This thesis examines the collective violence throughout England in 1980-81; these were largely spontaneous incidents of hostility directed against police from predominantly the youth of local black communities. Rejecting characterisations of 'mindless criminality', most often endorsed by British authorities to direct attention away from their actions and policies, this thesis argues that such violence was an aspect of broader attempts to increase political participation for black communities within Britain. A recent growth in mobilisation and resistance, fostered by the brief existence of the British Black Power movement, resulted in intensified battles with the police when it appeared that other avenues to protest the perceived harassment and discrimination that they faced had been closed.

By rejecting public inquiries into all but the most controversial incidents, the British State continued the marginalisation of racial issues. Utilising newly released records this thesis examines in detail the accusations of misconduct and brutality levelled against the police during the disorders themselves which went unexamined. It argues that such refusal by the government and police to admit culpability, or even adequately investigate such allegations, was a continuation of a lack of accountability despite the clear community desire for the legitimacy of state-endorsed investigations. Other aspects, such as the limitations of blaming the media for the spread of 'copycat' disturbances and the persistent influence of Northern Ireland on both police and public, are further discussed throughout.

Such discussion exists within a wider context regarding police accountability during the period due to recent revelations regarding Hillsborough and the miners' strike, with this thesis adding to such discourse. However its focus remains firmly upon the black community of Britain; concluding that the dual attempts of increased political participation through 'bargaining by riot', as well as consistent demands for public inquiries and clear desire to remain engaged in the political process, must ultimately be seen as having failed to achieve their aims.



*To Mum and Dad – I hope you don't regret taking us  
as children to castles instead of banks!*



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## **LIST OF ABBREVIATIONS**

ACPO	Association of Chief Police Officers
BCRE	Bristol Council for Racial Equality
CCRL	Council for Community Relations in Lambeth
CIB	Metropolitan Criminal Investigation Board
CRE	Commission for Racial Equality
DPP	Director of Public Prosecutions
GMC	Greater Manchester County Council
IRR	Institute of Race Relations
MCCR	Manchester Council for Community Relations
MCRC	Merseyside Community Relations Council
NCCI	National Committee for Commonwealth Immigrants
NCCL	National Council for Civil Liberties
NF	National Front
PACE	Police and Criminal Evidence Act 1984
RRA	Race Relations Acts (1965, 1968, and 1976)
SPG	Special Patrol Group
TUC	Trades Union Congress



## INTRODUCTION

Despite being a topic which includes much discussion of the UK police force, it is important to begin by noting that this thesis is not a detailed history of that institution. Rather this is a social and political study of a marginalised and disempowered ethnic group within modern Britain. The recent 2011 riots in major English cities provided a stark reminder, if needed, of the impact and devastation of such public disorder. This work examines the disturbances occurring in numerous locations around England in 1980 and 1981 which undoubtedly shocked the country in their scope and severity and whose impact remains relevant to contemporary society. Following increased immigration into Britain after World War Two, the British ethnic landscape was changing and became increasingly multiracial. However, racial discrimination and disadvantage led young black Britons to feel alienated from British society and let down by the systems ostensibly protecting them. This growing sense of discontentment was exacerbated by a police force which appeared to be unaccountable for their actions and who rejected legitimate concerns and criticisms regarding treatment of groups on the fringes of the political landscape, namely working classes and ethnic minorities. It is generally agreed that the 1980-81 collective violence began after 'trigger events' involving police officers and black people and those areas experiencing such disorder shared five common characteristics: racial disadvantage and discrimination, high unemployment, widespread deprivation, visible political exclusion and powerlessness, and common mistrust of and hostility towards the police.<sup>1</sup>

This thesis focusses mainly upon questions of differing levels and expressions of political engagement; i.e., the dichotomous response from local communities who continuously appealed for full independent public inquiries into events whilst others violently protested the police's actions viewed as discriminatory and improper from obvious representatives of the state. Despite the growing distrust of the British authorities, public inquiries run by the same government and part of the British political establishment were seemingly regarded as a panacea for the problems faced. Whether this was through

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<sup>1</sup> John Solomos, *Black Youth, Racism and the State: The Politics of Ideology and Policy* (Cambridge, 1988) p. 237; John Benyon, 'Interpretations of Civil Disorder', in John Benyon and John Solomos (eds.), *The Roots of Urban Unrest* (Oxford, 1987) pp. 33-35.

genuine belief that inquiries would achieve their aims, or simply a method for obtaining resources in attention, time, and money will be discussed throughout; it is my intention to show that this dichotomy fundamentally suggests a desire to be included within the British constitutional system, rather than feelings of alienation leading to mindless chaotic violence as has been argued. Likewise the numerous meetings and attempts to liaise with the police throughout the disorder shows a desire to remain engaged with and part of the political process. It is argued that government rejection of most calls for public inquiries, partly due to cost, was also linked to Thatcherite ideas of a rejection of conciliation and movement away from postwar consensus politics. In a similar vein, it is argued that the collective violence of 1980-81 can be viewed as an attempt to employ historic British political tactics ('bargaining by riot') in order to further democratise Britain, shed the last remnants of deference previously exhibited towards the now collapsed British Empire, and achieve further participation for this marginalised group within the British political system. Furthermore this work examines recently released documents and previously unstudied records to investigate accusations of police misconduct largely overlooked by any official investigations, suggesting that this likely added to growing feelings of discontent from members of the British black community and did nothing to prevent further violent disorders later in the decade.

## **LITERATURE REVIEW**

Whilst more has been written within the broad topics than can be discussed below, this literature review acts as a concise introduction to the most important works in relation to this study. Additionally further specific discussion of literature is addressed where appropriate throughout this thesis.

## **IMMIGRATION, NATIONAL AND TRANSNATIONAL IDENTITY**

There has been a long history of settlers relocating to Britain and, as Colin Holmes notes, it is difficult to locate a period within British history where immigration into Britain did not take place.<sup>2</sup> Consequently much has been written regarding the long history of immigration into Britain and the resulting situation for ethnic minorities.<sup>3</sup> The 1950s and 1960s saw an increase of

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<sup>2</sup> Colin Holmes, *John Bull's Island: Immigration and British Society, 1871-1971* (Basingstoke, 1988) p. 3.

<sup>3</sup> As just a short example, see: Holmes, *John Bull's Island*; Robert Winder, *Bloody Foreigners: The Story of Immigration to Britain* (London, 2004); Peter Fryer, *Staying Power: The History of Black People in Britain* (London, 1984); Dilip Hiro, *Black British, White British* (London, 1971).

sociologists turning attention to British race relations and ethnic minorities within Britain, earning the reputation of being a 'race relations industry'.<sup>4</sup> The majority of these are very much products of their time and are now of more use as primary sources of the period rather than secondary literature.<sup>5</sup> Most writings on British postwar race relations, to some degree, focus on the contemporary situation or lessons for the future and Alice Bloch and John Solomos argued that such research conducted on race 'has inevitably been politicised, at least in the sense that it has been heavily influenced by wider political pressures and realities'.<sup>6</sup> This has resulted in a significant proportion of works being framed within the current situation they were written, and some have thus suffered as a result.

Much work has been conducted regarding changing ideas of 'Britishness' following the Second World War.<sup>7</sup> Harry Goulbourne argued that the most influential attempts to redefine the post-imperial British national identity excluded non-white former colonial peoples and, 'whilst the membership of people with backgrounds in Africa, Asia and the Caribbean are accorded formal recognition, this recognition is constructed in such a manner that their legitimate presence and participation in Britain are nearly always questioned'.<sup>8</sup> This refutes the traditional historical view of the state as being negligible in the development of postwar racism before the 'race riots' of 1958.<sup>9</sup> Numerous writers have portrayed the postwar years as a period of *laissez faire* immigration

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<sup>4</sup> Examples include: Michael Banton, *The Coloured Quarter: Negro Immigrants in an English City* (London, 1955); Anthony H. Richmond, *The Colour Problem: A Study of Racial Relations* (Harmondsworth, 1955); Sheila Patterson, *Dark Strangers: A Sociological Study of the Absorption of a Recent West Indian Migrant Group in Brixton, South London* (London, 1963); Nicholas Deakin, *Colour, Citizenship and British Society* (London, 1970).

<sup>5</sup> As argued by Chris Waters, "'Dark Strangers" in Our Midst: Discourses of Race and Nation in Britain, 1947-1963', *The Journal of British Studies*, 36 (1997), 207-38.

<sup>6</sup> Alice Bloch and John Solomos (eds.), *Race and Ethnicity in the 21st Century* (Basingstoke, 2009) p. 3.

<sup>7</sup> Paul Ward, *Britishness since 1870* (London, 2004); Jodi Burkett, *Constructing Post-Imperial Britain: Britishness, 'Race' and the Radical Left in the 1960s* (Basingstoke, 2013).

<sup>8</sup> Harry Goulbourne, *Ethnicity and Nationalism in Post-Imperial Britain* (New York, 1991) pp. 1-2.

<sup>9</sup> Ruth Glass, *Newcomers: the West Indians in London* (Michigan, 1960) pp. 127-46; Paul Foot, *Immigration and Race in British Politics* (California, 1960) p. 233; E. J. B. Rose, *Colour and Citizenship: A Report on British Race Relations* (London, 1969) pp. 494-6; Sheila Patterson, *Immigration and Race Relations in Britain, 1960-1967* (London, 1969) p. 17; Deakin, *Colour, Citizenship and British Society*, pp. 96-100; Hiro, *Black British*, p. 201; Kathleen Paul, 'From Subjects to Immigrants: Black Britons and National Identity, 1948-62', in Richard Weight and Abigail Beach (eds.), *The Right to Belong: Citizenship and National Identity in Britain, 1930-1960* (New York, 1998) p. 238; Ira Katznelson, *Black Men, White Cities: Race, Politics and Migration in the United States, 1900-30, and Britain, 1948-68* (Oxford, 1973) pp. 129-31; Kenan Malik, *The Meaning of Race: Race, History and Culture in Western Society* (Basingstoke, 1996) p. 23.

where various governments did nothing about colonial immigration until popular anxiety forced the creation of the 1962 Commonwealth Immigrants Act.<sup>10</sup> Two main strands of the historiography have been presented to explain the movement towards immigration controls, firstly as a response to the weight of popular opinion towards black immigration.<sup>11</sup> The second economic explanation is that controls were necessitated by a migrant labour system undermining the right of black workers to migrate and settle freely within Britain.<sup>12</sup>

This view of postwar relaxed immigration policy yielding to stricter immigration control was later challenged; for example Bob Carter, Clive Harris, and Shirley Joshi argued that, rather than insignificant before 1962, the state was instrumental in constructing black immigration as a 'problem' and 'racist policies and practices were an integral part of this construction'.<sup>13</sup> This was later supported by Kenneth Lunn who likened earlier British immigration policy to nineteenth century imperialism, relying upon informal controls until required to intervene officially, all in the belief that reduced colonial immigration was required to diminish 'problems' in British society: 'Thus, control of immigration was avoided in the *Windrush* years, at least in an overtly political fashion, but its basis was being constructed.'<sup>14</sup> Writers have shown how ideas of immigration have been inextricably associated with black immigration and thus how successive governments have attempted to limit colonial immigration whilst perpetuating arguments that too many black immigrants caused problems within Britain.<sup>15</sup>

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<sup>10</sup> Hiro, *Black British*, p. 201; Paul, 'From Subjects to Immigrants', p. 238; Katznelson, *Black Men, White Cities*, pp. 129-31; Tom Rees, 'Immigration Policies in the United Kingdom', in Charles Husband (ed.), *Race in Britain* (London, 1982) pp. 75-96; David Mason, *Race and Ethnicity in Modern Britain* (Oxford, 1995) pp. 28-9.

<sup>11</sup> Paul Foot, 'Immigration and the British Labour Movement', *International Socialism*, 22 (1965), 8-13; Rose, *Colour and Citizenship*.

<sup>12</sup> M. D. A. Freeman and Sarah Spencer, 'Immigration Control, Black Workers and the Economy', *British Journal of Law and Society*, 6 (1979), 63-8; Ambalavaner Sivanandan, *A Different Hunger: Writings on Black Resistance* (London, 1982) pp. 101-26.

<sup>13</sup> Bob Carter, Clive Harris and Shirley Joshi, 'The 1951-1955 Conservative Government and the Racialisation of Black Immigration', *Immigrants and Minorities*, 6 (1987), 335. See also Robert Miles and Annie Phizacklea, *White Man's Country: Racism in British Politics* (London, 1984) pp. 22-3.

<sup>14</sup> Kenneth Lunn, 'The British State and Immigration, 1945-51: New Light on the Empire Windrush', in Tony Kushner and Kenneth Lunn (eds.), *The Politics of Marginality: Race, the Radical Right and Minorities in Twentieth Century Britain* (London, 1990) pp. 171-2.

<sup>15</sup> Katznelson, *Black Men, White Cities*; Gary Freeman, *Immigrant Labor and Racial Conflict in Industrial Societies: The French and British Experience, 1945-1975* (Guilford, 1979); Zig Layton-Henry, *The Politics of Race in Britain* (London, 1984); Sivanandan, *A Different Hunger*; Miles and Phizacklea, *White Man's Country*.

Furthering discussion into later years some works, such as Stuart Hall *et al.*'s seminal 1978 work regarding popular moral panic around 'mugging' in the 1970s, highlighted the level which political and social discourses portrayed black communities as a problem in contemporary Britain, including incorporating pre-existing views related to black masculinity.<sup>16</sup> Zig Layton-Henry's work is particularly effective at highlighting how Conservative Party policy linked racism to ideas of immigration through increasing restrictions rather than addressing the aspects which foster racism due to specific anxieties, such as increased competition for housing or employment for example.<sup>17</sup> Thus black immigration was characterised as a problem and, by extension, so were black people themselves.<sup>18</sup> An assumed increase in violence and disorder was linked with increased black immigration, leading to calls for increased controls and even repatriation: 'Traces of black life have been removed from the British past to ensure that blacks are not part of the British future'.<sup>19</sup> Thus the black population was marginalised from British society, becoming a so-called 'alien wedge' lacking a true sense of belonging, electoral representation to exert political influence, and reduced access to the political agenda.<sup>20</sup> This political marginalisation and relative deprivation has been forwarded as factors in the violent disorder of 1980-81.<sup>21</sup>

In contrast, large sections of the historiography have been critical of the role played by ethnic minorities in their worsening situation within Britain. Erik Bleich contended that politicians were the primary forces behind anti-discrimination legislation, claiming there was no 'substantial pressure from

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<sup>16</sup> Stuart Hall, Chas Critcher, Tony Jefferson, John Clarke and Brian Roberts, *Policing the Crisis: Mugging, the State, and Law and Order* (London, 1978).

<sup>17</sup> Zig Layton-Henry, *The Politics of Immigration: Immigration, 'Race' and 'Race' Relations in Post-War Britain* (Oxford, 1992). See also Michael Keith, *Race, Riots and Policing: Lore and Disorder in a Multi-Racist Society* (London, 1993).

<sup>18</sup> Ellis Cashmore and Eugene McLaughlin, 'Introduction', in Ellis Cashmore and Eugene McLaughlin (eds.), *Out of Order?: Policing Black People* (London, 1991) pp. 1-9; Fryer, *Staying Power*, pp. 381-6.

<sup>19</sup> John Solomos, Bob Findlay, Simon Jones and Paul Gilroy, 'The Organic Crisis of British Capitalism and Race: The Experience of the Seventies', in Centre for Contemporary Cultural Studies, *The Empire Strikes Back: Race and Racism in 70s Britain* (London, 1982) p. 30.

<sup>20</sup> Stuart Hall, 'Urban Unrest in Britain', in John Benyon and John Solomos (eds.), *The Roots of Urban Unrest* (Oxford, 1987) p. 50; William E. Nelson, Jr, *Black Atlantic Politics: Dilemmas of Political Empowerment in Boston and Liverpool* (Albany, 2000) pp. 187, 261-2; John Benyon, 'The Riots, Lord Scarman and the Political Agenda', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 12.

<sup>21</sup> Benyon, 'Interpretations of Civil Disorder', pp. 23-41; John Lea and Jock Young, 'Race and Crime', *Marxism Today* (1982), 38-9; John Lea and Jock Young, *What Is to Be Done About Law and Order?* (London, 1984).

ethnic minorities' who 'played surprisingly minor roles in instigating the process'.<sup>22</sup> This is consistent with the traditional interpretation which argued that British minorities either did nothing or used purely militant tactics in order to advance their situation. John Rex claimed that the British situation lacked an effective civil rights movement as seen in America and thus British civil rights victories came not from black people themselves but rather from white politicians with troubled consciences after restricting immigration; as summarised by Roy Hattersley: 'Integration without control is impossible. Control without integration is morally indefensible.'<sup>23</sup> Rex also stated that 'Nearly all the black leaders I have met make references to war and violence and it is not sufficient merely to dismiss them as extremists.'<sup>24</sup> Despite this, very little research has been conducted into the Black Power movement within Britain, as noted by Rosalind Eleanor Wild who claimed her PhD thesis was the only book-length study.<sup>25</sup> Robin Bunce and Paul Field have since released their important political biography of activist Darcus Howe, using his life as a framework through which to discuss Black Power in Britain; however this is still an understudied area which threatens to be 'written out of history'.<sup>26</sup> Wild contended that the British Black Power movement, whilst not able to prevent further generations facing the discrimination and disadvantages inherent for them from British society, 'did equip future generations with the ability to recognise such a fate and rebel against it, constructively or otherwise'.<sup>27</sup>

The development of more radical, autonomist movements in British black politics 'were not, however, matched by the emergence of a black political culture with any purchase on the mainstream political process.'<sup>28</sup> Instead so-called 'buffer institutions', such as community relations councils or the Commission for Racial Equality (CRE), were created by the government to deal with racial issues outside of the traditional political arena.<sup>29</sup> This allowed the

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<sup>22</sup> Erik Bleich, *Race Politics in Britain and France* (Cambridge, 2003) pp. 59-60.

<sup>23</sup> John Rex, 'Black Militancy and Class Conflict', in Robert Miles and Annie Phizacklea (eds.), *Racism and Political Action in Britain* (London, 1979) p. 89.

<sup>24</sup> *Ibid.*, pp. 89-90.

<sup>25</sup> Rosalind Eleanor Wild, "'Black Was the Colour of Our Fight.'" Black Power in Britain, 1955-1976', unpublished PhD thesis, University of Sheffield (2008).

<sup>26</sup> Robin Bunce and Paul Field, *Darcus Howe: A Political Biography* (London, 2014) p. ii.

<sup>27</sup> Wild, "'Black Was the Colour of Our Fight.'" p. 19.

<sup>28</sup> Martin Kettle and Lucy Hodges, *Uprising!: The Police, the People and the Riots in Britain's Cities* (London, 1982) pp. 49, 60.

<sup>29</sup> Katznelson, *Black Men, White Cities*; Terri Sewell, *Black Political Participation in Britain* (London, 1993) pp. 50-1.

ruling classes to claim that specific issues faced by ethnic minorities in Britain were being addressed, whilst controlling and limiting such institutions. As Ambalavaner Sivanandan summarised, 'the CRE took up the Black cause and killed it'.<sup>30</sup> Thus, as Layton-Henry concluded, it might be expected that black Britons would grow frustrated with such weak and ineffective institutions, leading to uprisings in attempts to obtain political influence through their own independent institutions.<sup>31</sup>

However Kalbir Shukra criticised subsequent developments with her blunt statement that 'Radical black politics in Britain is dead.' Arguing that black political activists drew closer to the state from the 1980s onwards, a greater reliance on the state and involvement of black professionals and politicians gave the impression that the state could be effective in anti-racism: 'In looking to the state to oppose racism, today's black organisers seem to have forgotten that it was the British state which framed racism in the first place.'<sup>32</sup> In a similar vein Paul Gilroy, in his influential 1993 work *The Black Atlantic: Modernity and Double Consciousness*, argued for a rejection of nationalist theoretical and ideological politics and offers the concept of the Black Atlantic as a space of transnational cultural construction which 'transcend both the structures of the nation state and the constraints of ethnicity and national particularity'.<sup>33</sup> In a comparative study of black politics through case studies of Boston and Liverpool, William E. Nelson, Jr shared such views of 'transcultural identities' but believed the cultural dimension could only be understood in the context of race and power relations: 'mainstream studies in political science and sociology have often failed to address the implications of dominant-subordinate relationships in racially hierarchical political systems'.<sup>34</sup> He argued that the end of slavery did not end the relegation of black people to subordinate positions throughout the Atlantic world; rather these were entrenched within the institutions of Western society. Thus fundamental to Black Atlantic politics is the desire for justice and participation within such racially hierarchical political systems. Such desire, it is argued by this thesis, played a role in collective violence of 1980-81.

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<sup>30</sup> Sivanandan, *A Different Hunger*, p. 120.

<sup>31</sup> Layton-Henry, *The Politics of Race*, p. 168.

<sup>32</sup> Kalbir Shukra, *The Changing Pattern of Black Politics in Britain* (London, 1998) pp. 110-1.

<sup>33</sup> Paul Gilroy, *The Black Atlantic: Modernity and Double Consciousness* (London, 1993) p. 19.

<sup>34</sup> Nelson, *Black Atlantic Politics*, p. 12.

Similarly many studies have examined the causes and consequences of the 1980-81 disturbances at the heart of this thesis, although many of these have been sociological studies published soon after events. One such collection, based upon papers presented at a conference convened by John Benyon to discuss the subsequent Scarman Inquiry, provides a wide range of opinions from diverse individuals such as social scientists, senior police and governmental officials, journalists, and black activists.<sup>35</sup> Accordingly the responses are in keeping with expectations; police and black activists attempted to explain and justify their respective side's actions, governmental officials described actions undertaken to prevent violence reoccurring, and social scientists lamented how violence could have been avoided. As well as differing reactions to the disturbances, the role of the media in the perceptions and spread of the disorder is also thoroughly debated. Benyon would later collaborate with John Solomos in a similar conference following further unrest around England in 1985, recording contributions from a number of similar speakers examining the social and political situation, American equivalents, and policing context.<sup>36</sup>

Martin Kettle and Lucy Hodges systematically discussed the main outbreaks of disorder with a heavy focus, as mentioned above, on the contemporary importance of improving relations between local black communities and the police. Although the broader social and economic situation is not disregarded, their attention remains throughout firmly on the policing aspects of the disturbances.<sup>37</sup> Alternatively Harris Joshua, Tina Wallace, and Heather Booth placed the 1980 disturbance of St Pauls, Bristol within a broader social context, arguing their theoretical approach to collective violence is 'based upon social groupings competing for power, informed by identifiable ideologies, pursuing specific objectives', and as such could apply to previous inter-racial violence in Britain previously throughout the twentieth century.<sup>38</sup> Despite detailed discussion of examples from other cities, they seemingly ignore previous studies undertaken into immigration and race relations within Bristol

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<sup>35</sup> John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984).

<sup>36</sup> John Benyon and John Solomos (eds.) *The Roots of Urban Unrest* (Oxford, 1987).

<sup>37</sup> Kettle and Hodges, *Uprising!*.

<sup>38</sup> Harris Joshua, Tina Wallace and Heather Booth, *To Ride the Storm: The 1980 Bristol 'Riot' and the State* (London, 1983) p. 13.

itself.<sup>39</sup> They characterised collective racial violence ‘as an element in the political activity of identifiable social groups seeking influence or control over the social, economic and political mechanisms and institutions that determined their social location within society’, rejecting arguments that those involved were wholly alienated from society. They furthermore challenged the ‘official’ account of events in Bristol, provided by the Chief Constable and generally unquestioned, through systematic study of other witness accounts to show which issues were emphasised or overlooked and how that allowed or excluded subsequent responses to the event; an exercise that this thesis similarly undertakes for subsequent disorders.<sup>40</sup>

### CONSENSUS POLITICS

Discussion of Britain’s race relations policies can be linked with the historiographical debate on whether there existed a widespread postwar political consensus within Britain.<sup>41</sup> One of the most significant contributions to this was Paul Addison’s *The Road to 1945*, which argued that ideas of a postwar consensus had been developing since the 1930s and its foundations were cemented during the Second World War.<sup>42</sup> Richard Toye furthered this with discussion of the political use of the term ‘consensus’, which can be traced to the 1940s, arguing that it was utilised for a number of different objectives including to undermine opponents’ arguments of national unity behind them, as well as being used in suggestions that the political establishment were actively excluding alternative viewpoints.<sup>43</sup> Kenan Malik summarised that the existence of the postwar liberal consensus was due in large part to the perceived failings of free market capitalism which had led to the horrors seen in the twentieth century, such as world wars, economic depression and the Holocaust.<sup>44</sup> Therefore ideological beliefs of the right that were prevalent prior to the Second World War, such as nationalism, imperialism, and racial inferiority or superiority,

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<sup>39</sup> Anthony H. Richmond, Michael Lyon, Sylvia Hale and Roy King, *Migration and Race Relations in an English City: A Study in Bristol* (London, 1973); Ken Pryce, *Endless Pressure: A Study of West Indian Life-Styles in Bristol* (Harmondsworth, 1979).

<sup>40</sup> Joshua, Wallace and Booth, *To Ride the Storm*, p. 185.

<sup>41</sup> Rodney Lowe, ‘The Second World War, Consensus, and the Foundation of the Welfare State’, *Twentieth Century British History*, 1 (1990), 152-82; Ben Pimlott, ‘The Myth of Consensus’, in L. M. Smith (ed.), *The Making of Britain: Volume 5: Echoes of Greatness* (London, 1988) pp. 129-42; Ben Pimlott, Dennis Kavanagh and Peter Morris, ‘Is the “Postwar Consensus” a Myth?’, *Contemporary Record*, 2 (1989), 12-5.

<sup>42</sup> Paul Addison, *The Road to 1945: British Politics and the Second World War* (London, 1977).

<sup>43</sup> Richard Toye, ‘From “Consensus” to “Common Ground”: The Rhetoric of the Postwar Settlement and Its Collapse’, *Journal of Contemporary History*, 48 (2013), 3-23.

<sup>44</sup> Malik, *The Meaning of Race*, pp. 13-4.

were questioned. Ideas of postwar consensus thus extended to race relations and many have viewed Britain's numerous Race Relations Acts as being the high-water mark of the two-party consensus to take a moral stand and depoliticise the issue of race.<sup>45</sup> These occurred concurrently with stricter immigration controls and, as Malik highlights, 'The link between immigration control and race relations legislation expressed the contradictions of postwar liberalism. The acceptance of a liberal consensus on race did not mean that the ruling élite was any less racist than previously.'<sup>46</sup> Furthermore Robert Miles and Annie Phizacklea contended that the linking of controls with race relations meant that immigration was thus viewed in racial terms: 'By legislating for race relations instead of against racism, the government was giving further substance to the idea of "race", ensuring that the problem was seen in terms of "colour", in terms of "them".'<sup>47</sup>

It has similarly been debated to what extent the Conservative leadership of Margaret Thatcher was a departure from this consensus or simply a redefinition of it.<sup>48</sup> In a recent article Martin J. Smith contended that Thatcher opposed political consensus and viewed it as weakness, thus disagreeing with the belief that negotiation was needed in order to reconcile conflicting interests. As such, one legacy of Thatcher's government is the rejection of conciliation between social groups: 'What she did question in politics was the need to conciliate or compromise and in that sense she had a very limited notion of democracy.' Smith continued to link this argument with immigration debates, arguing that Thatcher's rejection of the previous bipartisan consensus on immigration was replaced with aggressive tactics and Thatcherite exclusionary politics which increasingly characterised immigrants as the problem.<sup>49</sup> Conversely Camilla Schofield's discussion of Enoch Powell through the backdrop of Postcolonial Britain suggested that ideas of postwar consensus were challenged prior to Thatcher's leadership, arguing that Powell helped reframe the myth of the Second World War from the 'People's War' into one of

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<sup>45</sup> Deakin, *Colour, Citizenship and British Society*, pp. 104-6; Layton-Henry, *The Politics of Immigration*, pp. 49-50; Michael Banton, *Promoting Racial Harmony* (Cambridge, 1985) p. 126; Katznelson, *Black Men, White Cities*, p. 126.

<sup>46</sup> Malik, *The Meaning of Race*, pp. 17-8.

<sup>47</sup> Miles and Phizacklea, *White Man's Country*, p. 58.

<sup>48</sup> Dennis Kavanagh, *Thatcherism and British Politics: The End of Consensus?* (Oxford, 1987); Toye, 'From "Consensus" to "Common Ground"'; Brian Harrison, 'The Rise, Fall and Rise of Political Consensus in Britain since 1940', *History*, 84 (1999), 301-24.

<sup>49</sup> Martin J. Smith, 'From Consensus to Conflict: Thatcher and the Transformation of Politics', *British Politics*, 10 (2015), 64-78.

Britain 'permanently under siege', subsequently extended to an assertion of public self-reliance against the liberal state.<sup>50</sup> Similarly Mark Mitchell and Dave Russell argued that, upon their writing, no clear Thatcherite policies relating to race had emerged and her leadership therefore saw simply developments of previous policies. A lack of firm direction from central government allowed the police considerable scope for creating and implementing their own strategies and techniques regarding the policing of black communities.<sup>51</sup> Regardless of Thatcher's specific role in ideas of postwar consensus and race policies, Hall summarised the broad effect that Thatcherism had upon the black British community:

...when public policies are reconstructed and redirected so as to enable the combination of possessive individualism, a strong and disciplinary state and the wild and untutored forces of the free market to prevail, it is slightly obscene to ask the question why those who are at the receiving end of those processes sometimes get so angry that they throw a brick.<sup>52</sup>

#### COLLECTIVE VIOLENCE

A broad and extensive historiography exists on the nature of collective violence which has gone through extensive developments.<sup>53</sup> Gustave Le Bon suggested the collective approach in relation to outbreaks of violence, employing 'group mind theory' to characterise crowds as easily influenced and demonstrating primitive and destructive instincts.<sup>54</sup> Collective violence was also considered a form of mass hysteria and that group actions were often led by social deviants, 'especially recruited from the ranks of those morbidly nervous, excitable, half-deranged persons who are bordering on madness'.<sup>55</sup> Conversely Floyd Allport dismissed ideas of the 'group mind' and forwarded the idea that 'the individual in the crowd behaves just as he would behave alone, only more

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<sup>50</sup> Camilla Schofield, *Enoch Powell and the Making of Postcolonial Britain* (Cambridge, 2013) p. 210.

<sup>51</sup> Mark Mitchell and Dave Russell, 'Race, the New Right and State Policy in Britain', in Tony Kushner and Kenneth Lunn (eds.), *The Politics of Marginality: Race, the Radical Right and Minorities in Twentieth Century Britain* (London, 1990) pp. 180-1.

<sup>52</sup> Hall, 'Urban Unrest in Britain', p. 47.

<sup>53</sup> For a brief survey of social scientific theories of rioting in relation to events discussed in this thesis, see: Stan Taylor, 'The Scarman Report and Explanations of Riots', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) pp. 20-34.

<sup>54</sup> Gustave Le Bon, *The Crowd* (London, 1896). See also George Rudé, *The Crowd in History: A Study of Popular Disturbances in France and England: 1730-1848* (London, 1964); James Rule, *Theories of Civil Violence* (Berkeley, 1988); Clark McPhail, *The Myth of the Madding Crowd* (New York, 1991).

<sup>55</sup> Le Bon, *The Crowd*, p. 73. See Herbert Blumer, 'Collective Behavior', in Alfred McClung Lee (ed.), *Principles of Sociology* (New York, 1946) pp. 165-222; J.P. Chaplin, *Rumor, Fear, and the Madness of Crowds* (New York, 1959).

so'.<sup>56</sup> Both theories share the connected viewpoint that, once individuals become a crowd, human behaviour is reduced to the most base and primitive characteristics: 'the spontaneity, the violence, the ferocity, and also the enthusiasm and heroism of primitive beings'.<sup>57</sup> These theories have thus been criticised by those who question the assessment of 'blind and meaningless' mass violence as 'not a deliberately chosen response', and further how collective action has been able to be organised by marginal and isolated individuals or groups.<sup>58</sup> S. D. Reicher forwarded such an argument when contending that these approaches exclude a social basis for the coherence of crowd behaviour and do not answer key questions of participation and content; which is to say who does and does not participate in crowd events and what actions do and do not occur. His social identity model, which would later be expressed as Self-Categorization Theory, suggested that crowd behaviour is influenced through people defining themselves as sharing a common social identity and thus learning and exhibiting appropriate shared behaviour.<sup>59</sup>

More recent theories have characterised collective violence as a form of protest, a key arrow in the broader quiver of political strategies as argued by Joe R. Feagin and Harlan Hahn:

Historically, collective violence has been part of the regular and normal political life of all nations, part of the process by which competing interest groups maintain power, gain power, or lose power in the process of jockeying for influence and control over governmental and other social institutions.<sup>60</sup>

In this definition collective violence is used to 'accompany, complement and extend organized peaceful attempts by the same people to accomplish their objectives'.<sup>61</sup> This argument was pre-empted by Eric Hobsbawm, who previously coined the phrase 'collective bargaining by riot' during discussion of

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<sup>56</sup> Floyd Allport, *Social Psychology* (Boston, 1924) p. 295.

<sup>57</sup> Le Bon, *The Crowd*, p. 8.

<sup>58</sup> Joe R. Feagin and Harlan Hahn (eds.), *Ghetto Revolts: The Politics of Violence in American Cities* (London, 1973); Joshua, Wallace and Booth, *To Ride the Storm*, pp. 10-1.

<sup>59</sup> S. D. Reicher, 'The St. Pauls Riot: An Explanation of the Limits of Crowd Action in Terms of a Social Identity Model', *European Journal of Social Psychology*, 14 (1984), 2, 18-9. See also J. C. Turner, M. A. Hogg, P. J. Oakes, S. D. Reicher and M. S. Wetherell, *Rediscovering the Social Group: A Self-Categorization Theory* (Oxford, 1987).

<sup>60</sup> Feagin and Hahn, *Ghetto Revolts*, p. 146. See also Ted Robert Gurr, 'The History of Protest, Rebellion, and Reform in America: An Overview', in Gurr (ed.), *Violence in America* (Newbury Park, CA, 1989) pp. 11-22; Rule, *Theories of Civil Violence*.

<sup>61</sup> Charles Tilly, 'Collective Violence in European Perspective', in Ivo K. Feirabend, Rosalind L. Feirabend and Ted Robert Gurr (eds.), *Anger, Violence and Politics: Theories and Research* (Hemel Hempstead, 1972) p. 343.

the widespread machine-breaking by British workers in the 18th and early 19th centuries. Hobsbawm states such riots were more than simply protests; they wanted and expected to achieve positive results through such violence. Thus he described workers' actions as 'a means of coercing their employers into granting them concessions with regard to wages and other matters'.<sup>62</sup>

Michael Keith criticised the entirety of collective behaviour theory, arguing that assumptions that 'crowd psychology' differs from 'individual psychology' have resulted in work which argues such 'has tended to be speculative in the extreme': 'It took the unique (as opposed to theoretical) work of historians such as Hobsbawm and Rude...to debunk this manic image of collective behaviour and recast disorder as social protest, restore faces to the faceless members of the crowd'.<sup>63</sup> Even works after this, such as Feagin and Hahn, are criticised as they are 'replacing the de-individuated, primitive mob of behaviourism with a coldly calculating, politically conscious unit to be regarded as a lucid social actor on the stage of historical struggle'.<sup>64</sup> He criticised those who legitimised the violence as part of broader racial mobilization and black struggle, concluding that attempting to bestow the disorders with post hoc meaning was academically questionable. Therefore he attempted to find an alternative to classifying the disorders as either 'criminal subversion' or 'glorious revolution', suggesting that such an explanation would require capturing the impromptu nature of the events without a reduction of individuals' actions to a behaviourist response to given stimuli. The solution he thus puts forward is to avoid issues relating to common-sense models of causality as blame allocation: 'This is essentially a call for the need to incorporate a notion of *contingency* into all explanations.'<sup>65</sup> This is something attempted to have been addressed throughout this thesis.

Within such a theoretical framework, the 1980-81 disturbances can be viewed as a spontaneous rational response to the black communities' lack of political participation, and thus an attempt to further their societal situation. E. P. Thompson, in his pivotal *The Making of the English Working Class*, documented how the British people 'were noted throughout Europe for their turbulence' and

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<sup>62</sup> Eric Hobsbawm, 'The Machine Breakers', *Past & Present*, 1 (1952), 57-70.

<sup>63</sup> Keith, *Race, Riots and Policing*, p. 79.

<sup>64</sup> *Ibid.*, p. 88.

<sup>65</sup> *Ibid.*, pp. 90-5; emphasis in original.

that the eighteenth and nineteenth centuries were 'punctuated by riot'.<sup>66</sup> In many ways, those involved in the disorders of 1980-81 were simply continuing this British tradition of marginalised and isolated groups attempting to obtain increased levels of participation within society. Many writers have attributed immediate causes of the 1980-81 disturbances as being 'rational' responses to increasingly militant police tactics and, as such, a defence of their 'territory' against police 'occupation'.<sup>67</sup> In order to support this theory, specific incidents are cited through the disturbances of participants directing violence specifically against police and even stopping to direct traffic through the area.<sup>68</sup>

David J. Smith, discussing the findings of research undertaken by the Policy Studies Institute, noted that there was evidence of a growth of a coherent political ideology emerging; not to the level of explicitly organising the disturbances themselves, but as a collective response to perceived police and societal oppression.<sup>69</sup> David Waddington *et al.* portrayed rioters as viewing the state as an illegitimate authority which they could not influence otherwise.<sup>70</sup> He sought to apply his 'flashpoints' model, which combines pre-existing 'tinder' conditions with a specific 'spark' incident, to a broader range of disorder. This approach has been criticised as too generalised and that his categorisation of disorders, between 'issue-oriented' and 'issueless', is rather a post hoc analysis attributed by subsequent commentators.<sup>71</sup> Relatedly Keith rejected descriptions of 'the average rioter' as either 'black youth' or 'the young', instead highlighting how the disorders included 'a broad cross-section of the Black communities of specific neighbourhoods'.<sup>72</sup> Whilst black youth were predominant in the disturbances, these were very much mobilisations of large sections of British black communities in political attempts to improve their circumstances.

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<sup>66</sup> E. P. Thompson, *The Making of the English Working Class* (London, 1963) p. 62.

<sup>67</sup> Paul Gilroy, *There Ain't No Black in the Union Jack: The Cultural Politics of Race and Nation* (London, 1987) pp. 236-45; Lea and Young, 'Race and Crime', 38-39; Reicher, 'The St. Pauls riot', 1-21; Devon Thomas, 'Black Initiatives in Brixton', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 189.

<sup>68</sup> Reicher, 'The St. Pauls riot', 6-10; Gilroy, *There Ain't No Black in the Union Jack*, pp. 236-8.

<sup>69</sup> David J. Smith, 'Policing and Urban Unrest', in John Benyon and John Solomos (eds.), *The Roots of Urban Unrest* (Oxford, 1987) p. 72.

<sup>70</sup> David Waddington, *Contemporary Issues in Public Disorder: A Comparative and Historical Approach* (London, 1992).

<sup>71</sup> P. A. J. Waddington, 'Review of *Contemporary Issues in Public Disorder*, by David Waddington', *The British Journal of Criminology*, Vol. 33, No. 4 (Autumn 1993) 577-579.

<sup>72</sup> Michael Keith, *Race, Riots and Policing: Lore and Disorder in a Multi-Racist Society* (London, 1993) p. 5.

## SPREAD OF DISORDER

There has also been detailed discussion of how such violent disorder spreads. Sidney Tarrow defined that 'Protest becomes a protest cycle when it is diffused to several sectors of the population, is highly organized, and is widely used as the instrument to put forward demands'.<sup>73</sup> Through a pioneering empirical study of almost 5,000 protest events in Italy, he demonstrated how protest cycles emerged and spread to multiple groups before subsequently declining, describing the entire cycle as 'a phase of heightened conflict and contention across the social system'.<sup>74</sup> Ruud Koopmans later replaced 'cycle' with 'wave', arguing that 'cycle' implied trends that would recur periodically whereas 'wave' merely denotes a 'strong increase and subsequent decrease in the level of contention'.<sup>75</sup> He argued that instances of collective action are not independent and occur within such broader protest waves: 'contention is always a multi-actor process that cannot be adequately understood by focussing attention on one actor and reducing the others to the role of context variables. Instead, interactions between actors become the fundamental units of analysis.'<sup>76</sup> The emergence of such protest waves is attributed to changes in the structure of political opportunities 'which reduce the power disparity between authorities and challengers'.<sup>77</sup>

Relatedly the theory of social diffusion posits that, through established social networks, actors in social systems are affected and influenced by the adoption of certain behaviours by other 'contagious' adopters.<sup>78</sup> These potential actors first observe and assess the results of others' actions before making their

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<sup>73</sup> Sidney Tarrow, *Democracy and Disorder: Protest and Politics in Italy, 1965-1975* (Oxford, 1989) pp. 14-5.

<sup>74</sup> *Ibid.*, p. 153.

<sup>75</sup> Ruud Koopmans, 'Protest in Time and Space: The Evolution of Waves of Contention', in David A. Snow, Sarah A. Soule and Hanspeter Kriesi (eds.), *The Blackwell Companion to Social Movements* (Oxford, 2004) p. 21.

<sup>76</sup> *Ibid.*, p. 40.

<sup>77</sup> See for example: Sidney Tarrow, *Power in Movement. Social Movements, Collective Action and Politics* (Cambridge, 1994); Doug McAdam, "'Initiator" and "Spin-Off" Movements: Diffusion Processes in Protest Cycles', in Mark Traugott (ed.), *Repertoires and Cycles of Collective Action* (Durham, 1995) pp. 217-39; Ruud Koopmans, 'The Dynamics of Protest Waves: West Germany, 1965 to 1989', *American Sociological Review*, 58 (1993), 637-58, as cited in Koopmans, 'Protest in time and space', p. 24.

<sup>78</sup> See Everett M. Rogers, *Diffusion of Innovations*, Fourth edition (New York, 1995); David Strang, 'Adding Social Structure to Diffusion Models: An Event History Framework', *Sociological Methods and Research*, 19 (1991), 324-53; Clark McPhail and Ronald T. Wohlstein, 'Individual and Collective Behavior within Gatherings, Demonstrations and Riots', *Annual Review of Sociology*, 9 (1983), 579-600.

own decision whether or not to adopt the same behaviour.<sup>79</sup> Daniel J. Myers highlights how this contagion model has been used in multiple studies of collective behaviours such as rioting and protest.<sup>80</sup> He continued to discuss how work conducted on contagious influence during collective disorder can be categorised into two themes, long-term contributions and short-term contagion effects.<sup>81</sup> Long-term contributions include the positive results of previous disorders, either real or imagined, and an increased sense of pride toward their social group.<sup>82</sup> Short-term contagions provoke others to discuss and consider such action themselves, dubbed by Pamela E. Oliver as an 'occasion for deciding'.<sup>83</sup> Myers, in an argument relevant to subsequent discussion of the 1980-81 disturbances highlights that: 'if additional events quickly follow the first and each is well publicized, a cascading effect may cause more and more individuals to make the decision to riot, and events can, at least for a short time, build on one another'.<sup>84</sup> In his resultant report Lord Scarman concluded that it was likely that a 'copycat' element existed in many subsequent disorders, exacerbated by extensive media coverage, which characterised collective violence as irrational and imitative.<sup>85</sup> Recently Roger Ball studied the case of Bristol in detail, carrying out a micro-history of events in 1980 that led to a city-based 'mini-wave' of disorder raising interesting questions relating to the spread

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<sup>79</sup> Anthony Oberschall, 'Loosely Structured Collective Conflict', *Research in Social Movements, Conflict and Change*, 3 (1980), 45-68; Anthony Oberschall, 'The 1960 Sit-Ins: Protest Diffusion and Movement Take-Off', *Research in Social Movements, Conflict and Change*, 11 (1989), 31-53.

<sup>80</sup> Eric Hobsbawm and George Rude, *Captain Swing* (New York, 1968); Andrew Charlesworth, *Social Protest in a Rural Society* (Cambridge, 1979); John Bohstedt, 'The Dynamics of Riots: Escalation and Diffusion/Contagion', in Michael Potegal and John Knutson (eds.), *The Dynamics of Aggression* (New Jersey, 1994) pp. 257-306; Susan Olzak and Suzanne Shanahan, 'Deprivation Race Riots: An Extension of Spilerman's Analysis', *Social Forces*, 74 (1996), 931-61; Doug McAdam, 'Tactical Innovation and the Pace of Insurgency', *American Sociological Review*, 48 (1983), 735-54, as cited in Daniel J. Myers, 'The Diffusion of Collective Violence: Infectiousness, Susceptibility, and Mass Media Networks', *American Journal of Sociology*, 106 (2000), 175.

<sup>81</sup> Myers, 'The Diffusion of Collective Violence', 175-8.

<sup>82</sup> Seymour Spilerman, 'The Causes of Racial Disturbances: A Comparison of Alternative Explanations', *American Sociological Review*, 35 (1970), 627-49; David G. Sears and T. M. Tomlinson, 'Riot Ideology in Los Angeles: A Study of Negro Attitudes', *Social Science Quarterly*, 49 (1968), 485-503; Pamela E. Oliver, 'Bringing the Crowd Back In: The Nonorganizational Elements of Social Movements', *Research in Social Movements, Conflict and Change*, 11 (1989), 1-30.

<sup>83</sup> Oliver, 'Bringing the Crowd Back In', 11.

<sup>84</sup> Myers, 'The Diffusion of Collective Violence', 178.

<sup>85</sup> Lord Leslie Scarman, *The Scarman Report: The Brixton Disorders, 10-12 April 1981* (Harmondsworth, 1981) p. 14. For detailed accounts of the media coverage of the 1981 disorders, see Benyon, *Scarman and After*, chapters 1, 3, and 7.

of protest more generally.<sup>86</sup> Utilising Jamie Przybysz and Myers' definitions of 'copycat' and 'contagion' in the spread of riots, he argued subsequent disturbances were not purely the 'copycat' result of an unconscious reaction to media coverage, rather a rational and evaluative decision-making process which had been influenced by 'contagions' spread via a social network of peer relationships, education, family links and others.<sup>87</sup>

## POLICE

Whilst this thesis is not a history of the police, the existing historiography of relations between black people and the police must be acknowledged.<sup>88</sup> If the police, as the visible representations of the government, are not perceived to be treating different groups fairly then this not only undermines the legitimacy of their own organisation but also potentially that of the state as well.<sup>89</sup> Tony Jefferson and Monica A. Walker showed how a differential treatment of black people compared to white compatriots produced a less favourable attitude towards the police, and many noted how this relationship was becoming hostile by the mid-1970s.<sup>90</sup> In fact Robert Reiner summarised how the numerous works on relations between the police and black communities within Britain constituted 'a depressing chorus of unheeded prophecies of doom'.<sup>91</sup> Studies such as Hall *et al.*, and Gilroy argued that racist discourses within Britain portrayed black communities as being more predisposed for criminality and, as such, led to their disproportional targeting by the police and characterisation as a 'social

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<sup>86</sup> Roger Ball, 'Violent Urban Disturbances in England 1980-81', unpublished PhD thesis, University of the West of England (2012).

<sup>87</sup> J. Przybysz and D. Myers, 'The Diffusion of Contentious Gatherings in the Captain Swing Uprising' (University of Notre Dame, 2009) pp. 3-4, as cited in Roger Ball, 'The "Bristol Riot" and Its "Other": St Paul's and Southmead in April 1980', *The Regional Historian: Journal of the Regional History Centre*, 22 (2010), 39-40.

<sup>88</sup> For such a police history, see: Clive Emsley, *The English Police: A Political and Social History* (London, 1991); Timothy Brain, *A History of Policing in England and Wales from 1974: A Turbulent Journey* (Oxford, 2010); Robert Reiner, *The Politics of the Police*, Fourth edition (Oxford, 2010).

<sup>89</sup> Reiner, *The Politics of the Police*; Trevor Jones, Tim Newburn and David J. Smith, 'Policing and the Idea of Democracy', *British Journal of Criminology*, 36 (1996), 182-98.

<sup>90</sup> Tony Jefferson and Monica A. Walker, 'Attitudes to the Police of Ethnic Minorities in a Provincial City', *British Journal of Criminology*, 33 (1993), 251-66; David J. Smith, 'The Origins of Black Hostility to the Police', *Policing and Society*, 2 (1991), 1-15; Derek Humphry, *Police Power and Black People* (London, 1972); Simon Holdaway, 'Themes and Issues in Police/Race Relations Policy', *New Community*, XIV (1987), 142-50; Nick Jewson, 'Inner City Riots', *Social Studies Review*, 5 (1990), 170-4; Mason, *Race and Ethnicity*, p. 111.

<sup>91</sup> Robert Reiner, 'The Police and Race Relations', in John Baxter and Laurence Koffman (eds.), *Police: The Constitution and the Community* (London, 1985) p. 149.

problem'.<sup>92</sup> Gilroy furthered Hall *et al.*'s earlier points and argued that, by portraying events such as the 1980-81 disturbances as evidence of higher levels of criminality inherent within black people, this was used to justify policies of increased limits and controls on immigration.<sup>93</sup> Michael Rowe concurs that the 1980-81 disorders were counter to the widespread depiction of Britishness characterised by law, order, fairness, and democracy and, as such, were received as 'perceived threats to national identity'.<sup>94</sup> Others further argued that such 'army of occupation' policing of British ethnic minorities was simply a continuation of colonial policing practices.<sup>95</sup> Ellis Cashmore and Eugene McLaughlin's edited collection considers policing examples from Britain and America, arguing that the police have utilised the notion of a 'crime wave' in order to justify increased resources and extended legal and political power.<sup>96</sup>

In a review of the literature regarding ethnic minorities and the police, Georgios A. Antonopoulos categorised the debate in terms of three differing ideological positions: radical, liberal, and left-realist.<sup>97</sup> Exponents of the radical viewpoint, characterised by Marxist doctrines, attributed the problems to a racist and oppressive police force.<sup>98</sup> The liberal viewpoint argues that institutional racism and discrimination does exist, but that high black crime rates exacerbate such relations.<sup>99</sup> And finally the left-realist approach accepts that black crime rates are comparatively higher, but attributes this to both police discrimination and disproportionate representation of black people amongst the poorest sections of society leading to increased criminality, amplified by the Afro-Caribbean subculture: 'increased...black crime and police predisposition to

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<sup>92</sup> Hall *et al.*, *Policing the Crisis*; Gilroy, *There Ain't No Black in the Union Jack*. See also Joseph A. Hunte, *Nigger-Hunting in England?* (London, 1966); Emsley, *The English Police*, p. 168; Keith, *Race, Riots and Policing*.

<sup>93</sup> Gilroy, *There Ain't No Black in the Union Jack*.

<sup>94</sup> Michael Rowe, *The Racialisation of Disorder in Twentieth Century Britain* (Aldershot, 1998) p. 3.

<sup>95</sup> For example John Rex noted how in Handsworth, Birmingham the City Council appointed a 'Liaison Office for Coloured People' in the early 1960s due to increased black migration and that 'To this post it appointed a former colonial policeman, thereby making it clear that the task envisaged was a colonial one, and a policing one.': John Rex, 'Life in the Ghetto', in John Benyon and John Solomos (eds.), *The Roots of Urban Unrest* (Oxford, 1987) p. 103. See also: Institute of Race Relations, *Policing against Black People* (London, 1987); Fryer, *Staying Power*, pp. 393-4.

<sup>96</sup> Cashmore and McLaughlin, *Out of Order?*

<sup>97</sup> Georgios A. Antonopoulos, 'Ethnic and Racial Minorities and the Police: A Review of the Literature', *The Police Journal*, 76 (2003), 222-45.

<sup>98</sup> Gilroy, *There Ain't No Black in the Union Jack*; Hall *et al.*, *Policing the Crisis*.

<sup>99</sup> David J. Smith, 'Race, Crime, and Criminal Justice', in M. Maguire, R. Morgan and R. Reiner (eds.), *The Oxford Handbook of Criminology* (New York, 1994) pp. 1041-117.

associate blacks with crime become part of a vicious circle'.<sup>100</sup> The Left Realist explanation has provoked the most criticism; being accused of surrendering to 'the weight of racist logic' and that Keith for example argued that proponents 'do not so much revise history as forget it'.<sup>101</sup>

Multiple studies on policing and police culture during the 1970s and 1980s suggested that racism in the police was more prevalent than existed within wider society.<sup>102</sup> Despite claims to suggest that police officers acted without prejudice when it came to fulfilling their duties despite their private views, Ben Bowling and Coretta Phillips later displayed that behaviour is affected by persons holding racially prejudiced attitudes.<sup>103</sup> They described a number of explanations forwarded to explain discrimination in policing, such as 'bad apples', 'reflection of society', and 'institutional racism'.<sup>104</sup> Reiner recorded that the 'clear and distinguished genesis' of British police research was Michael Banton's 1964 work *The Policeman in the Community*, the first academic study of everyday policing as opposed to government-sponsored surveys or works of 'enthusiastic amateurs'.<sup>105</sup> The most significant, in terms of impact, was the Policy Study Institute's *Police and People in London* survey published in 1983.<sup>106</sup> Ordered by the Commissioner of the Metropolitan Police Sir David

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<sup>100</sup> Lea and Young, *What Is to Be Done About Law and Order?*, pp. 167-8; Carolyn Briggs, 'Policing Moss Side: A Probation Response', *Probation Journal*, 42 (1995), 62-6; Richard Kinsey, John Lea, and Jock Young, *Losing the Fight against Crime* (Oxford, 1986); Jock Young, 'The Task Facing a Realist Criminology', *Contemporary Crises*, 11 (1987), 337-56; Roger Matthews, 'Taking Realist Criminology Seriously', *Contemporary Crises*, 11 (1987), 371-98.

<sup>101</sup> Keith, *Race, Riots and Policing*, p. 17. See also Paul Gilroy, 'Police and Thieves', in Centre for Contemporary Cultural Studies (ed.), *The Empire Strikes Back: Race and Racism in 70s Britain* (London, 1982) pp. 143-82; Phil Scraton, *The State of the Police* (London, 1985).

<sup>102</sup> Maureen Cain, *Society and the Policeman's Role* (London, 1973); Robert Reiner, 'Black and Blue: Race and the Police', *New Society*, 57 (1981), 466-69; Simon Holdaway, *Inside the British Police: A Force at Work* (Oxford, 1983); Reiner, *The Politics of the Police*, pp. 115-21.

<sup>103</sup> Ben Bowling and Coretta Phillips, *Racism, Crime and Justice* (Harlow, 2002) pp. 161-2. For arguments that negative personal attitudes towards ethnic minorities do not necessarily affect their behaviour performing their jobs, see: Smith and Gray, *The Police in Action*, p. 388; Alistair Henry, 'Policing and Ethnic Minorities', in Alistair Henry and David J. Smith (eds.), *Transformations of Policing* (Aldershot, 2007) pp. 82-92; Reiner, *The Politics of the Police*, p. 130.

<sup>104</sup> Bowling and Phillips, *Racism, Crime and Justice*, pp. 155-62. See also Reiner, *The Politics of the Police*, pp. 94-5, 159-68.

<sup>105</sup> Michael Banton, *The Policeman in the Community* (London, 1964); Robert Reiner, 'Police Research in the United Kingdom: A Critical Review', *Crime and Justice*, 15 (1992) 439.

<sup>106</sup> This survey was published in four volumes as follows: David J. Smith, *Police and People in London, Vol. i: A Survey of Londoners* (London, 1983); Stephen Small, *Police and People in London, Vol. ii: A Group of Young Black People* (London, 1983); David J. Smith, *Police and People in London, Vol. iii: A Survey of Police Officers* (London, 1983); David J. Smith and Jeremy Gray, *Police and People in London, Vol. iv: The Police in Action* (London, 1983).

McNee in 1979, it generated 'an extent of controversy and debate about policing that was unprecedented in recent times'.<sup>107</sup>

## CONTEXT

A number of aspects are discussed repeatedly throughout this thesis and, as such, it is important to establish a relevant background and working knowledge of those organisations and processes. Accordingly the British police and governmental public inquiries are introduced briefly below.

## POLICE

The police went through many changes in the years before 1980-81 in terms of their organisation and perception; both in the public's view and their view of themselves. This was largely a movement away from a 'traditional' view of policing which had proliferated in various forms since their inception and professionalism following the Metropolitan Police Act passed by Home Secretary Sir Robert Peel in 1829. For example, use of new technologies such as 'panda cars' from the mid-1960s led to an increased movement away from the traditional view of the police as the local 'bobby on the beat', towards officers unfamiliar with the changing local communities who would only appear when trouble was occurring or, in more extreme views, to cause some.<sup>108</sup> The 1978 Edmund-Davies Report recommendations, implemented in full on the first working day of the 1979 Conservative Government, greatly increased police pay escalating the number of young officers in the early 1980s: in 1980 36 percent were 18½-25 years old.<sup>109</sup> This was coupled with an evolving image of the police in popular culture, which included the American *Starsky and Hutch* and London-based *The Sweeney*, which Frank Leishman and Paul Mason described as 'perhaps the ultimate celebration of the police breaking the rules in order to obtain a conviction'.<sup>110</sup> Clive Emsley similarly noted how the hero bent

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<sup>107</sup> Reiner, 'Police Research in the United Kingdom', 443-4.

<sup>108</sup> Kettle and Hodges, *Uprising!*, pp. 66-7; Emsley, *The English Police*, p. 165; Kenneth Oxford, 'Policing by Consent', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) pp. 115-6; Basil Griffiths, 'One-Tier Policing', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 128.

<sup>109</sup> Between 1979 and 1989 police pay increased in real terms by 41 percent, significantly above average earnings: Emsley, *The English Police*, p. 171. Committee of Inquiry on the Police, *Report on Negotiating Machinery and Pay* (Chairman: Lord Edmund-Davies), Her Majesty's Stationary Office, 1978 (Cmnd. 7283); John Benyon, 'The Policing Issues', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) pp. 102, 105.

<sup>110</sup> Frank Leishman and Paul Mason, *Policing and the Media: Facts, Fictions and Factions* (Devon, 2003) p. 69.

or broke the rules, 'But Detective Inspector Jack Regan in *The Sweeney* was always shown to be ultimately in the right; he only kicked against bureaucracy and petti-fogging functionaries who impeded the apprehension and punishment of "real criminals".<sup>111</sup> This thus affected officers' perception of their roles, with young recruits often attracted by the promise of action and David J. Smith and Jeremy Gray argued that many 'look forward to disturbances and, in fact, tend to find anything else boring by comparison'.<sup>112</sup> British police training was also criticised, with examples showing how new German police recruits acquired multiple years' worth of experience before allowed to patrol on their own; in Britain it was merely ten weeks.<sup>113</sup> It was believed that areas such as St Pauls and Brixton were used as a 'training ground' by police for young inexperienced officers, who were criticised as being less sympathetic to the views of local black communities and thus 'quicker to react to things and people they did not understand'.<sup>114</sup>

Additionally the Police Act 1964 included major reforms to the organisation of the police in England and Wales which endowed more power to chief constables and the Home Secretary, at the same time creating 43 local police authorities.<sup>115</sup> Such authorities consisted of two-thirds elected members of county or borough councils and one-third local magistrates, responsible for 'maintaining an "adequate and efficient" police force which was properly housed and equipped'.<sup>116</sup> Although the majority of police funding came from the Home Office, police authorities were able to raise additional funds through local Council Tax and it was their responsibility to set the budget for the police. Whilst these authorities had the power to remove chief constables, subject to the Home Secretary's approval, this was rarely used. Reiner highlighted how in practice most authorities did little and usually deferred to the local chief constable's 'professional' expertise: 'The police authorities paid the piper (or more precisely shared policing costs with central government) but did not call

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<sup>111</sup> Emsley, *The English Police*, p. 176.

<sup>112</sup> Smith and Gray, *The Police in Action*, p. 55; Robert Reiner, 'Who Are the Police?', *The Political Quarterly*, 53 (1982), 178; Benyon, 'The Policing Issues', pp. 110-1.

<sup>113</sup> Lord Inglewood to Lord Scarman, 26 August 1981, The National Archives (TNA): HO 266/139.

<sup>114</sup> 'After the Riots', Helen Reid, *Western Daily Press*, 9 April 1980; 'The Build-up to Explosion', L.C. Francis, *The Jamaican Weekly Gleaner*, 9 April 1980.

<sup>115</sup> Reiner, *The Politics of the Police*, p. 227.

<sup>116</sup> Emsley, *The English Police*, p. 174.

any tunes.<sup>117</sup> This system excluded that of the Metropolitan Police, which was under the direct control of the Home Secretary. Police authorities in England and Wales were abolished in November 2012 and replaced with directly elected Police and Crime Commissioners, ostensibly allowing for increased levels of police accountability to local communities that they served; however the low voter turnout for such elections shows the continued apathy widely held for such issues.<sup>118</sup>

This strengthening of police power was coupled with the election of Margaret Thatcher's Conservative Government on 4 May 1979 ushering in an age of Thatcherism with, alongside related economic and social policies, a seeming unequivocal support for the police. The Labour Party, specifically then-backbencher Jack Straw, unsuccessfully attempted in November 1979 to strengthen police authorities' influence over general policy issues. Although day-to-day operational decisions were to remain the chief constable's prerogative, the intention was to allow police authorities to 'have some say in the way in which the area is to be policed'.<sup>119</sup> A number of Labour-controlled police authorities attempted to exploit their limited powers and would come into conflict with their local chief constables, especially following Labour local election gains in 1981.<sup>120</sup> The police and Conservatives constantly opposed what they deemed the 'politicisation of the police', arguing that their political independence was vital in order to maintain their impartiality. Reiner has documented that the independence the British police had historically enjoyed from elected government institutions was often touted as a positive feature, such as former Commissioner of the Metropolitan Police Robert Mark stating: 'The fact that the British police are answerable to the law, that we act on behalf of the community and not under the mantle of government, makes us the least powerful, the most accountable and therefore the most acceptable police in the world.'<sup>121</sup> Police Federation Chairman Jim Jardine similarly argued that the police accepted the 'principle of accountability', but rejected political control of

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<sup>117</sup> Reiner, *The Politics of the Police*, p. 227; Emsley, *The English Police*, p. 174.

<sup>118</sup> The Electoral Commission, *Police and Crime Commissioner Elections in England and Wales: Report on the Administration of the Elections Held on 15 November 2012* (London, 2013) p. 3.

<sup>119</sup> *Police Review*, 23 November 1979, as cited in Brain, *A History of Policing*, pp. 60-1; Reiner, *The Politics of the Police*, pp. 227-8.

<sup>120</sup> Trevor Jones, Tim Newburn and David J. Smith, *Democracy & Policing* (London, 1994) pp. 17, 223.

<sup>121</sup> Robert Mark, *Policing a Perplexed Society* (London, 1977) p. 56, as cited in Reiner, *The Politics of the Police*, p. 223.

the police: 'Once they become subject to the whims of local politicians, police impartiality flies out of the window.'<sup>122</sup>

Whilst undoubtedly an important point that there is a fine line to tread regarding politicisation of the police, similarly accountability can only exist if there are functioning mechanisms which allow for such. In his report of the 1981 disturbances, Lord Scarman described the 'withdrawal of consent' as key to the problems in policing, concluding: 'a police force which does not consult locally will fail to be efficient'.<sup>123</sup> Timothy Brain summarised that the Conservatives attempted to rely upon increased police numbers and harsher punishments, whilst Labour attempted to increase political control over the police. Criticising both respectively for being in denial or pursuing political rather than practical solutions, Brain concluded that all political parties and groups, as well as the police itself, must take responsibility for the rising crime and connected problems.<sup>124</sup>

It is vital to view the violent disorders of 1980-81 within a broader framework of disturbances and questioning of the police's conduct within the 'long 1980s'. The subsequent 1984-85 miners' strike was a particularly bitter dispute between trade unions and government, whose forceful response led to pitched battles between striking miners and the police. Police tactics employed during the strike have been widely condemned, with accusations of officers striking protestors and later fabricating or tampering with evidence leading to calls for a public inquiry into events.<sup>125</sup> Despite the South Yorkshire police in 2012 referring themselves to the Independent Police Complaints Commission (IPCC) to investigate their own misconduct, allegedly including assault, perjury, perverting the course of justice, and misconduct in a public office, the IPCC recently rejected calls for a formal investigation as it was deemed too long ago.<sup>126</sup> Similarly recent revelations about the Hillsborough disaster of 1989, where 96 people were crushed to death due to police error, has revealed that substantial effort was undertaken by the police to conceal the true events,

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<sup>122</sup> 'Don't Overlook Police View', *Bristol Evening Post*, 22 May 1980.

<sup>123</sup> Jones *et al.*, *Democracy & Policing*, p. 223.

<sup>124</sup> Brain, *A History of Policing*, p. 76.

<sup>125</sup> Mark Townsend, 'Police are Accused of Foot-dragging over Miners' Strike Inquiry', *The Observer*, 15 June 2014.

<sup>126</sup> David Conn, 'Miners' Strike: Police to be Investigated Over "Battle of Orgreave"', *The Guardian*, 16 November 2012; David Conn, 'Tell us the Truth about the Battle of Orgreave', *The Guardian*, 14 November 2014; David Conn, 'IPCC Will Not Investigate Orgreave Police Action During Miners' Strike', *The Guardian*, 12 June 2015.

including the alteration of some 116 officer statements to 'remove or alter comments unfavourable' to the South Yorkshire Police.<sup>127</sup>

As with discussions in this thesis, for instance the Operation Countryman investigation into police corruption and frequent dismissals of criticisms against the police, it is clear this was a period where many within the police did not feel that either they should be, or could be, accountable for their actions. Consequently polls recorded that respondents agreeing with the statement that they had 'a great deal of respect for the police' almost halved from 83 percent in 1959 to 43 percent in 1989.<sup>128</sup> Viewed within such a context the decision taken by many members of the black community, to either constantly demand full investigation of the police or to violently express their discontent, might not be surprising.

### PUBLIC INQUIRIES

Throughout this thesis reference is made to appeals for public inquiries to investigate a variety of aspects causing discontent within local black communities. Despite the history and importance of public inquiries within the British legal system, there is a dearth of academic research on their history and structure. Indeed, the foreword to Jason Beer QC's 2009 work declares: 'Astonishingly, this is the first book on public inquiries ever to be published.'<sup>129</sup> Public inquiries investigate issues of serious public concern, examining in a public manner the events under its remit; although Stephen Sedley provided an alternative definition: 'the organizing of controversy into a form more catholic than litigation but less anarchic than street fighting'.<sup>130</sup> The term 'public inquiry' has a very broad meaning within the British legal system and multiple forms of inquiries are available, such as departmental inquiries established by ministers, or more formal public inquiries established following a resolution of both Houses of Parliament. For some 84 years, before the introduction of the Inquiries Act 2005, such public inquiries fell under the remit of the Tribunals and Inquiries (Evidence) Act 1921, initially enacted to investigate accusations that Ministry of

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<sup>127</sup> Hillsborough Independent Panel, *The Report of the Hillsborough Independent Panel* (London, 2012).

<sup>128</sup> Polls cited are a 1959 poll for the Royal Commission on the Police, and a 1989 poll for *Newsnight* conducted by MORI, as cited in Reiner, *The Politics of the Police*, p. 78.

<sup>129</sup> Lord Brown of Eaton-under-Heywood, 'Foreword', in Jason Beer, *Public Inquiries* (Oxford, 2009) p. vii.

<sup>130</sup> Stephen Sedley, 'Public Inquiries: A Cure or a Disease?', *The Modern Law Review*, 52 (1989), 469.

Munitions officials had destroyed papers relating to awarded contracts.<sup>131</sup> The Act specified that if both Houses deemed a tribunal be established either by the Crown or by a Secretary of State for 'inquiring into a definite matter described in the Resolution as of urgent public importance', then such a tribunal should have all powers, rights, and privileges that are vested in the High Court.<sup>132</sup> Thus such tribunals were endowed with the power to compel the production of documents and enforce witness attendance and examination under oath.

A 1966 Royal Commission established that legal costs of anyone involved in an inquiry should be 'met out of public funds', and Beer subsequently highlighted how 'it has proved very difficult for ministers and their departments to limit the cost of public inquiries'; going some way to explain the reluctance of successive Home Secretaries to establish such inquiries.<sup>133</sup> The Royal Commission stated the strong opinion that a public inquiry:

...should never be used for matters of local or minor public importance but always be confined to matters of vital public importance concerning which there is something in the nature of a nation-wide crisis of confidence. In such cases we consider that no other method of investigation would be adequate.<sup>134</sup>

During its 84-year duration, just 24 inquiries were held under the provisions of the Tribunals and Inquiries (Evidence) Act 1921.<sup>135</sup> It should be remembered that Scarman's 1981 inquiry, established under Section 32 of the Police Act 1964, was not one of these. Section 32 gave the Home Secretary the power to establish a 'local inquiry' into 'any matter connected with the policing of any area', to be held either in public or private.<sup>136</sup> Its power to summon and examine witnesses fell under section 290 of the Local Government Act 1933, and costs incurred by any person could be directed from police funds.<sup>137</sup> As discussed in Chapter Five, there were some who criticised this inquiry's establishment under the Police Act due to it seemingly focussing investigations solely onto policing aspects rather than broader social or political conditions or governmental

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<sup>131</sup> Jason Beer, *Public Inquiries* (Oxford, 2009) pp. 6-7.

<sup>132</sup> Tribunals of Inquiry (Evidence) Act 1921, s 1(1).

<sup>133</sup> Beer, *Public Inquiries*, p. 145; Royal Commission on Tribunals of Inquiry, *Report of the Royal Commission on Tribunals of Inquiry* (London, 1966) paras. 32, 48.

<sup>134</sup> *Report of the Royal Commission on Tribunals of Inquiry*, para. 27.

<sup>135</sup> Details of these 24 inquiries can be found in Beer, *Public Inquiries*, pp. 8-14.

<sup>136</sup> 'An Act to re-enact with modifications certain enactments relating to police forces in England and Wales, to amend the Police (Scotland) Act 1956, and to make further provision with respect to the police.', Police Act 1964, c. 48.

<sup>137</sup> *Ibid.*

policies. Within this thesis, the term 'public inquiry' thus refers to any governmental-established official inquiry into events with powers to summon and examine witnesses.

There are many reasons why such public inquiries might be established, other than the simple reason of attempting to discover the truth behind events. As well as an important tool of public accountability, Diana Woodhouse listed a number of reasons governments may wish to establish inquiries, including: depoliticising the issue by removing it from the political arena; giving the appearance that ministers share public concern and curiosity into what happened ('they could not have been personally involved, otherwise they would know'); and, most relevant to this thesis, that whilst inquiries are independent from the government they are still largely under its control in terms of members, terms of reference, and publishing of the inquiry report.<sup>138</sup> Such inquiries exist within a political environment and, as such, are infused with intentions, language, and scope which fit within the political strategies of those who commissioned them.<sup>139</sup> Michael Lipsky and David J. Olson have thus argued that such investigations create expectations that cannot be fulfilled.<sup>140</sup> However, as discussed throughout, calls for such public inquiries throughout the period under examination were enduring.

### **DEFINITION OF TERMS**

Due to the nature of discussion in this thesis, it is important to initially discuss and define some terms often used in an attempt to avoid some of the inherent issues with their use.

#### **'RIOT'**

The events of 1980-81 were often described as 'riots', both at the time and subsequently. Peter Fryer highlighted how baffled politicians and sensationalist media accounts described and focussed upon looting and criminality, but their use of riot 'to describe what were in fact uprisings by entire inner-city populations, black and white together, served to obscure the true nature and causes of these events'.<sup>141</sup> Labelling such events riots, criminal, and

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<sup>138</sup> Diana Woodhouse, 'Matrix Churchill: A Case Study in Judicial Inquiries', *Parliamentary Affairs*, 48 (1995), 25-6.

<sup>139</sup> Keith, *Race, Riots and Policing*, p. 74.

<sup>140</sup> Michael Lipsky and David J. Olson, *Commission Politics: The Processing of Racial Crisis in America* (New Brunswick, 1977).

<sup>141</sup> Fryer, *Staying Power*, p. 395.

illegitimate, inherently removed the genuine sources of discontent and dissatisfaction with British society behind them. Kettle and Hodges argued that any description of events, including their titular *Uprising!*, contain their own problems and linguistic baggage, before concluding: 'In the circumstances, "riot" will have to do.'<sup>142</sup> With this taken into consideration and acknowledging the argument of this thesis that such collective violence was part of a political strategy, or 'bargaining by riot' as Hobsbawm coined, they are instead referred to as 'disturbances', 'disorder', or 'unrest'. It is important to stress however that undoubtedly there were many who had no such ideas or designs as they were looting or using the opportunity to engage in violence under the cover of legitimate protest. Thus where appropriate, such as discussing these aspects or reactions of members of the public or the police, 'riots' or 'rioters' are used interchangeably.

### 'BLACK'

'Black' is a term that has had, and remains to have, a contested history. As Uvanney Maylor argued, employing collective terminology to describe groups of people with differing backgrounds, cultures, and self-identification, is extremely problematic.<sup>143</sup> 'Black' had historically been used to describe essentially anyone who was not white, for example Fryer's contention that evidence stating African soldiers were stationed on Hadrian's Wall proved that 'black people' were in Britain before the English. As Yasmin Alibhai-Brown highlighted there has been an 'absurd assumption that all whites are part of the same homogenous group'.<sup>144</sup> For the purposes of this thesis black will be used to refer to the group of immigrants who arrived from the Caribbean in years following World War Two and their descendants residing in Britain.<sup>145</sup> Whilst other terms could be used to describe this group, such as 'Afro-Caribbean' (later supplanted by 'African-Caribbean'), this is to highlight the growing contemporary use of the term 'black' as a positively empowering term of self-description. The general response of other ethnic minority groups such as people of Asian descent living in Britain, both towards and from, the British

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<sup>142</sup> Kettle and Hodges, *Uprising!*, p. 10.

<sup>143</sup> Uvanney Maylor, 'What Is the Meaning of "Black"? Researching "Black" Respondents', *Ethnic and Racial Studies*, 32 (2009), 369-87.

<sup>144</sup> Yasmin Alibhai-Brown, *Who Do We Think We Are? Imagining the New Britain* (London, 2001) p. vii.

<sup>145</sup> Fryer, *Staying Power*, p. 1.

public and police differed and, whilst noted where relevant, is not the main focus of this thesis.<sup>146</sup>

## **METHODOLOGY**

As mentioned at the outset, this study is a social and political examination of a marginalised and disempowered ethnic group within modern Britain, attempting to increase their representation and participation in the political arena. The focus of such discussion is predominantly upon members of local black communities but, at the time and since, some have argued that race did not in fact play the vital role in the disturbances, but rather underlying aspects of class were a more appropriate method of considering the underlying reasons for disorder. This thesis argues that such aspects are interconnected and can be subsumed within discussion of the racial aspect of the disorders which saw an overwhelmingly black composition of the crowds violently oppose police action. John Rex and Sally Tomlinson addressed the relationship between race and class arguing that, occupying an inferior class position throughout aspects such as housing, education, and employment, British ethnic minorities found themselves in an 'underclass'. As such they formed an 'underclass-for-itself' with their own forms of organisation, culture, political goals and ideology.<sup>147</sup> Even Scarman noted in his inquiry report that, whilst unemployment affected everyone, 'its weight falls disproportionately heavy on black people'.<sup>148</sup> Therefore it is argued throughout that, whilst unemployment and economic hardship played a role in the disorder, viewing them as a political reaction from a marginalised ethnic group is a more appropriate perspective. Thus this work follows the models of 'collective bargaining by riot' as outlined in the literature review, in lieu of repeating discussion.

In order to examine the research questions outlined above, this thesis utilises a traditional archival approach utilising primary source analysis of

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<sup>146</sup> For discussion of people of Asian descent within Britain, including differences with black communities, see for example: Harry Goulbourne, *Race Relations in Britain since 1945* (Basingstoke, 1998); Ron Ramdin, *Reimagining Britain: Five Hundred Years of Black and Asian History* (Sterling, VA, 1999).

<sup>147</sup> John Rex and Sally Tomlinson, *Colonial Immigrants in a British City: A Class Analysis* (London, 1983). See also Ambalavaner Sivanandan, 'Race, Class and the State: The Black Experience in Britain', *Race & Class*, 17 (1976), 347-68; Hall *et al.*, *Policing the Crisis*, p. 347.

<sup>148</sup> Scarman, *The Scarman Report*, pp. 167-9. Similar arguments were made by Kenneth Roberts, 'Youth Unemployment and Urban Unrest', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 181; Ken Young, 'The Challenge to Local Government', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) pp. 226-7; Hall, 'Urban Unrest in Britain', pp. 45-6.

records from a variety of personal, local, and national archives. This is almost exclusively qualitative in nature, although there are occasional aspects of quantitative data such as police numbers or arrest statistics. First and foremost of these primary sources are unstudied governmental files of the Scarman Inquiry, recently released in accordance with the Public Records Act 1967 requiring that public records should be released after thirty years; documents were closed to public view until at least 2005, with the majority being unobtainable until 2012.<sup>149</sup> Established to examine Brixton disorder, and subsequently extended to include broader events, the Scarman Inquiry obtained numerous police records such as transcripts of police radio messages and interviews with officers, as well as receiving submissions from numerous individuals and local organisations and groups. Occurring before the Police and Criminal Evidence Act 1984, which made tape recording of interviews with suspects in police stations the standard, the recording of police radio messages was a costly endeavour. The use of such evidence however by investigating officers and the judicial system, as well as in defence of growing accusations of police corruption, necessitated their recording.

As with all evidence considered, it is important to note the background and possible biases inherent when considering these. For example, study of transcripts of interviews conducted with officers after events must acknowledge the officers' knowledge and awareness that such records could, if incriminating, be subsequently used as evidence against them. Indeed a number of examples of police later admitting as such are cited throughout. Similarly submissions from interested groups and organisations, often attempting to use the inquiry as a means of airing personal grievances believed previously to have been disregarded, are not likely to be wholly impartial. Study of these records allows insight into those aspects believed most important within the final published report and, notably, which were omitted; thus this is a focal point of discussion.

As the inquiry record holds some 141 files of information, attempts to simply read everything may well have taken another thirty years. The approach was adopted of selecting those files believed of greatest importance and interest to this study and research questions; namely police radio messages

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<sup>149</sup> Thus the files were expected to be accessible in January 2012. However, due to the Home Office recalling all of these files in order to redact personal information not previously removed prior to their release, these records were not actually accessible until February 2013.

sent during the disturbances, interviews with police officers, and submissions from individuals and organisations involved in the disturbances, both directly or indirectly. An unexpected delay of access to the inquiry records allowed for additional research undertaken in other aspects discussed, including inquests into the deaths of Kevin Gately, Blair Peach, and the 1981 New Cross Fire. Many such files had similarly only recently been released and have thus not yet received considerable academic attention, such as Commander John Cass' report into Peach's death at Southall and report of Gately's death during the Red Lion Square disorders.

As central to this thesis as the recently released records of the Scarman Inquiry are, they are not the only records consulted. Local government, organisations, and police records were consulted at Bristol Records Office, with specific permission obtained to sealed police records related to the disturbances which have, to the author's knowledge, been accessed by only one other author with a differing research focus.<sup>150</sup> Furthermore the personal collection of Dr John Stevenson, containing materials relating to the Manchester Moss Side disturbances collected whilst based at a local university, included numerous interviews, records, and minutes of the locally established Hytner Inquiry which allowed for further discussion and study of primary sources unavailable elsewhere.<sup>151</sup>

There are five main themes of argument throughout this thesis adding to the historiography differing perspectives in addition to new sources. Firstly the dichotomy of 'bargaining by riot' and continuous appeals for public inquiries shows a community attempting increased political participation through various means, but it is argued neither were greatly successful. Relatedly the widespread discontent and lack of trust towards authorities, highlighted most obviously by belief of a wide array of largely anti-police rumours, were not addressed by any inquiries that were obtained, despite the clear desire from the community for the legitimacy of such state-endorsed investigations. Thirdly the seeming complete inability of the police and state to admit any failings, mistakes, or wrongdoing further enlarged the discontent. The spread of disorder

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<sup>150</sup> Ball, 'Violent Urban Disturbances'.

<sup>151</sup> Copy in possession of author. Dr John Stevenson, most recently fellow of Worcester College, Oxford, is a British social and political historian who was based at the University of Sheffield during the 1980-81 disturbances. The Hytner Inquiry was published as Benet Hytner, *Report of the Moss Side Enquiry Panel to the Leader of the Greater Manchester Council* (Manchester, 1981) and can be accessed at TNA: HO 266/136.

around the country is also addressed, agreeing that the media played a role in its dissemination but that personal connections and the movement of people, police and public, allowed the spread and proliferation of disorder. Additionally the influence of Northern Ireland is seen throughout, significantly influencing the actions and tactics of police, participants, and ruling authorities.

## **STRUCTURE**

In order to portray the sense of growing momentum and events influencing subsequent reaction, the most expedient chapter structure for this thesis is in a chronological manner. One of the main arguments of this work is that continuing refusals to hold public inquiries and the actions of the police further deteriorated poor relations with local black communities; structuring the chapters in such a way most effectively highlighted this. Whilst chapters themselves are often arranged thematically to best discuss the events and provide clarity to analysis, this structure throughout would have lost some of this sense of momentum and increasing tensions. One possible consequence to be wary of when using a chronological approach such as this is that discussion becomes too narrative; however this has been attempted to be negated throughout.

**Chapter One** begins with establishing the background situation and placing the disturbances of 1980-81 within a broader historical context of growing discontent from sections of the black community in Britain. It does so firstly with an overview of increased colonial immigration after the Second World War and, opposing traditional interpretations of the state's role as negligible prior to 1958 'race riots', it is argued that favourable policies for white migrants and a shifting definition of 'Britishness' constructed black immigration as a problem long before various postwar governments enacted increasing restrictions upon Commonwealth immigration. Numerous governmental policies, such as successive Race Relations Acts beginning in 1965, were ostensibly introduced to improve race relations and the situation for black people in Britain, but were in actuality weak ineffectual laws which both reduced confidence in the British legislative system and effectively allowed racial discrimination to continue unchallenged. Furthermore this chapter discusses a growing sense that police were openly racially prejudiced and in general not accountable for their actions. This includes consideration of key changes within police

accountability and several high-profile deaths, either during political protests or within police custody. The aim of this synopsis is to provide a context for events occurring in 1980-81, showing how the British authorities had repeatedly undermined the hopes and expectations of large sections of the black community.

The remaining chapters consist of detailed examinations of collective violence around England in 1980-81. The disorders studied here followed the same basic pattern: widespread growing tension between police and sections of the local black community; police action deemed 'the final straw'; various outbreaks of violence with subsequent and largely unconnected looting predominantly by white people not involved in initial disturbances; a robust police response itself criticised with accusations of police misconduct; and finally varying levels of governmental and local inquiries, all of which deemed unsatisfactory by local interested organisations and groups. The chapters are split into three two-chapter sections of different stages of the spread of disturbances around England in 1980-81.

**Chapter Two** begins analysis of the first violence against the police in St Pauls, Bristol on 2 April 1980. This event reverberated around the country with people often reacting with shock and confusion. Conversely, to those familiar with the situation and growing levels of resentment, it came as no surprise that violence erupted. Using previously unstudied records, this chapter examines the police's actions before and during the disturbance, reaction and involvement of local organisations, and relationship between the police and local community. **Chapter Three** continues this analysis, examining the response to disorder which included requests for and continuing rejections of a public inquiry, the resulting 'three-pronged' government response criticised as inadequate, establishment of local inquiries by other organisations, and subsequent trials of those arrested which resulted in no convictions. The government focus upon the trials and attempts at punishments rather than answering appeals for a full public inquiry clearly demonstrates attempts to portray unrest as a criminal action which should be dealt with as such.

**Chapter Four** examines the most well-known and discussed disturbance of the period; Brixton on 10-12 April 1981. Occurring almost exactly one year after St Pauls, and five days after the acquittal of those charged with offences in

Bristol, violence emerged after a week-long massive police presence in the area. A seemingly innocuous incident between police and a local stabbed youth escalated wildly due to the level of distrust and discontent towards the police. Local police had been aware of a poor relationship with the local black population, resulting in the establishment of a Liaison Committee with local community representatives. However this Committee soon broke down due to the deployment of the unpopular Special Patrol Group and police belief that community representatives should have no say in the operational enforcement of the law. Similarly **Chapter Five** continues to discuss reactions, further discussing the government's establishment of the inquiry into the disturbance led by Lord Scarman. Police actions during the disturbances are also examined, where contemporary evidence is compared to subsequent explanations and submissions included in the Scarman Report. This is explored through close examination of records submitted to or created by the Inquiry, such as transcripts of police radio messages sent at the time of the disturbances. Accusations of police misconduct are also examined. As these went unexamined by Scarman and, compared with the prevailing authority focus upon the criminality of the disorders, added to feelings that the British system was organised to protect the police at the expense of minority groups.

**Chapter Six** continues to explore key events which followed Brixton, through brief discussion of particular notable developments such as significantly altered police equipment and tactics. The chapter subsequently examines in detail the case of Moss Side, Manchester. Advancing previous discussion about the role of local organisations, a meeting was called between the police and local community representatives after initial disturbances that agreed upon a low-level police presence to reduce tensions and avoid recurrences of violence. This meeting and tactic was subsequently accused of being a police ploy to legitimise their subsequent forceful response, again highlighting the level of distrust towards the police. **Chapter Seven** discusses the aftermath of the July 1981 disturbances, including a local County Council inquiry and subsequent boycott from local organisations, and further accusations of police misconduct going unexamined and unpunished. The general reaction to and discussion of the nature of the 1980-81 disorders is discussed, including the report produced by the Scarman Inquiry, which finally leads to general conclusions and summaries.

The **Conclusion** summarises the main arguments made throughout this thesis; namely that the collective violence discussed should be viewed within a broader political response to perceived discrimination and lack of accountability of the British state and police in particular. Many from the black community in Britain, emboldened and hardened by the fate of the previous Black Power movement, decided that action must be taken to address their marginalisation within British society and increase their political participation. Furthermore the reluctance or refusal of governmental inquiries to consider numerous accusations of blatant police misconduct during the disorders increased discontent. This thesis concludes that this played a role in the continuing poor relations between police and aspects of the local black communities, leading to recurring violent disorder later in the decade.

## **CHAPTER ONE**

### **THE BACKGROUND SITUATION**

When discussing ideas of police and governmental accountability and to understand why numerous cities erupted into violence in the years 1980-81 it is necessary to examine the broader historical context. As Michael Keith stressed, 'Such periodization cannot on its own provide an explanation for such conflict, but without it any explanation will inevitably lack plausibility.'<sup>1</sup> This first chapter addresses the background situation for black people in Britain following increased colonial migration after World War II, and their subsequent reception and position within society. It also examines some of the events which acted as precursors to later amplified disorder, characterised by recurrent calls for public inquiries but authorities' reluctance, police rejection of criticism and feelings of victimisation. Events have been chosen to illustrate a growing momentum, gradual building of tension, and feelings of discontent towards the British system which appeared to offer black people little or no support, especially regarding their treatment at the hands of the police, as well as highlighting the increasing mobilisation of black communities. Many local committees and organisations were established in an attempt to participate in the political process and affect change, although these often went ignored or were marginalised by authorities. This thesis argues that this eventually led to some within the black community feeling that their only feasible recourse for political participation was to violently clash with the police as visual symbols of an authority system which had repeatedly failed them. Some explanations of the disturbances, especially those from politicians downplaying any connection to their policies, attempted to portray the disorder as 'sheer criminality' where participants simply wanted the reward of rioting, either through looting or excitement. Whilst the disturbances themselves were triggered by seemingly spontaneous outbursts, the disorder can be viewed within broader political activity attempting to improve their position in society and originating from the discontentment and anger that had been building for years previously.

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<sup>1</sup> Michael Keith, *Race, Riots and Policing: Lore and Disorder in a Multi-Racist Society* (London, 1993) p. 18.

## THE 'WINDRUSH GENERATION'

There is a long history of immigration into Britain; indeed the country was built upon immigrants and their descendants.<sup>2</sup> This opposes the view, widely held at the time, that immigration was a phenomenon established following World War II. Harris Joshua, Tina Wallace, and Heather Booth correctly challenged assumptions that this period saw the 'beginnings' of race relations within Britain, detailing previous incidents of collective racial violence such as 'race riots' between white and ethnic minority workers in major British seaports in 1919.<sup>3</sup> Although not a postwar creation, immigration was certainly significant during this period; between 1945 and 1961 the British population rose by over a million due to an influx of European refugees, Irish citizens, and British subjects from the West Indies, India, and Pakistan.<sup>4</sup> Many were recruited by the British Government to relieve substantial postwar labour shortages; although the reaction which greeted these different groups was noticeably disparate.

Arrivals from Ireland were treated essentially as British citizens, a practice made explicit by the state in the 1948 Nationality Act and a 1954 Working Party suggesting that, when discussing immigration restrictions, the government should 'argue boldly that the population of the British Isles was essentially one'.<sup>5</sup> Similarly European migrants benefited from government initiatives allowing them to integrate into British society such as favourable publicity campaigns, English language classes, and joining appropriate trade unions – a celebrated symbol of 'Britishness'.<sup>6</sup> Conversely those entering

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<sup>2</sup> As Zig Layton-Henry summarised: 'Throughout its history Britain, especially England, has been a destination for immigrants and refugees. Early invaders, like the Angles, Jutes, Saxons, Danes, Norwegians and Normans, were attracted by hopes of booty and fertile land. Later immigrants, like the Flemings, Germans, Walloons and Dutch, were often invited...or were fleeing religious or political persecution': Zig Layton-Henry, *The Politics of Immigration: Immigration, 'Race' and 'Race' Relations in Post-War Britain* (Oxford, 1992) p. 3.

<sup>3</sup> Harris Joshua, Tina Wallace and Heather Booth, *To Ride the Storm: The 1980 Bristol 'Riot' and the State* (London, 1983) pp. 8-41.

<sup>4</sup> Kathleen Paul, 'From Subjects to Immigrants: Black Britons and National Identity, 1948-62', in Richard Weight and Abigail Beach (eds.), *The Right to Belong: Citizenship and National Identity in Britain, 1930-1960* (New York, 1998) pp. 224-5.

<sup>5</sup> W. H. Cornish, 'Working party to consider restriction of right of British subject from overseas to enter and remain in UK', The National Archives (TNA): HO 344/12; Draft of article 'Commonwealth immigration from the end of World War II to 1962', TNA: HO 344/92; Paul, 'From Subjects to Immigrants', p. 226.

<sup>6</sup> A joint government/Trades Union Congress publication created a policy that foreigners should be absorbed 'into the British way of life and become in due course and to all intents and purposes, fully fledged British citizens': 'Foreign Labour in Great Britain, 1947-51', Joint Consultative Committee Meeting, 25 November 1948, University of Warwick, Modern Records Centre, Trades Union Congress Papers, MSS 103.28, as cited in Paul, 'From Subjects to Immigrants', pp. 225-6, 241.

postwar Britain from its colonies, beginning with 492 passengers (and one stowaway) on board the *Empire Windrush* on 22 June 1948, acquired no such governmental support.<sup>7</sup> On the contrary, eleven Labour MPs immediately wrote to Prime Minister Clement Attlee fearing the negative consequence such immigrants would have upon the 'harmony, strength and cohesion of our public and social life'.<sup>8</sup> Kenan Malik highlighted how the dichotomous view of such immigrants as 'British citizens' and 'undesirables' reveals the view that black people were unable to assimilate to British culture and, as such, would cause social tension.<sup>9</sup> As subjects of the British Empire or citizens of the United Kingdom and Colonies, in theory they should have faced fewer immigration difficulties; however in practice the British Colonial Office and colonial governments conspired to limit migration into Britain by making the process more difficult.<sup>10</sup> Lacking official support and being 'visibly distinguishable by the colour of their skins', it is not hard to imagine why Commonwealth immigrants received the brunt of animosity: 'The coloured migrant, and particularly the Negro, appears to be the supreme and ultimate stranger.'<sup>11</sup>

Therefore the British government, by assisting European migrants to assimilate into Britain and perpetuating the view that Irish were essentially British, escalated negative reactions towards Commonwealth immigrants who bore the brunt of popular discontent regarding rising immigration. As Zig Layton-Henry summarised, 'a more positive early lead by government and political leaders might have done much to assuage public anxieties'.<sup>12</sup> Gary Freeman contrasted the British situation with that of France, showing how a more active publicising of the economic necessity and benefits of migrant workers by

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<sup>7</sup> David Kynaston, *Austerity Britain, 1945-1951* (London, 2007) p. 274.

<sup>8</sup> J. Murray et al., 22 June 1948, TNA: HO 213/244, as cited in Kenan Malik, *The Meaning of Race: Race, History and Culture in Western Society* (Basingstoke, 1996) p. 19.

<sup>9</sup> Malik, *The Meaning of Race*, p. 19.

<sup>10</sup> This included limiting distribution of passports, increasing application fees, and stressing the lack of British employment for potential migrants: Indian High Commissioner to Commonwealth Relations Office (CRO), 10 May 1958, TNA: CO 1032/195; Pakistan High Commissioner to CRO, 16 May 1958, TNA: CO 1032/195. See also Bob Carter and Shirley Joshi, 'The Role of Labour in the Creation of a Racist Britain', *Race & Class*, 25 (1984), 53-70; Bob Carter, Clive Harris and Shirley Joshi, 'The 1951-1955 Conservative Government and the Racialisation of Black Immigration', *Immigrants and Minorities*, 6 (1987), 335-47.

<sup>11</sup> Commonwealth Immigrants Advisory Council, *Second Report by the Commonwealth Immigrants Advisory Council*, Cmnd. 2266 (London, 1964); Sheila Patterson, *Dark Strangers: A Sociological Study of the Absorption of a Recent West Indian Migrant Group in Brixton, South London* (London, 1963) p. 17.

<sup>12</sup> Zig Layton-Henry, *The Politics of Race in Britain* (London, 1984) p. 29.

politicians and employers resulted in less hostility towards immigrants.<sup>13</sup> Thus this refutes the traditional historical view of the role of the British state as being 'negligible' in the development of postwar racism before the 1958 'race riots'.<sup>14</sup> Contemporary government papers supported this theory; Cabinet Secretary Norman Brook observed in 1955 that an official inquiry into colonial migration 'would not be to find a solution (for it is evident what form control must take) but to enlist a sufficient body of public support for the legislation'.<sup>15</sup> This can be viewed as merely the first in a list of actions undertaken by successive postwar British authorities which escalated discontent and eventually led to violent uprisings from sections of black communities in Britain.

In an attempt to examine the situation, a long-term survey was established in 1963 by the Institute of Race Relations (IRR) into British race relations, modelled upon an influential American survey conducted some twenty years previously.<sup>16</sup> Following the antecedent of American experience is something often repeated in all areas of British politics, but particularly noticeably so in race relations. Indeed, IRR director Philip Mason compared the British situation to American models, stating that increased immigration into Britain meant that 'a menace once comfortably remote has appeared on the doorstep'.<sup>17</sup> He believed studying American experiences could avoid the worst racial tensions they had faced and, whilst the 1962 Commonwealth Immigrants

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<sup>13</sup> Gary Freeman, *Immigrant Labor and Racial Conflict in Industrial Societies: The French and British Experience, 1945-1975* (Guilford, 1979) pp. 173-215. Although by no means claiming France are without racial issues, this is symbolic of broader differences in race policies between the two countries, as the British model of multiculturalism aimed to encourage development of semi-autonomous community identities, compared to France's assimilatory model which demanded migrants incorporate into the 'French way of a life'. For further discussion, see: David Waddington, Fabien Jobard and Mike King (eds.), *Rioting in the U.K. And France: A Comparative Analysis* (Cullompton, Devon, 2009).

<sup>14</sup> Ruth Glass, *Newcomers: The West Indians in London* (Michigan, 1960) pp. 127-46; Paul Foot, *Immigration and Race in British Politics* (California, 1960) p. 233; E. J. B. Rose, *Colour and Citizenship: A Report on British Race Relations* (London, 1969) pp. 206-31; Sheila Patterson, *Immigration and Race Relations in Britain, 1960-1967* (London, 1969) p. 17; Nicholas Deakin, *Colour, Citizenship and British Society* (London, 1970) pp. 96-100; Dilip Hiro, *Black British, White British* (London, 1971) p. 201; Paul, 'From Subjects to Immigrants', p. 238; Ira Katznelson, *Black Men, White Cities: Race, Politics and Migration in the United States, 1900-30, and Britain, 1948-68* (Oxford, 1973) pp. 129-31; Malik, *The Meaning of Race*, p. 23.

<sup>15</sup> Paul, 'From Subjects to Immigrants', p. 238. See also: Robert Miles and Annie Phizacklea, *White Man's Country: Racism in British Politics* (London, 1984); Carter, Harris and Joshi, 'The Racialisation of Black Immigration', 335.

<sup>16</sup> The Institute was a think tank established in 1958 to conduct and publish research on worldwide race relations: 'About the Institute of Race Relations', <http://www.irr.org.uk/about/index.html> (last accessed 20 August 2013). The report was published as Rose, *Colour and Citizenship*. The American survey was led by Swedish economist Gunnar Myrdal: 'A Myrdal for Britain', *The Observer*, 29 September 1963.

<sup>17</sup> Phillip Mason, 'Long Look at Colour Question', *The Times*, 27 September 1963; Phillip Mason, 'Survey of Minorities in Britain', 18 June 1963, TNA: HO 344/92.

Act had decreased immigration, it had not solved racial tensions: 'The problem is clearly one that will stay with Britain permanently.'<sup>18</sup> The IRR was clearly informing the government their attempts to decrease racial tensions by limiting immigration had failed, and that a different form of government action was required to improve race relations.

However, representing a similar response that would be seen over the following years towards groups appealing for governmental action on matters concerning race, this research was greeted with scepticism and it was alleged that this was an attempt to 'make trouble' for the Government from an Institute who believed themselves better-informed than the authorities.<sup>19</sup> Although the government's own Commonwealth Immigration Committee produced detailed reports similarly recommending immediately: 'translating into legislation and administrative action the answers to problems which have been sufficiently identified and on which the essential data are known'.<sup>20</sup> Such legislative measures would later be implemented, but not before racially-motivated violence appeared within Britain.

The original need for such research had been amplified in 1958 when racial unrest erupted in Nottingham and Notting Hill. Over one thousand people, black and white, took to the streets of St Ann's in Nottingham on 23 August and the *Nottingham Evening Post* labelled it: 'like a slaughterhouse.'<sup>21</sup> The following week violence spread to Notting Hill and on 30 August seventeen people were arrested after attacks and petrol bombing of black peoples' houses. Reporter Colin Eales described the scene which greeted him the following night:

I saw a mob of over 700 men, women and children stretching 200 yards along the road. Young children of ten were treating the whole black affair as a great joke and shouting: 'Come on, let's get the blacks'...a fierce cry rent the air and the mob rushed off in the direction of Latimer Road shouting, 'Kill the niggers!'<sup>22</sup>

In a situation which echoes the later spread of disturbances around England in 1981, gangs from other areas of London arrived to join the violence 'on foot, by

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<sup>18</sup> *Ibid.*

<sup>19</sup> J. M. Roffey to R. F. Wood, 7 September 1962, TNA: HO 344/92.

<sup>20</sup> Commonwealth Immigration Committee, 'Coloured Immigration - Social Effects and Economic Implications', 30 September 1963, TNA: HO 376/128.

<sup>21</sup> Linda Pressly, 'The "Forgotten" Race Riot', *BBC News*, 21 May 2007, <http://news.bbc.co.uk/1/hi/uk/6675793.stm> (last accessed 29 August 2013).

<sup>22</sup> Colin Eales, *Kensington News*, 5 September 1958, as cited in Panikos Panayi (ed.), *The Impact of Immigration: A Documentary History of the Effects and Experiences of Immigrants in Britain since 1945* (Manchester, 1999) pp. 135-7.

train, bus, motor bike, car and lorry'.<sup>23</sup> During a cabinet meeting the following week, Home Secretary Rab Butler stated it appeared that competition for housing and employment had led to violence.<sup>24</sup> Rather than seeking methods for easing such competition through improving housing or employment policies, he advocated immigration controls and powers to deport 'undesirable immigrants'.<sup>25</sup> Similarly the Minister of Labour Iain Macleod proposed denying passports to potential West Indian immigrants who could not prove they were guaranteed British employment.<sup>26</sup> A poll conducted by the *Daily Mail* immediately following the riots suggested that eighty percent of white Britons supported the introduction of hard-line immigration policies.<sup>27</sup> Thus the events of 1958 provided an opportunity for far-right parties to openly exploit growing anti-immigrant sentiment, with the White Defence League, National Labour Party, and Oswald Mosley's Union Movement becoming politically active in the area.<sup>28</sup>

Reflecting a lack of governmental action, this was not the end to racial violence in Notting Hill. Antiguan immigrant Kelso Cochrane was murdered on 17 May 1959, 'stabbed to death in the sight of help'.<sup>29</sup> His murder was the culmination of growing tensions and nightly outbreaks of minor violence which commentators blamed on people who 'too easily assumed' it would have disappeared following the exemplary sentences of the previous summer's rioters.<sup>30</sup> It was widely believed that not enough had been done following the violent warnings of the year before to have prevented Cochrane's murder. As a result of his death, the Government and IRR both initiated further investigations into race relations; although for many, not least Cochrane himself, this was too little too late.<sup>31</sup> The *New Statesman* argued that, despite such violent warnings, 'little official action has followed...the government has a far greater

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<sup>23</sup> *Ibid.*

<sup>24</sup> Conclusions of a meeting of the Cabinet, 8 September 1958, TNA: CAB/128/32.

<sup>25</sup> *Ibid.*; Tony Benn, *Years of Hope: Diaries, Letters and Papers 1940-1962* (London, 1994) p. 286.

<sup>26</sup> Conclusions of a meeting of the Cabinet, 11 September 1958, TNA: CAB/128/32.

<sup>27</sup> As cited in Yasmin Alibhai-Brown, *Who Do We Think We Are? Imagining the New Britain* (London, 2001) p. 60.

<sup>28</sup> Layton-Henry, *The Politics of Race*, p. 89.

<sup>29</sup> 'Knives in Notting Hill', *New Statesman*, 23 May 1959; Steve Silver, 'Who Killed my Brother?', *Searchlight*, May 2006.

<sup>30</sup> 'Knives in Notting Hill'. Judge Justice Salmon had sentenced nine white youths who had gone 'nigger hunting' each to four years prison: Alan Travis, 'After 44 Years Secret Papers Reveal Truth about Five Nights of Violence in Notting Hill', *The Guardian*, 24 August 2002.

<sup>31</sup> Mason, 'Survey of Minorities in Britain'; Darlene Clark Hine, Elsa Barkley Brown and Rosalyn Terborg-Penn, *Black Women in America: An Historical Encyclopedia* (Indiana, 1993) p. 481.

responsibility than it has yet admitted'.<sup>32</sup> This would be a recurring accusation throughout the postwar years as the feeling grew that the British government were not doing enough to protect and improve the situation of the black population.

Labour MP George Rogers proposed appointing a Select Committee to examine areas with large immigrant populations, but this was rejected by Conservative ministers.<sup>33</sup> A subsequent suggestion of creating an independent body to examine the problems and suggest remedies was also rejected on the basis that it might offer recommendations that the Government deemed unacceptable.<sup>34</sup> A government which refused to establish an independent inquiry, in case it advised something they disagreed with, was clearly not one which felt accountable to those who may have benefited from such actions. Additionally, following the riots and Cochrane murder, the Commission in the United Kingdom for the West Indies, British Guana and British Honduras recorded that it continuously received reports of a persistent feeling that the police were not impartial, and the police thus contemplated steps to improve their relations with ethnic minorities.<sup>35</sup> Whilst this clearly shows that the police were aware at this stage of issues relating to relations between the police and local black communities, little was done to resolve them.

Despite evidence suggesting minimal blame upon immigrants for incidents of sporadic violence, such events led to increased demands for immigration control and even deportations. In response the Home Secretary publically announced the government had 'for some little time been examining the result of this country's time-honoured practice to allow free entry of immigrants from Commonwealth and colonial countries'.<sup>36</sup> Such events politicised British race relations and allowed the government to move from private contemplations to openly suggesting immigration controls. The Conservative Government in 1959 acknowledged Labour would oppose deportations, but they believed that a numerical limitation on immigration would

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<sup>32</sup> 'Knives in Notting Hill'.

<sup>33</sup> HC Deb 04 June 1959 vol. 606 c. 369; Note of a Meeting, 2 June 1959, TNA: CO 1031/2539.

<sup>34</sup> Note of a Meeting, 2 June 1959.

<sup>35</sup> The Commission in the United Kingdom for the West Indies, British Guana and British Honduras to the Secretary of State for the Colonies, 1 September 1959, TNA: CO 1028/50, as cited in Panayi, *The Impact of Immigration*, pp. 137-8; 'Causes of Racial Tension in Notting Hill', 25 May 1959, TNA: HO 344/43.

<sup>36</sup> Statement from Downing Street by Home Secretary Rab Butler, as cited in Brian David Jacobs, *Black Politics and Urban Crisis in Britain* (Cambridge, 1986) p. 33.

be generally supported.<sup>37</sup> Those who had immigrated into Britain in search of better lives were blamed for racial tension, thus being used as scapegoats and avoiding addressing the growing issues of race relations in Britain. The Commonwealth Immigrants Act 1962 created such immigration controls, with only bearers of government-issued employment vouchers permitted to enter Britain. Outwardly characterised as being introduced for economic reasons, it was instead correctly viewed by many as exclusionary on the basis of race. Hugh Gaitskell, Labour Leader representing the political right of the party, stated during parliamentary debate on the Bill that 'It is a plain anti-Commonwealth Measure in theory and it is a plain anti-colour Measure in practice', and Minister without Portfolio William Deedes later admitted: 'The Bill's real purpose was to restrict the influx of coloured immigrants. We were reluctant to say as much openly.'<sup>38</sup>

Even those granted admission to Britain faced many obstacles and inequalities in their daily lives. One peaceful attempt to address such inequalities was the 1963 Bristol Bus Boycott, a successful non-violent boycott of a local bus company refusing to employ black people on frontline services. Led by local youth officer Paul Stephenson after a potential employee, Guy Bailey, was denied an interview because he was black, the boycott of the Bristol Omnibus Company by West Indians and many white supporters lasted four months and effectively ended the company's colour bar.<sup>39</sup> Largely overlooked in the historiography, Madge Dresser's work is the only publication to study the event in detail.<sup>40</sup> Elsewhere I concluded that the boycott had an important impact on British race relations as it brought the problem of racial discrimination to the knowledge of the wider public, whose reaction effectively demonstrated to the Government a need for change.<sup>41</sup> The boycott boasted the support of such influential figures as Sir Learie Constantine, later member of the Race Relations

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<sup>37</sup> Home Office Meeting, 2 June 1959, TNA: CO 1031/2539.

<sup>38</sup> HC Deb 16 November 1961 vol. 649 c. 799; William Deedes, *Race without Rancour* (London, 1968) p. 10.

<sup>39</sup> The Bristol Omnibus Company was a nationalised company owned by the British Government since 1950 and operated through the Transport Holding Company: Raphael Samuel (ed.), *Patriotism: The Making and Unmaking of British National Identity* (London, 1989) p. 350.

<sup>40</sup> Madge Dresser, *Black and White on the Buses: The 1963 Colour Bar Dispute in Bristol* (Bristol, 1986).

<sup>41</sup> Simon Peplow, 'A British Fight for Civil Rights: The 1963 Bristol Bus Boycott', unpublished BA thesis, Aberystwyth University (2010).

Board, and prominent Bristol MP Tony Benn.<sup>42</sup> Its influence repeatedly permeated Parliament, where it was presented as a potential result of increased racial tension.<sup>43</sup> Moreover Labour leader Harold Wilson personally met organiser Stephenson, promising that a Labour Government would pass a law to prevent such racial discrimination.<sup>44</sup> This vow was certainly credible as Labour MP Reginald Sorensen had attempted unsuccessfully in 1950 to introduce legislation to combat racial discrimination, Fenner Brockway MP did the same every year between 1956 to 1964, and in 1959 the Labour Opposition's Front Bench spokesman, James Callaghan, urged the Conservative Government to introduce legislation prohibiting racial discrimination in any public place – again without success.<sup>45</sup>

Thus when Labour returned to government in October 1964, they did so with their campaign promise of introducing anti-discrimination legislation. Just one month after the 1958 'race riots', Labour's National Executive Committee committed itself to creating such legislation: 'Although we believe that the fundamental and long-term solution of this problem is educational, nonetheless there are public manifestations of racial prejudice so serious that they must be dealt with by legislation.'<sup>46</sup> Also significant upon the aspiration to create race legislation were the failures of policies established under Harold Macmillan's Conservative Government who, in Ira Katznelson's words, 'were convinced that immigration controls and the appointment of an advisory council [would] provide for harmonious race relations'.<sup>47</sup> Many countered that limiting immigration is more likely to increase racism than reduce it: 'If you talk and behave as if the black man were some kind of virus that must be kept out of the body politic, then it is the shabbiest hypocrisy to preach racial harmony at the same time.'<sup>48</sup> Certainly these differing outward positions led black Britons to generally

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<sup>42</sup> The Race Relations Board was established in 1966 in order to consider complaints under the Race Relations Act 1965.

<sup>43</sup> HL Deb 9 May 1963 vol. 249 c. 855; HL Deb 20 June 1963 vol. 250 c. 1399.

<sup>44</sup> Interview with Paul Stephenson, 16 February 2010, as cited in Peplow, 'A British Fight for Civil Rights'.

<sup>45</sup> HC Deb 17 November 1950 vol. 480 c. 2044; 'Racial discrimination. A bill to make illegal discrimination to the detriment of any person on the grounds of colour, race and religion in the United Kingdom', HC Bill (1955-56) [146]; HC Deb 7 December 1959 vol. 615 cc. 115-6.

<sup>46</sup> Labour Party, *Racial Discrimination* (September 1958) p. 4, as cited in Layton-Henry, *The Politics of Race*, p. 124; Anthony Lester and Geoffrey Bindman, *Race and Law* (Harmondsworth, 1972) p. 109.

<sup>47</sup> Katznelson, *Black Men, White Cities*, p. 146.

<sup>48</sup> Bernard Levin, *The Times*, 14 February 1978.

perceive Labour as the party furthering their interests and linked Conservatives with harsher immigration restrictions.

### 1965 RACE RELATIONS ACT

Thus was created the Race Relations Act 1965, the first legislation in Britain to address racial discrimination and punish incitement to racial hatred. However the Act was a weak, ineffectual law which did not address main areas of discrimination within employment and housing.<sup>49</sup> The Act has since been almost universally criticised for being ineffective or too narrow in scope; Shamit Saggarr summarised that the Act received widespread condemnation primarily for its 'softly, softly' approach to discrimination, and Erik Bleich labelled it 'truly a whimper of a law'.<sup>50</sup> Fewer works have acknowledged the basic fact that, despite its obvious failings, the 1965 Act was the beginning of such legislation and set a framework for future laws. Michael Banton argued the shift in public and governmental opinion and underlying debate about discrimination was of greater significance than the Act itself.<sup>51</sup> Many others agreed with this assessment, with Steven Fielding adding that, despite its limitations, 'it did constitute the first legal challenge to white prejudice'.<sup>52</sup>

Conversely the 1965 Act has often been portrayed as a means of passing harsher immigration controls whilst appearing to reward the disadvantaged immigrant population, or 'sops to black interests following racist immigration legislation', as Robert Miles and Annie Phizacklea described.<sup>53</sup> Douglas Ashford contended that concessions made by Labour in order to pass

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<sup>49</sup> For example the *Tribune* described it as 'well-meaning and half-hearted' and *The New York Times* criticised its reluctance to address the most significant areas of discrimination. *Tribune*, 16 April 1965. This response was not unexpected from the *Tribune* which describes itself as 'A thorn in the side of all governments, constructively to Labour, unforgiving to Conservatives.': 'About Tribune', <http://www.tribunemagazine.org/about/> (last accessed 16 September 2013); Anthony Lewis, *The New York Times*, 8 January 1967.

<sup>50</sup> Shamit Saggarr, *Race and Politics in Britain* (London, 1992) p. 81; Erik Bleich, *Race Politics in Britain and France* (Cambridge, 2003) p. 61.

<sup>51</sup> Michael Banton, *Promoting Racial Harmony* (Cambridge, 1985).

<sup>52</sup> Steven Fielding, *The Labour Governments, 1964-70: Volume 1: Labour and Cultural Change* (Manchester, 2003) p. 152. Harry Goulbourne deemed it 'a step in the right direction': Goulbourne, *Race Relations in Britain since 1945* (Basingstoke, 1998) p. 102; Nicholas Deakin described advances made during the mid-1960s as the 'liberal hour', when the government for the first time addressed racism and took steps to combat it: Deakin, *Colour, Citizenship and British Society*, pp. 19-20; Lester and Bindman criticised the limitations of current race relations legislation, however also recognised the 'courage and skill which were required for their enactment': Lester and Bindman, *Race and Law*, p. 15; Additionally Colin Holmes argued that this marked the 'shift away from assimilation as the goal of official policy to the virtues of integration': Holmes, *John Bull's Island: Immigration and British Society, 1871-1971* (Basingstoke, 1988) p. 268.

<sup>53</sup> Robert Miles and Annie Phizacklea (eds.), *Racism and Political Action in Britain* (London, 1979) p. 24.

the Act were harmful for race relations legislation and, as a much diluted version of the earlier Bill, it represented a bipartisan agreement 'to do little or nothing' regarding racial discrimination.<sup>54</sup> Previous Labour opposition to immigration controls had not been sustained, leading to their maintaining the 1962 Commonwealth Immigrants Act and even extending restrictions in 1968.<sup>55</sup> Part of this altered standpoint was due to the surprise 1964 Smethwick general election victory for Conservative Peter Griffiths, who defended his supporters' use of the controversial slogan 'if you want a nigger for a neighbour, vote Labour' as merely 'a manifestation of popular feeling'.<sup>56</sup> Viewing this result as too significant to ignore, Layton-Henry summarised how 'It was a shattering result and a disaster for race relations as it appeared to show that racial prejudices could be effectively exploited for electoral advantage.'<sup>57</sup>

Andrew Geddes concluded that coupling of immigration controls with race relations legislation confirmed that the authorities' assumed a numerical limit on immigration would improve race relations and there was a bipartisan agreement that immigration had to be controlled, initiated by Labour in order to diminish its electoral significance and 'depoliticise race issues'.<sup>58</sup> Katznelson agreed that the successful enactment of the 1965 Act marked the highest level of two-party consensus on race.<sup>59</sup> Those people who had believed the Act would improve their situation were left disappointed with a weak law, often useless for addressing their problems. Indeed, it undermined the core of the British legal system by being cited as the authority's attempt to tackle issues faced by black people in Britain, but in reality being largely ineffectual.<sup>60</sup>

Labour Home Secretary Frank Soskice had been faced with the difficult task of passing the bill through the House of Commons with a small majority of only three; thus he attempted to secure wider support by making substantial

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<sup>54</sup> Douglas E. Ashford, *Policy and Politics in Britain: The Limits of Consensus* (Oxford, 1981) p. 239.

<sup>55</sup> John Solomos, *Race and Racism in Britain*, Second edition (London, 1993) p. 64.

<sup>56</sup> *The Times*, 9 March 1964.

<sup>57</sup> Layton-Henry, *The Politics of Race*, p. 55. See also William E. Nelson, Jr, *Black Atlantic Politics: Dilemmas of Political Empowerment in Boston and Liverpool* (Albany, 2000) p. 199; Solomos, *Race and Racism in Britain*, p. 65; Harold Wilson, *The Labour Government, 1964-1970: A Personal Record* (London, 1971) p. 29.

<sup>58</sup> Andrew Geddes, *The Politics of Immigration and Race* (Manchester, 1996) pp. 49-51. See also Solomos, *Race and Racism in Britain*, p. 83.

<sup>59</sup> Katznelson, *Black Men, White Cities*, p. 126.

<sup>60</sup> Chris Mullard, *Black Britain* (London, 1973) pp. 75-88; Layton-Henry, *The Politics of Race*, pp. 131-2.

concessions, weakening the resulting law.<sup>61</sup> Whilst most Acts differ from their initially proposed Bill, Bleich described the extent to which it differed being 'virtually unknown in Britain'.<sup>62</sup> Initial criminal sanctions were replaced with civil remedies, due both to the police's belief that enforcing such an unpopular law would be detrimental to public relations, and the belief that US styled conciliation committees would allow most cases to be 'settled amicably and privately without reference to the courts and without even being heard in public'.<sup>63</sup> This indulgence of police wishes and desire that such cases of racial discrimination be kept out of the courts and public eye shows where the authorities' priorities lay. Labour backbenchers had argued housing and employment be covered as these saw 'some of the worst abuses' and vocal popular support for legislation.<sup>64</sup> Indeed after the Bill was first published, Soskice privately conceded that public reaction complained 'it does not deal with what are the real problems, namely, employment, housing, education'.<sup>65</sup> He believed however the Government had no obligation to pass broader legislation, despite it being popularly demanded: 'We have only promised legislation against discrimination in public places.'<sup>66</sup> A memo defending such limitations sent to British High Commissions worldwide claimed it would be 'extremely difficult' to enforce extended legislation.<sup>67</sup> Lord Kilbracken eloquently disagreed: 'I would say that almost all laws are very difficult to enforce. It is hard to catch a thief, but it does not stop us from legislating.'<sup>68</sup>

Although passing the first anti-discriminatory legislation despite such a small majority is to be commended, the weakened Act differed drastically from the original Bill and Soskice's performance as Home Secretary was more of a factor than has been previously acknowledged. His successor Roy Jenkins described him as 'a remarkably bad Home Secretary' and a 'hard-liner' on immigration, with Wilson later commenting that one of his speeches was so

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<sup>61</sup> David Butler and Gareth Butler, *Twentieth Century British Political Facts 1900-2000*, Eighth edition (Basingstoke, 2000) pp. 237, 255.

<sup>62</sup> Bleich, *Race Politics*, pp. 52-3.

<sup>63</sup> Keith Hindell, 'The Genesis of the Race Relations Bill', *The Political Quarterly*, 36 (1965), 398; Sir Joseph Simpson to R. J. Guppy, 7 December 1964, TNA: HO 376/3; HC Deb 23 March 1965 vol. 709 c. 390.

<sup>64</sup> Draft of statement that a suggested conciliation Commission to be included in Home Secretary's speech on second reading of the Bill, 27 April 1965, TNA: HO 376/5.

<sup>65</sup> Frank Soskice to Maurice Foley, 26 April 1965, TNA: HO 376/5.

<sup>66</sup> Frank Soskice, 'Racial Discrimination', 24 February 1965, TNA: HO 376/68.

<sup>67</sup> Commonwealth Relations Office to British High Commissions, 30 March 1965, TNA: HO 376/69.

<sup>68</sup> HL Deb 14 May 1962 vol. 240 c. 491.

negative it had to be virtually rewritten.<sup>69</sup> By exchanging criminal sanctions for civil remedies and conciliation, but not broadening its scope, the Act was severely diluted. This was deemed vital to allow the Bill's passage through Parliament and Anthony Lester and Geoffrey Bindman argued that 'Soskice's strategy had succeeded.'<sup>70</sup> Despite initial exuberance, the consequences of introducing flawed legislation which further dissatisfied British black communities were yet to be fully realised.

The Act also created the Race Relations Board, tasked with enforcing the law and the 'linch-pin on which the success of the whole system will depend'.<sup>71</sup> Despite its undeniable prominence in determining the Act's effectiveness, it has only obtained occasional passing mentions in the historiography; generally noting that the Board had three members and its role was to create local conciliation committees.<sup>72</sup> The actual process of finding Board members has never been discussed, the only work coming close being Lester and Bindman mentioning Mark Bonham Carter's appointment to Board chairmanship 'which was fortunately still vacant'.<sup>73</sup> The Board's formation was a protracted process with numerous failures and increasing panic to appoint suitable members, extending far beyond the Act becoming operative.<sup>74</sup> Bonham Carter, a 'close friend' of Home Secretary Roy Jenkins who 'was doing me and the Government a favour by accepting a thankless job', was eventually appointed as Board Chairman, the thirty-fifth potential candidate proposed for the role.<sup>75</sup> Despite governmental acknowledgement that the Act was likely to be immediately tested, and 'there would be trouble if it were then found that the committees were not in existence to consider complaints', this was indeed the

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<sup>69</sup> Roy Jenkins, *A Life at the Centre* (London, 1991) p. 175; Wilson, *The Labour Government, 1964-1970*, p. 83.

<sup>70</sup> Lester and Bindman, *Race and Law*, p. 117; Layton-Henry, *The Politics of Race*, p. 126.

<sup>71</sup> Frank Soskice to the Earl of Selkirk, 6 December 1965, TNA: HO 376/161.

<sup>72</sup> For example Nick Kimber described how the Board consisted 'of a chair and two other members appointed by the Home Secretary' and that it 'established local conciliation committees tasked with considering complaints of discrimination': Kimber, 'Race and Equality', in Pat Thane (ed.), *Unequal Britain: Equalities in Britain since 1945* (London, 2010) p. 35; Bleich said the same with differing words: Bleich, *Race Politics*, pp. 58-9.

<sup>73</sup> Lester and Bindman, *Race and Law*, p. 122.

<sup>74</sup> Detailed discussion of the creation of the Race Relations Board can be found in Simon Peplow, 'The First Step: The 1965 Race Relations Act', unpublished MA thesis, Aberystwyth University (2011).

<sup>75</sup> Various documents detailing the search for a Board Chairman, TNA: HO 376/161; Ronald McIntosh, 'Balliol', in Andrew Adonis and Keith Thomas (eds.), *Roy Jenkins: A Retrospective* (Oxford, 2004) p. 14; Jenkins, *A Life at the Centre*, p. 188.

case.<sup>76</sup> The Government's Public Relations Branch advised announcing this delay in order to forestall criticism, but it was 'best made in Parliament and not to the Press...because it would probably generate less vocal public criticism'.<sup>77</sup> Indeed many complaints were addressed to the yet un-appointed Race Relations Board, receiving the answer the Board would be informed of their complaint once it had actually been established.<sup>78</sup> The complainants were also notified that 'in the meantime, while the Secretary of State greatly deplores manifestations of racial prejudice of the kind that you describe, he has no power to intervene in particular cases'.<sup>79</sup> This insistence that the government disapproved of racial discrimination could have served as only cold comfort to disillusioned people suffering the insult of discrimination despite such actions now being legally prohibited. It undermined the British legal system and further alienated many.

Delays establishing the Board limited the Act's immediate short-term effectiveness, but its long-term success was constrained by limitations of the Act itself. The Board could only investigate matters falling within the narrow remit of the Act and it became immediately clear this scope was insufficient. Bonham Carter appeared fully aware of the Act's deficiencies and correctly believed that the majority of complaints the Board would receive would fall outside of its scope, causing great discontentment towards the government and the Board itself.<sup>80</sup> In fact 73 percent of complaints received by the Board in its first year were deemed to be outside the scope of the Act.<sup>81</sup> The combination of these short and long term failings led to increased disillusionment regarding the British political system as those hopeful about new legislation soon became disappointed upon discovering its severe limitations.

The Act's limitations had been exposed even before the Board met for the first time. In Brixton an 18 year old Jamaican woman was refused service and told "black bastards" were not served at the shop' but, upon submitting a

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<sup>76</sup> R. J. Guppy to Frank Soskice, 7 July 1965, TNA: HO 376/7.

<sup>77</sup> K. P. Witney to R. J. Guppy, 3 December 1965, TNA: HO 376/161; R. J. Guppy to R. F. D. Shuffrey, 6 December 1965, TNA: HO 376/161.

<sup>78</sup> K. H. Mirza to Race Relations Board, 7 January 1966, TNA: CK 2/11; R. A. Eilbeck to K. H. Mirza, 10 January 1966, TNA: CK 2/11.

<sup>79</sup> G. M. B. Owen to the Reverend Ronald Crewes, 28 January 1966, TNA: CK 2/11; G. M. B. Owen to the Secretary, St. John's Inter-Racial Social and Cultural Club, 28 January 1966, TNA: CK 2/11.

<sup>80</sup> Mark Bonham Carter to Roy Jenkins, 15 February 1966, TNA: HO 376/161.

<sup>81</sup> 'Report for 1966-67 of the Race Relations Board', 26 April 1967, TNA: CK 1/1.

complaint to the Board, received only the blunt reply that the Act did not apply to shops.<sup>82</sup> This highlights the gap between legislator and general public; whilst the government may have believed that simply passing such an act would have improved the situation, it was clear to those suffering discrimination that more action was required. It also furthers the argument that, rather than simply not improving the situation, the government were actively fostering further discontent.

The first conviction under the Act was subsequently quashed by the Court of Appeal, who determined that posting a pamphlet declaring 'Blacks not wanted here' on a local MP's door could not be deemed as distribution to the public: 'It might amount to publication if passers-by could see them, but at the time it had been dark.'<sup>83</sup> Moreover Enoch Powell's infamous 'Rivers of Blood' speech in Birmingham on 20 April 1968 is arguably the embodiment of 'incitement to racial hatred'.<sup>84</sup> Despite at least twenty-five individuals and numerous organisations urging Attorney-General Sir Elwyn Jones to prosecute Powell, Jones decided not to initiate criminal proceedings.<sup>85</sup> It was argued that Powell could easily escape prosecution by simply stating he had no intention of inciting racial hatred and he had not been speaking at a public meeting, despite extensive press coverage awarded to his speech.<sup>86</sup> In fact, Powell had primed local newspapers beforehand of the potential impact of his speech.<sup>87</sup> Tariq Ali, a demonstration leader against racial discrimination, concluded that Jones' decision 'makes a mockery of the whole law and establishes a very bad precedent'.<sup>88</sup> Coupled with the apparent willingness to pursue prosecutions against black activists more readily than white counterparts, reasoned by Gavin

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<sup>82</sup> Brixton Police, 'Alleged Racial Discrimination', 13 January 1966, TNA: CK 2/11; C. H. Roberts to Sir Joseph Simpson, 4 February 1966, TNA: CK 2/11.

<sup>83</sup> *The New York Times*, 18 October 1966; *The Sun*, 18 October 1966; *The Times*, 18 October 1966; *The Sun*, 29 October 1966; *The Times*, 29 October 1966; *The Times*, 20 December 1966. For detailed discussion of other examples of attempted prosecutions under the act, including the fact it was often used against various figures within Britain's Black Power movement, see Gavin Schaffer, 'Legislating against Hatred: Meaning and Motive in Section Six of the Race Relations Act of 1965', *Twentieth Century British History*, 25 (2014), 258-74.

<sup>84</sup> Enoch Powell's address to the General Meeting of the West Midlands Area Conservative Political Centre on 20 April 1968 criticised Commonwealth immigration and British anti-discrimination legislation. The speech obtained its title due to Powell's prediction of future racial conflict owing to continued immigration: 'As I look ahead, I am filled with foreboding; like the Roman, I seem to see "the River Tiber foaming with much blood".'

<sup>85</sup> H. B. Boyne, 'No "Race" Charge Against Powell', *The Daily Telegraph*, 3 May 1968; J. F. Claxton to S. Edwards, 3 May 1968, TNA: DPP 2/4504.

<sup>86</sup> Claxton to Edwards, 3 May 1968.

<sup>87</sup> Camilla Schofield, *Enoch Powell and the Making of Postcolonial Britain* (Cambridge, 2013) p. 210.

<sup>88</sup> 'Mr Powell will not be Prosecuted', *The Times*, 3 May 1968.

Schaffer to be more related to the considered language employed and previous precedent rather than flagrant racism, this furthered the discontent directed towards the British state:

Because of their social status and proximity to power, white politicians initially negotiated the new terrain better than the Black Power leaders, creating an atmosphere where justice was not seen to be done, and where it appeared that new race relations laws were actually designed to prosecute black Britons.<sup>89</sup>

Layton-Henry later detailed the impact of 'Rivers of Blood', citing the 'deluge of favourable letters [Powell] received and the public demonstrations of support', such as studies showing between 60-75 percent of the public disagreed with Powell's subsequent dismissal from the Shadow Cabinet and that some eighty resolutions on immigration were submitted for debate by constituency parties at the 1968 Conservative Party conference, at which Powell received a standing ovation. Further than this, the fact that Powell escaped punishment for expressing such views allowed others who shared his beliefs, uncertain about the powers of the Race Relations Act, the freedom to express them.<sup>90</sup> Where more robust legislation or zealous enforcement against racial discrimination might have altered the country's relationship with race and immigration politics, Powell's unimpeded 'Rivers of Blood' prediction marked the beginnings of increasingly severe attitudes towards immigration.

Despite the traditional historiographical viewpoint claiming that ethnic minorities 'played surprisingly minor roles in instigating' anti-discrimination legislation, Bristol Bus Boycott leader Paul Stephenson firmly believed in the influence of the boycott: 'The first Act of discrimination was based on what we did in Bristol'.<sup>91</sup> Whilst this is overstating the boycott's impact upon a 1965 Act which did not address employment, various campaigns demanding anti-discriminatory legislation undoubtedly affected policymakers' views. The success of this non-violent campaign suggested to those protesting racial discrimination and disadvantage facing black people within Britain that they could affect change and create significant legislation. It is undeniable however

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<sup>89</sup> Schaffer, 'Legislating against Hatred', 274-5.

<sup>90</sup> Layton-Henry, *The Politics of Race*, pp. 75-6.

<sup>91</sup> Interview with Paul Stephenson, 16 February 2010, as cited in Peplow, *A British Fight for Civil Rights*. For arguments that members of British ethnic minorities played little role in anti-discrimination legislation, see: Bleich, *Race Politics*, pp. 59-60; John Rex, 'Black Militancy and Class Conflict', in Robert Miles and Annie Phizacklea (eds.), *Racism and Political Action in Britain* (London, 1979) p. 89.

that no sustained US-style civil rights movement existed within Britain, arguably due to governmental so-called 'buffer institutions' which removed ethnic minorities' issues outside of the main political arena and diverted talented black individuals away from more militant organisations.

For example the government's establishment in 1965 of the National Committee for Commonwealth Immigrants (NCCI), 'to promote and co-ordinate on a national basis efforts directed towards the integration of Commonwealth immigrants into the community', was ostensibly positive. However the Campaign Against Racial Discrimination, founded by white and black activists in 1964 following a UK visit from Martin Luther King, lost both its chairman and vice-chairman to NCCI.<sup>92</sup> The NCCI was denounced as Labour's attempt to balance harsher immigration controls and, similar to local Voluntary Liaison Committees, created a space away from the political arena where issues relating to black communities were being seen to being addressed so 'They could thus be ignored with impunity'.<sup>93</sup>

Similarly the 1976 Race Relations Act established the Commission for Racial Equality (CRE), replacing the Race Relations Board and Community Relations Commission established by the 1965 and 1968 Acts respectively. These bodies had been removed from mainstream government departments and thus received little support from central government.<sup>94</sup> The CRE appeared more powerful and capable than its predecessors to enforce laws against racial discrimination; however this too was a disappointment for British black communities. Its members were largely drawn from the bodies it replaced, leading to fierce competition and accusations that most senior posts were obtained by white people and it itself was guilty of the racial discrimination it was established to combat. Furthermore by the end of 1981 it had only begun 47 investigations into racial discrimination and published reports on 12.<sup>95</sup> Such accusations and statistics do not suggest a well-supported and effective organisation.

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<sup>92</sup> Benjamin Walter Heineman, *The Politics of the Powerless: A Study of the Campaign against Racial Discrimination* (London, 1972) p. 105.

<sup>93</sup> Layton-Henry, *The Politics of Race*, pp. 128-9. See also: Mullard, *Black Britain*; Katznelson, *Black Men, White Cities*.

<sup>94</sup> Solomos, *Race and Racism in Britain*, p. 84.

<sup>95</sup> Layton-Henry, *The Politics of Race*, pp. 137-143.

The 1965 Race Relations Act was soon strengthened in 1968 and 1976, extending legislation into housing, employment, the provision of goods and services, and education. Successive Home Secretaries Roy Jenkins and James Callaghan possessed more desire and skill for extended Acts, combined with a larger majority allowing fewer concessions for Labour following the 1966 General Election.<sup>96</sup> By this time, much damage had been done; Paul Rose, MP for Manchester Blackley, complained that it took ten years for his suggested amendments to be embodied by the 1976 Act: 'by which time it was too late'.<sup>97</sup> Moreover, beginning after the 1968 Act, government services such as the police were not included. Even proposals to amend the police discipline code, 'no more than a presentational device' to counter criticism of such a situation, were dropped after 'intense and deep-seated' opposition from the Police Federation and Police Advisory Board: 'to have a specific provision in the code about racial discrimination would be to pick out the service in such a way as to put a slur on it'.<sup>98</sup> This capitulation was later lamented by Callaghan: 'We should have insisted on the police being in there at that time, but there was very strong representation and we gave way on it. I regret that we did'.<sup>99</sup> But, to borrow Rose's words, by this time it was too late.

Even the extended legislation which did exist did not appear that effective. Research conducted by the Policy Studies Institute showed that levels of racial discrimination were largely unaffected by successive legislation, and Tom Rees argued that widespread institutional, cultural, and societal discrimination could not be effectively challenged through systems relying upon complaints from victims.<sup>100</sup> For instance following a Sikh schoolboy's murder in 1976 John Kingsley Read, founder of the British National Front splinter group the National Party, publically announced: 'One down, a million to go.' Read was subsequently acquitted of incitement to racial hatred charges, and even told by

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<sup>96</sup> Butler and Butler, *British Political Facts*, p. 237; Phillip Allen, 'A Young Home Secretary', in Andrew Adonis and Keith Thomas (eds.), *Roy Jenkins: A Retrospective* (Oxford, 2004) p. 61.

<sup>97</sup> Paul Rose, *Backbencher's Dilemma* (London, 1981) p. 54.

<sup>98</sup> This would continue until 2000 when, following the Macpherson report into the death of Stephen Lawrence, the 1976 Act was amended to include the police. James Callaghan, 'Race Relations – The Police', 6 November 1968, TNA: C(68) 122; Conclusions of a Meeting of the Cabinet, 12 November 1968, TNA: CAB/128/43.

<sup>99</sup> 'Callaghan: I Was Wrong on Police and Race', *BBC News*, 8 January 1999, [http://news.bbc.co.uk/1/hi/special\\_report/1999/01/99/1968\\_secret\\_history/244320.stm](http://news.bbc.co.uk/1/hi/special_report/1999/01/99/1968_secret_history/244320.stm) (last accessed 16 September 2013).

<sup>100</sup> David J. Smith, 'Policing and Urban Unrest', in John Benyon and John Solomos (eds.), *The Roots of Urban Unrest* (Oxford, 1987) p. 69; Tom Rees, 'Immigration Policies in the United Kingdom', in Charles Husband (ed.), *Race in Britain* (London, 1982) p. 90.

the judge 'By all means propagate the view you hold. I wish you well.'<sup>101</sup> The passing of race relations legislation was believed by many to solve some of the problems associated with postwar immigration and race relations in multiracial Britain. Instead these laws did not prevent or ease many of the problems; in fact they arguably exacerbated the underlying issues. Weak and ineffectual laws prevented further advancement, due to the belief that problems had already been legally addressed or the seeming disproportionate targeting of black activists, leading many black people to become disillusioned and believe it was a way for the government to be seen to be doing something without actually helping. As Claus Offe summarised: 'The increasingly visible conflict between the promise and experience, form and content of state policies can lead...to a growing difficulty for state policies to win acceptance for the legitimating rules on which political power is based.'<sup>102</sup> Linked with the passing of harsher immigration laws and growing criticism of the police discussed below, this resulted in the further disillusionment of minorities and rising suspicion of an incurable institutional racism within the British legal system.

#### **DEATHS LINKED WITH POLICE**

Further to these growing racial tensions and cynicism regarding the British authorities, there was also wider mounting distrust of the British police and that they were not being held accountable for their actions. This was seen most extensively with the deaths of five men: Kevin Gately and Blair Peach, who died during public political demonstrations in 1974 and 1979 respectively; and Liddle Towers (1976), James McGeown (1978), and James Kelly (1979), who died due to injuries obtained during arrests and detainment. Phil Scraton and Kathryn Chadwick detailed how these deaths did not fall into the non-controversial 'type' of typical people who died after contact with the police, likely why their cases became so well-known.<sup>103</sup> They argued that the police attempted to establish narratives which passed the blame upon the victims, establishing negative reputations which justified the brutality they received.<sup>104</sup> For those who knew the men or could see a pattern emerging, this further

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<sup>101</sup> Martin Kettle and Lucy Hodges, *Uprising!: The Police, the People and the Riots in Britain's Cities* (London, 1982) p. 60.

<sup>102</sup> Claus Offe, *Contradictions of the Welfare State* (London, 1984) p. 144, as cited in Solomos, *Race and Racism in Britain*, p. 89.

<sup>103</sup> Phil Scraton and Kathryn Chadwick, 'Speaking Ill of the Dead: Institutionalised Responses to Deaths in Custody', *Journal of Law and Society*, 13 (1986), 101.

<sup>104</sup> *Ibid.*

suggested the police were not being held accountable: 'That wasn't our Jimmy in there...that was someone they created for their own purposes' and 'Call that justice? You could see what they were doing...complete fabrication'.<sup>105</sup> This was extended to those who were critical of the police with personal details 'and any behaviour that could be used to discredit their reliability' presented in order to discredit anti-police claims.<sup>106</sup> Roger Geary added that, as the police were inexorably linked with authority, to question the integrity of the police was seen to be questioning the legitimacy of the state itself, resulting in the authority's 'tendency to repudiate any allegation of improper police behaviour'.<sup>107</sup>

Indeed this response to any form of police criticism can be seen throughout, to the extent that any criticism of police actions or tactics was portrayed as an attempt to undermine the police or part of a radical left-wing conspiracy. Sir David McNee, Metropolitan Police Commissioner, criticised the practice of taking 'a few unconnected incidents' and linking them together to conclude that 'there is a crisis of confidence in the police'.<sup>108</sup> Whilst this likely would be his interpretation of the following discussion, Geary's summary is nonetheless pertinent: 'The press did not invent the deaths of Liddle Towers, James Kelly or Blair Peach. Left wing subversives did not fabricate the 274 deaths which occurred in police custody'.<sup>109</sup> Such events were very much connected and responses did represent a growth of a crisis of confidence in the police and of law and order.

Some general themes emerge from the five notable cases mentioned, including demands for public inquiries being largely rejected, subsequent disapproval of any resulting inquiry, the formation of local organisations, and subsequent changes in policing tactics. Such recurrent features added momentum to feelings of discontent and disillusionment towards the British authorities.

#### INQUIRIES

Throughout all deaths discussed there were repeated calls for the government to instigate full public inquiries. Unsurprisingly these often came from the families of the deceased; for example Gately's father stated: 'Only the

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<sup>105</sup> Words of Jimmy Kelly's family, as cited in *ibid.*, 102-4.

<sup>106</sup> Phil Scraton, *Power, Conflict and Criminalisation* (London, 2007) p. 23.

<sup>107</sup> Roger Geary, 'Deaths in Custody: Rhetoric and Actuality', *Poly Law Review*, 6 (1981), 36.

<sup>108</sup> *The Guardian*, 5 June 1980, as cited in *ibid.*, 36-7.

<sup>109</sup> Geary, 'Deaths in Custody', 36-7.

strongest, fullest inquiry into Kevin's death will satisfy me'.<sup>110</sup> Throughout this thesis constant calls for full public inquiries can be seen, despite the obvious point that these would ostensibly be conducted by the authorities which many mistrusted. It is obvious that public inquiries were seen as the pinnacle of the legal system, of British justice and 'fair play' and, for marginalised groups, an instrument of inclusion which would legitimise their position and participation within British society. Despite often obtaining support from the media and local MPs, for example over fifty MPs supported an inquiry into Tower's death to avoid further damaging the Northumbria Police's reputation, such inquiries were predominantly unforthcoming.<sup>111</sup> Successive Home Secretaries, Labour Merlyn Rees and Conservative William Whitelaw, repeatedly argued against public inquiries and cited the various existing investigations as adequate.<sup>112</sup>

Furthermore records released in 2010 showed that government officials prevented the release of certain documents they believed would add weight to calls for a public inquiry.<sup>113</sup> Dr John Burton, coroner in Blair Peach's inquest, had been accused of prejudicing the jury and complaining of 'a widespread campaign to damage the institutions concerned with the law'. Therefore senior civil servants suppressed release of his account of Peach's death, which overlooked discrepancies in police testimony but claimed some civilian witness statements were not trustworthy evidence, as they believed this would fuel calls for a public inquiry.<sup>114</sup> It was believed that such inquiries should be reserved for national scandals which undermined the reputation of the entire force, as well as reasons of cost and fear of undermining the authority and reputation of the

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<sup>110</sup> Martin Huckerby, 'Inconclusive Tests on Rally Clash Victim', *The Times*, 17 June 1974.

<sup>111</sup> HC Deb 12 December 1977 vol. 941 cc. 232-44; 'Unanswered Questions in Little towers Affair', *The Guardian*, 14 November 1977; Tom Sharratt, 'Labour MPs Seek New Towers Inquiry', *The Guardian*, 20 October 1978.

<sup>112</sup> 'Family Seeks Report', *The Dominion*, 27 April 1979; S. W. Boys Smith to G. H. Phillips, 2 June 1980, TNA: HO 299/111; G. H. Phillips to S. W. Boys-Smith, 30 May 1980, TNA: HO 299/111.

<sup>113</sup> Paul Lewis, 'Secret Document which Implicated Blair Peach Coroner Withheld by Home Office', *The Guardian*, 22 January 2010.

<sup>114</sup> John Burton, 'Blair Peach Inquest: The Unpublished Story', TNA: HO 299/114; M. V. Wakefield-Richmond to B. O. Bubbear, 2 June 1980, TNA: HO 299/114; John Burton to Lord Hailsham, 17 January 1980, TNA: HO 299/114; I. H. Maxwell, to John Burton, 1 February 1980, TNA: HO 299/114; C. J. Stewart to John Burton, 20 February 1980, TNA: HO 299/114; B. O. Bubbear to Mr Glanville, 3 June 1980, TNA: HO 299/114; Note by B. O. Bubbear, 11 June 1980, TNA: HO 299/114.

police and government.<sup>115</sup> The case of Northern Ireland was an oft-employed comparison and is repeatedly discussed in subsequent chapters, such as patterns of street violence and police tactics in response, due to the continuous influence of the 'Troubles' upon British society. In this case it was suggested that, unlike that situation where public inquiries were constantly demanded purely to undermine police morale and discredit authorities, these situations required more than the normal cause of investigations.<sup>116</sup> This is an important point. Comparisons with Northern Ireland were utilised throughout the period addressed in this thesis, therefore it is safe to assume it had an effect and impact upon the views and opinions of British police. Experience of an opponent constantly attempting to destabilise British rule by questioning and undermining police actions could have contributed to the feelings of victimisation and tendency to view every examination of them as being a conspiracy – addressed in further detail later in this chapter.

Simon Holdaway, as well as Tim Newburn and Stephanie Hayman, highlighted the barriers faced by groups requesting public inquiries, respectively noting the 'considerable protection from public scrutiny afforded to the police', and 'the difficulties in securing any form of official condemnation of police action'.<sup>117</sup> Additionally Stephen Sedley reasoned that the persistent rejection of public inquiries into all but the most controversial events showed a calculated governmental response that 'a full public investigation of facts that are likely to help its political opponents is not a price worth paying for the stilling of public clamour'.<sup>118</sup> It was clearly believed that build-up of tensions and discontent, and ongoing accusations of police misconduct from a marginalised societal group was not deemed worthy of public inquiries; the collective violence of 1980-81 was an attempt to address that.

The only event deemed worthy of a public inquiry, the Red Lion Square disorders at which Kevin Gately died, was headed by Lord Leslie Scarman who

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<sup>115</sup> HC Deb 12 December 1977 vol. 941 cc. 238-44; 'Unanswered Questions in Liddle Towers Affair'; 'TV Appeal for Kelly Witnesses', *The Times*, 9 January 1980; 'How Kelly Died', *Morning Star*, 12 January 1980; Professor Alan Usher, 'Professional Views on the Kelly Inquest', *The Times*, 23 April 1980.

<sup>116</sup> 'Death in Custody', *The Daily Telegraph*, 16 January 1980.

<sup>117</sup> Simon Holdaway, 'Police Accountability: A Current Issue', *Public Administration*, 60 (1982), 85; Tim Newburn and Stephanie Hayman, *Policing, Surveillance and Social Control* (Cullompton, 2002) p. 5.

<sup>118</sup> Stephen Sedley, 'Public Inquiries: A Cure or a Disease?', *The Modern Law Review*, 52 (1989), 470.

previously led an inquiry into 1969 riots in Ulster and would later investigate the 1981 disorders.<sup>119</sup> By being entrusted to lead multiple inquiries it is clear authorities saw Scarman as a 'safe pair of hands', although some detractors claimed such hands were protecting the authorities and concealing police misconduct. The inquiry would solely investigate the actions leading to disorder and excluded the death of Gately, upon suggestion from the police counsel, due to it already having been settled by the coroner's inquest.<sup>120</sup> This was to mirror later investigations into disturbances which refused to consider specific allegations of police misconduct as they were not deemed an appropriate platform. It appeared to some that, even when a public inquiry was achieved, the most important aspects were purposefully omitted. As well as concluding police actions were generally justified by the ferocity of aggression against them, Scarman did not blame police for Gately's death or criticise the controversial Special Patrol Group (SPG).<sup>121</sup> Despite undoubted disappointment at Scarman's findings, this did not dampen the desire for inquiries in providing political participation for black communities within Britain.

As seen during the 1980-81 disturbances, a lack of state-initiated public inquiries prompted interested bodies to launch their own investigations. For instance, the National Council for Civil Liberties (NCCL) inquiry chaired by Oxford professor Michael Dummett, was described by Martin Kettle and Lucy Hodges as 'far and away the most thorough, scrupulous and principled piece of research on any police operation in postwar Britain'.<sup>122</sup> The police and Home Office refused to offer any evidence or cooperation to the inquiry, despite it itself highlighting the importance of racial minorities having the police and legal systems as 'some rock to cling to'.<sup>123</sup> Dummett astutely warned:

Deprive people of the sense that they enjoy the protection of the law and of the agencies that enforce and administer it, and you destroy their

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<sup>119</sup> 'Red Lion Square inquiry gives immunity pledge', *The Times*, 1 August 1974.

<sup>120</sup> Mary Holland, 'The Lessons of Red Lion Square', *The Observer*, 15 September 1974; Michael Horsnell, 'Left-wing Attack was Prearranged, Yard Man Tells Red Lion inquiry', *The Times*, 3 September 1974.

<sup>121</sup> Holland, 'The Lessons of Red Lion Square'; Horsnell, 'Left-wing Attack Was Prearranged, Yard Man Tells Red Lion inquiry'; Peter Niesewand, 'Marxists Blamed for 'Riot' Death', *The Guardian*, 28 February 1975.

<sup>122</sup> Kettle and Hodges, *Uprising!*, p. 78.

<sup>123</sup> National Council for Civil Liberties, *Southall 23 April 1979; the Report of the Unofficial Committee of Inquiry*, pp. 11-12, as cited in Kettle and Hodges, *Uprising!*, p. 78.

whole feeling of security and any sense that they might otherwise have preserved that they are part of the society within which they live.<sup>124</sup>

Growing discontent towards the police and state coupled with political marginalisation would eventually lead to the situation in 1980-81 wherein some black youths concluded their only method of political participation was violent conflict with the police. The NCCL inquiry team warned Whitelaw that many felt alienated from society, but they may be largely reassured if Whitelaw made public their concern about events and a public inquiry would be a prime example of how to do so.<sup>125</sup> Again, the importance awarded to public inquiries, despite their being conducted by the same state and authorities mistrusted by sections of society, is clear to see. However the Home Office was not moved into taking action, privately deeming the NCCL's report a 'tedious correspondence', and failing to assuage growing public concern.<sup>126</sup>

#### POLICE INVESTIGATIONS

Where public inquiries were deemed unnecessary the police themselves were left to investigate. They repeatedly stated public inquiries were unnecessary as they argued police investigations, such as this or Commander John Cass' internal report into Blair Peach's death, provided more rigorous examinations.<sup>127</sup> This did not appease those who believed that police investigating themselves was not fair and it was believed by many that reluctance to hold inquiries was due to fears of what would be uncovered about police actions.<sup>128</sup> For example, following the initial police inquiry into Kelly's death, Assistant Chief Constable of West Midlands Police David Gerty was called in by Merseyside Chief Constable Kenneth Oxford to conduct an external investigation.<sup>129</sup> As Howard Sharron highlighted in the *New Statesman*, Gerty arrived from a police force itself receiving growing public criticism regarding racism and police malpractice. Sharron concluded with a sarcastic statement

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<sup>124</sup> *Ibid.*

<sup>125</sup> Michael Dummett to William Whitelaw, 28 July 1980, TNA: HO 299/114.

<sup>126</sup> G. H. Phillips to A. P. Jackson, 27 August 1980, TNA: HO 299/114.

<sup>127</sup> Commander Cass, 'First Report', 12 July 1979, Metropolitan Police Service (MPS), Investigation into the death of Blair Peach (BP), MPS Publication Scheme, [http://www.met.police.uk/foi/units/blair\\_peach.htm](http://www.met.police.uk/foi/units/blair_peach.htm) (last accessed 16 September 2013).

<sup>128</sup> Philip Jordan, 'Whitelaw Rules out Inquiry on Kelly Death', *The Guardian*, 9 January 1980.

<sup>129</sup> Philip Jordan, 'New Inquiry Urged into Kelly Death', *The Guardian*, 15 January 1980.

that perhaps a Merseyside officer should likewise investigate the West Midlands Police, 'just to keep it all in the family'.<sup>130</sup>

Similarly the police investigation into Blair Peach's death stated that 'The most serious aspect of this case has, without doubt, been the obstruction of the investigating officers in the execution of their duty.'<sup>131</sup> Indeed it does appear that this played a large role in the inability of the inquest to determine the exact events leading to Peach's death.<sup>132</sup> There were also numerous instances where inquiry leader Cass deemed officers' testimony 'dubious', 'easily recognisable lies', and that some 'must have conspired to pervert the course of justice'.<sup>133</sup> Additionally SPG members reportedly either grew or shaved beards before long-delayed identification parades, deemed indicative of a 'massive cover-up'.<sup>134</sup> Director of Public Prosecutions (DPP) Sir Tony Hetherington however reasoned that insufficient evidence prevented initiating criminal proceedings against officers.<sup>135</sup> When viewed within a broader trend of confirmed examples of police collusion and tampering with evidence, for example Hillsborough or the miners' strikes, it threatens to somewhat undermine the ability of police to investigate their own affairs. A cold case review into the investigation in 1999 concluded that, whilst impossible to identify whom or justify any arrest, 'On a balance of probabilities it is likely that an officer struck Mr Peach.'<sup>136</sup> As well as the repeated failure to achieve convictions, it is interesting to note that it required the involvement of one of the first black British MPs, Paul Boateng, before this review was achieved.

The DPP also faced criticism for the 'unacceptable practice' of demanding stronger evidence against police than an equivalent civilian case and consequently, of 2,820 alleged assaults by the police investigated by the

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<sup>130</sup> Howard Sharron, 'Police Brutality: Keeping it in the Family', *New Statesman*, 5 October 1979.

<sup>131</sup> Harold Smedley to Jonathan Hunt MP, 24 May 1979, TNA: FCO 107/135; 'Report', 23 August 1999, MPS, BP; 'Proof Statement', 1981, MPS, BP; 'Release of the reports and other material relating to the death of Blair Peach', 27 April 2010, MPS, BP.

<sup>132</sup> Cass, 'First Report'.

<sup>133</sup> *Ibid.*; Commander Cass, 'Second Report', 14 September 1979, MPS, BP; 'Notes of conference with Director of Public Prosecutions', 25 September 1979, MPS, BP.

<sup>134</sup> 'Nationwide Protest Planned For Eve of Re-opening of Blair Peach Inquest', *West Indian World*, 5-11 October 1979; Cass, 'First Report'; Cass, 'Second Report'; Martin Evans, 'Blair Peach Inspector Denies Responsibility', *The Daily Telegraph*, 28 April 2010.

<sup>135</sup> Sir Thomas Hetherington to Sir David McNee, 9 October 1979, MPS, BP.

<sup>136</sup> 'Report', 14 June 1999, MPS, BP; 'Report', 23 August 1999.

DPP in 1978, only 37 reached the courts with just 16 convictions.<sup>137</sup> Assistant DPP Peter Barnes admitted that even 'quite strong evidence' was usually insufficient to convince juries to convict the police.<sup>138</sup> Michael Meacher, left-wing Labour MP, questioned how much evidence would be sufficient to prosecute and suggested it would propagate the idea that no death in police custody would ever lead to a prosecution: 'And if it is then widely felt (rightly or wrongly) that the police can cause the death of a person with virtual impunity, that is not only a terrifying indictment of our standards of public life, but also must severely dissipate any public confidence in the police.'<sup>139</sup> Such ideas were indeed a growing sentiment amongst sections of society and, although numerous calls were made for an inquiry into the role of the DPP itself to dispel the belief that 'the Establishment is rapidly closing ranks', this never materialised.<sup>140</sup>

#### ESTABLISHMENT OF ORGANISATIONS

Each death discussed here attracted vast amounts of attention and interested parties, feeling that the British legal system was failing them, established their own organisations to demand justice. This can be seen as an attempt to succeed where local and national government had failed and as political participation for marginalised groups which had previously been excluded. Such attempts at taking matters into their own hands can also be viewed within a growing militancy and as a precursor to the collective violence of 1980-81. Once these community organisations were perceived to have been similarly unsuccessful, it left some with a belief that their only recourse was violence. The *raison d'être* of such organisations was to demand further investigations after police and government inquiries had not provided complete answers and to obtain justice for those who had died. Funded and established locally by those with personal interest in the case or broader political situation, they are clear examples of political 'pressure groups' attempting to provide

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<sup>137</sup> George Clark, 'Evidence from Inquiry into Death of James Kelly to be Available at Inquest, Mr Whitelaw States', *The Times*, 9 January 1980; 'The Scandal of the DPP', *New Statesman*, 11 January 1980; 'Only 37 out of 2,820 "Police Assaults" Went to Court', *The Times*, 8 January 1980. See also Peter Fryer, *Staying Power: The History of Black People in Britain* (London, 1984) p. 392

<sup>138</sup> 'The Scandal of the DPP'.

<sup>139</sup> Michael Meacher to William Whitelaw, 11 January 1980, TNA: HO 299/123.

<sup>140</sup> *Ibid.*; T. C. Platt to Mr Chilcot, 15 February 1980, TNA: HO 299/123; Peter Evans, 'Home Office Refuses to Supply the Names of People who have Died in Custody from Non-natural Causes', *The Times*, 7 January 1980; 'The Scandal of the DPP'; 'Why Are We Waiting?', *Sunday Mirror*, 20 January 1980; 'The Late Mr Kelly', *Sunday Mirror*, 13 January 1980; 'Clear the Air', *The Sun*, 7 January 1980; 'Death in Custody'; 'Kelly: We Still Need an Inquiry', *The Guardian*, 14 January 1980.

marginalised groups with fair and equal treatment. For example counsel for the inquest into his death was partly funded by the Blair Peach Memorial Fund, with an advert imploring further donations notably pleading: 'Whereas all police expenses involved in this case come from public funds, ours we have to raise ourselves.'<sup>141</sup> This clearly highlights the belief that the system favoured the authorities and police, able to defend themselves using taxes paid by those accusing them of misconduct in the first place. Also, as seen in subsequent chapters, many such groups refused to submit evidence to local inquiries. Although this limited their potential conclusions it was believed such action would either legitimise these as adequate investigations, therefore removing demand for a full public inquiry, or would provide evidence to the police that would be manipulated and used against them.

### CORONER'S INQUEST

Each death was initially investigated by a coroner's inquest, and in some cases this was the only investigation. These simply examined how the victim died, were not full investigations or methods of apportioning blame, and coroners usually directed the jury to the verdict that they should return; it was 'an inquiry and not a trial'.<sup>142</sup> The description of the inquest into Kelly's death, which failed to either establish or disprove police responsibility, was indicative of the situation in general: 'In the end, it satisfied no-one.'<sup>143</sup> In addition their apparent favouritism towards police was roundly condemned. For example, during multiple inquests into Tower's death, civilian evidence suggesting he had been assaulted in police cells was deemed hearsay and therefore inadmissible.<sup>144</sup> Towers' mother appeared to strike a chord when questioning the coroner: 'Why is it that policemen are allowed to say what Liddle said to them but I am not allowed to say what he said to me?'<sup>145</sup> This inconsistency further angered many who believed that the system was biased in favour of defending the police.

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<sup>141</sup> Ken Worpole, 'Blair Peach Fund Needs Your Help', *Morning Star*, 29 October 1979.

<sup>142</sup> John Burton to Ernie Roberts, 17 October 1979, TNA: HO 299/114; Michael Meacher to William Whitelaw, 28 May 1980, TNA: HO 299/114; Meacher to Whitelaw, 11 January 1980; Coroners Society of England and Wales, Evidence given to Select Committee, TNA: HO 299/123.

<sup>143</sup> John Shirley, 'Blacks Demand: How Did This Youth Die?', *The Times*, 27 April 1980.

<sup>144</sup> HC Deb 12 December 1977 vol. 941 c. 233.

<sup>145</sup> 'How Much Hearsay?' *The Guardian*, 19 October 1978.

The *Daily Star* erroneously claimed that the 'law wisely insists' upon an inquest with a jury investigate any death in police custody, whereas actually an automatic inquest only occurred following a death in police *cells*, rather than simply police *custody*.<sup>146</sup> Despite this being addressed by the 1971 Committee on Death Certification and Coroners, known as the Brodrick Report, it was at this point entirely at the discretion of the coroner whether to hold an inquest into a death in custody at all, let alone whether it should sit with a jury.<sup>147</sup> It was suggested that such a panel, in Kelly's case dubbed a 'Jury for Jimmy', would ensure the public would be satisfied that the truth had been revealed and there had been no cover-up by the police or authorities.<sup>148</sup> However, as previously mentioned, the coroner usually directed the jury to the verdict which they should return; questioning to what extent this could be viewed as 'justice'. Even medical examiners were accused of being under the influence of the authorities and, some believed, aiding a cover-up of police wrongdoings; although the Coroners' Society of England and Wales, aggravated by Meacher's 'frequent mis-statements in the Press', was at pains to assert their independence and not being 'Police Coroners'.<sup>149</sup>

#### DEATHS IN CUSTODY

Following Kelly's death, the third high-profile death related to a police arrest or detainment in as many years, the government answered calls to release the number of deaths in police custody and it was subsequently revealed that 273 people had died in custody between 1970 and 1979, with a significant rise in the previous few years.<sup>150</sup> Characteristically Whitelaw rejected demands for a public inquiry as he was 'not convinced' it was needed; nevertheless the level of public disquiet necessitated some form of response, leading to the all-party Select Committee on Home Affairs to consider deaths in custody.<sup>151</sup> It was declared however they did not intend to review or comment upon individual cases and, during hearings, police representatives refused to comment upon individual cases and attempts to cloak real-life examples as

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<sup>146</sup> 'Jury for Jimmy', *Daily Star*, 9 January 1980; Jordan, 'Whitelaw Rules Out Inquiry on Kelly Death'; 'Inquests by Order', *The Sunday Telegraph*, 13 January 1980.

<sup>147</sup> Home Affairs Committee, 'Deaths in Police Custody: Minutes of evidence, 4 February 1980', (London, 1980) p. 3.

<sup>148</sup> 'Jury for Jimmy'.

<sup>149</sup> Coroners Society of England and Wales, Evidence given to Select Committee, TNA: HO 299/123.

<sup>150</sup> Evans, 'Home Office Refuses to Supply the Names'.

<sup>151</sup> 'Deaths in cells: It's up to MPs', *Daily Mail*, 4 March 1980; Robin Lustig, 'Cell Deaths Debate Urged', *Sunday Observer*, 13 July 1980.

'hypothetical cases' failed to provide answers.<sup>152</sup> It was noted that in the previous ten years almost ten percent of deaths in police custody had not held inquests, a situation described as 'slightly awkward and inconsistent with the recommendation made in the report of the Brodrick Committee'.<sup>153</sup> It is not difficult to imagine the discontent at a situation where, although an issue with investigating deaths in police custody had been identified ten years previously, nothing had been done to resolve this. The Select Committee's published report stated it found no evidence to support generalised allegations of police brutality, but recommendations were made that all deaths in police custody should be investigated by a coroner's jury and the DPP should provide complainants more explanation in cases where deciding not to prosecute.<sup>154</sup> The report concluded that it hoped its findings would relieve some public anxiety which had arisen regarding deaths in police custody and that over 95 percent of cases contained no suggestion of police being criminally responsible.<sup>155</sup> Nevertheless, it failed to placate those who considered a growing amount of evidence that the police and authorities were not held accountable for their actions.

#### POLICE VICTIMISATION

Moreover the police often portrayed any criticism of them or their actions as part of a wider conspiracy. For example Chief Superintendent John Keyte, Secretary of the Police Superintendents' Association of England and Wales, named Meacher's on-going campaign as being detrimental to the public image of the police and accused him of presenting statistics on deaths in police custody as to imply the police were responsible.<sup>156</sup> Some senior police officials appeared to be personally offended at their officers being questioned, often leading to a blanket refusal to investigate such accusations which only furthered discontent and distrust of the police.<sup>157</sup> Highlighting the close relationship between police and Party, several Conservative MPs spoke out against criticism of the police which they perceived as having an ulterior motive. For example, Peter Emery alleged that an 'assiduous campaign was being mounted to

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<sup>152</sup> Roger Willoughby to T. C. Platt, 1 April 1980, TNA: HO 299/123; Home Affairs Committee, 'Deaths in Police Custody', pp. 7, 11-2.

<sup>153</sup> T. C. Platt to Mr Clift, 11 January 1980, TNA: HO 299/123.

<sup>154</sup> 'MPs Reject Brutality Claims', *The Times*, 23 June 1980; Lustig, 'Cell Deaths Debate Urged'.

<sup>155</sup> Lustig, 'Cell Deaths Debate Urged'.

<sup>156</sup> Peter Evans, 'Police Angry over Cell Deaths Critics', *The Times*, 4 March 1980.

<sup>157</sup> Gordon C. Moore, 'Letters to the Editor: The Inconvenient (and Unsatisfied) Demands of Justice', *The Guardian*, 30 October 1978; 'Unanswered Questions in Little Towers Affair'; Philip Jordan, 'Towers Casts Shadow Over Police Post', *The Guardian*, 3 November 1977.

undermine the forces of law and order'.<sup>158</sup> There were also suggestions that the volume of criticism had risen excessively since the Conservatives' return to government. In some situations there may have been some weight to this suggestion as Meacher, who led a sustained campaign for an inquiry in many of these cases, might have been using the situation to enhance his reputation as in 1983 he would make an unsuccessful bid for deputy leader of the Labour Party.<sup>159</sup>

Edward Gardiner, Chairman of the Conservative backbench Home Affairs Committee, accused the left of instigating a campaign to grant locally elected authorities control over the operational policies and tactics of police forces, resulting in 'bringing politics into policing'.<sup>160</sup> Chairman of the Police Federation Jim Jardine negatively linked this to arguments for greater police accountability which he argued would mean 'political control of the police'.<sup>161</sup> He also stated that the left-wing inspired campaign contained some groups who wished to disrepute the police in a bid to generate anarchy: 'They have tried the ballot box and failed.'<sup>162</sup> Conversely Scraton and Chadwick highlighted how the media reports of Kelly's death reflected the 'official' interpretations of the cases promoted by the government; for example a *Daily Mail* editorial described Kelly as 'THE CORPSE THAT BECAME TRENDY', baselessly blaming left-wing groups for manipulating the case in order to discredit the police and courts.<sup>163</sup>

The general response from the police did appear to be a hostile one. Jardine told Merseyside Police that a 'campaign of abuse' was being waged against them by the 'usual rag-bag of people who spend most of their time in sniping at the police service'.<sup>164</sup> He argued that Britain was one of a few countries in the world which had enshrined into law a system to allow and regulate the investigation of complaints against the police, supported by every honest policeman: 'We do not complain about being accountable...we do not

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<sup>158</sup> 'MP Attacks Police Critics', *The Sunday Telegraph*, 27 January 1980.

<sup>159</sup> Leslie Clare, 'MPs Back New Bid for Kelly Inquiry' *Daily Star*, 15 January 1980; Richard Heffernan and Mike Marqusee, *Defeat from the Jaws of Victory: Inside Kinnock's Labour Party* (London, 1992) p. 40; Mick Ryan, *Lobbying from Below* (London, 1995) p. 48.

<sup>160</sup> 'Left Inspires Police Critics, MP Alleges', *The Times*, 20 May 1980.

<sup>161</sup> Stewart Tendler, 'Attacks on the Police Distort Truth, Federation Chief Says', *The Times*, 22 May 1980.

<sup>162</sup> David Buchan and Maurice Richards, 'MPs Will Probe Kelly Death: Victory for the Star's Campaign', *Daily Star*, 26 January 1980; Michael Evans, 'A "Hate War" on Police', *Daily Express*, 23 November 1979.

<sup>163</sup> Scraton and Chadwick, 'Speaking Ill of the Dead', 99-100; emphasis in original

<sup>164</sup> 'The Police Protest Too Much', *The Times*, 14 January 1980.

seek to protect the corrupt policeman or the violent policeman. What we object to is the constant attacks on a system of accountability that is greater than which exists in any other public service in this country.<sup>165</sup> Jardine rejected the charge that police were deaf to criticism, rather that the 'vociferous campaign' waged against the police disregarded the 'hard evidence' supporting police procedures and safeguards: 'Are we suddenly to assume that coroners, coroners' officers, pathologists and medical practitioners are all either fools or willing accomplices in what amounts to police murder?'<sup>166</sup>

Similarly the Police Federation's monthly magazine, *Police*, criticised the 'concerted campaign being waged in certain quarters to stir up public anxiety about the relations between the police and the public'.<sup>167</sup> It also stated that a public inquiry into deaths in police custody 'would provide a forum for the airing of the most outrageous suggestions, unsupported by evidence, and for police officers to be pilloried'.<sup>168</sup> Such staunch opposition to public inquiries and stated belief they would be attacked in such forums does not seem to support Jardine's claim they were not 'deaf to criticism'. Additionally individual Chief Constables made their positions clear. Alan Goodson, President of the Association of Chief Police Officers (ACPO), argued that the campaign suggesting police brutality had drawn 'sinister inferences' and was a 'disgraceful example of verbal licence'.<sup>169</sup> Chief Constable of Greater Manchester James Anderton believed that society fell into two separate sections; people who understood the police, and those who 'with other perverse responses, roar with disapproval at one single alleged assault by police but remain completely and odiously silent over evidence of a thousand battered policemen'.<sup>170</sup> Those who criticised any aspect of the police at all appeared to be placed firmly into the second category. It is clear that the police were not open and receptive to any allegations which criticised their conduct.

Consequently a common theme which emerged was the need for police to be less defensive and dismissive of legitimate public concern or criticism.

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<sup>165</sup> Peter Evans, 'Report Going to DPP on Man Who Died in Custody of Police', *The Times*, 23 November 1979.

<sup>166</sup> James Jardine, 'Dying in Police Custody', *The Times*, 17 January 1980.

<sup>167</sup> Tony Judge, *Police*, 14 January 1980.

<sup>168</sup> David Beresford, 'Police Federation Again Attacks Inquiry Demand', *The Guardian*, 19 January 1980.

<sup>169</sup> Alan Goodson, 'How Police Chiefs View Deaths in Custody', *The Guardian*, 25 January 1980.

<sup>170</sup> 'The Police Protest Too Much'.

Various police representatives were called to provide evidence to the Select Committee on Home Affairs' inquiry into deaths in police custody and journalist Peter Simmonds recorded it obvious from the outset that the police believed they were on trial.<sup>171</sup> The Police Superintendents' Association of England and Wales declared they were 'somewhat annoyed' when minority groups or MPs attacked the police with views that 'did not represent the true voice of most of the people'.<sup>172</sup> It is difficult to see how minority groups, such as black communities, were thus able to voice their concern at police actions without resorting to the violence seen in later years. *The Times* argued that the police must learn to be less sensitive to honest criticism, deeming their response as 'truculent and perhaps intemperate', and that it would benefit them to respond more positively to sincere feelings of unrest or else risk further alienating their support.<sup>173</sup> Scraton and Chadwick deemed the authorities' response to such serious allegations as 'almost neurotic'.<sup>174</sup> At one stage even the Home Secretary advised the Police Federation that some criticism levelled against them was rooted in genuine feelings of anxiety from 'moderate and thoughtful people'.<sup>175</sup>

Kettle described the police's response and questioning of the motives of anyone who questions their actions as 'one of the most worrying aspects of the affair'.<sup>176</sup> This alarm was undoubtedly shared by many who believed the police simply would not admit to their failings within these specific cases and beyond, and that there appeared no judicial method of holding them accountable.

### **A CONSERVATIVE GOVERNMENT**

Amongst this growing wave of discontent and distrust of the police and authorities, Margaret Thatcher's Conservative Party returned to power in 1979 following extensive strike action during the 'Winter of Discontent' some months previously.<sup>177</sup> Layton-Henry highlighted how the Conservatives had become increasingly aware after the 1974 General Election of the electoral importance

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<sup>171</sup> Peter Simmonds, 'Police Cleared of Brutality Charges', *The Daily Telegraph*, 22 June 1980.

<sup>172</sup> Evans, 'Police Angry Over Cell Deaths Critics'.

<sup>173</sup> 'The Police Protest Too Much'.

<sup>174</sup> Scraton and Chadwick, 'Speaking Ill of the Dead', 99-100.

<sup>175</sup> Tandler, 'Attacks on the Police Distort Truth, Federation Chief Says'.

<sup>176</sup> Martin Kettle, 'Deaths in Custody', *New Society*, 10 January 1980.

<sup>177</sup> Colin Hay suggested that representation of the 'Winter of Discontent' was a 'discursive construction' of the New Right, portraying the situation as a national crisis and altering the nature of the state: Hay, 'Narrating Crisis: The Discursive Construction of the "Winter of Discontent"', *Sociology*, 30 (1996), 253-77.

of black voters and had taken steps in order to appeal to them.<sup>178</sup> However the fact that Labour were the party visibly championing anti-discrimination legislation, although not always for the reasons or to the extent most black people wished, likely led to the Conservative party being linked in the minds of many black people as not being a party that supported them; thus their return to power added to some general feelings of discontent towards the British State.<sup>179</sup> This is supported by various polls which suggested that 96 percent of the 'West Indians' category voted Labour in the 1966 General Election, citing as a key explanation the belief that Labour best represented the rights of ethnic minorities, and that by 1970 the majority of the electorate saw the Conservatives as being toughest on immigration control.<sup>180</sup> Rightly or wrongly and successfully or otherwise, Labour was given credit by many ethnic minorities for at least appearing sympathetic to their situation and the Conservatives largely obtained the opposite perception.

As public opinion again swayed against immigration in the late 1970s, Thatcher's Conservatives appeared to harden their stance. Home Secretary William Whitelaw told the party conference that they would end 'immigration as we have seen it in the postwar years' and Thatcher appeared on a *World in Action* television programme sympathising with voters 'afraid that this country might be rather swamped by people with a different culture'.<sup>181</sup> Such comments were widely criticised as 'pandering to popular prejudices' and Conservative MP Peter Walker warned: 'if you exploit people's worries in a way which shows hostility to minorities, you will do immense damage to racial harmony'.<sup>182</sup> The Conservatives however gained a 9 percent poll lead over Labour immediately after this speech which appeared to vindicate Thatcher's comments and,

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<sup>178</sup> Zig Layton-Henry, *Conservative Party Politics* (London, 1980) p. 67

<sup>179</sup> 'All electoral studies of the voting intentions and behaviour of black voters show substantial levels of support for the Labour Party and negligible support for other parties. Thus in spite of the Labour Party's uneven record on immigration control it gains the support of an overwhelming proportion of ethnic minority voters.': Layton-Henry, *The Politics of Race*, p. 171.

<sup>180</sup> 'Voting in the 1966 General Election' questionnaire, as cited in Daniel Lawrence, *Black Migrants: White Natives: A Study of Race Relations in Nottingham* (London, 1974) pp. 138-139; David Butler and Donald Stokes, *Political Change in Britain: The Evolution of Electoral Choice* (London, 1974) p. 306.

<sup>181</sup> Layton-Henry, *Conservative Party Politics*, p. 67; Granada Television, *World in Action*, 30 January 1978, as cited in Layton-Henry, *The Politics of Race*, pp. 103-4.

<sup>182</sup> *The Sunday Times*, 26 February 1978, as cited in Layton-Henry, *The Politics of Race*, p. 103; Trevor Russel, *The Tory Party: Its Policies, Division and Future* (Harmondsworth, 1978) p. 117.

despite warnings of damaging racial harmony, the lady was not for turning.<sup>183</sup> Thus the party's strategy on race continued to link stricter immigration controls with improving community relations, despite ample evidence suggesting otherwise.<sup>184</sup> Yasmin Alibhai-Brown summarised that Thatcher shared Powell's views 'that this island belonged to white people, but unlike him she was able to make this view respectable and admired'.<sup>185</sup> If it had appeared previously that the Conservative Party was less likely to further the position of black people within Britain, Thatcher's Conservatives seemed in many ways to be outwardly attacking them.

The Conservative Party under Thatcher also concentrated upon law and order, rejecting later arguments that rising crime levels were linked to rising unemployment – as to do so would challenge their own economic policies – and instead focused upon strengthening the police.<sup>186</sup> Their party manifesto promised increased police numbers and 'short, sharp shock' treatment of youth offenders.<sup>187</sup> Ex-Chief Constable Timothy Brain highlighted how this would have appealed to many officers who had grown critical of Labour's policies towards the police. The Police Federation publically criticised Labour's record on crime and policing in many national newspapers prior to the 1979 election and Brain concluded that, whilst the content was 'pretty mild stuff', it was nonetheless significant that the Federation publically took such a politicised stance.<sup>188</sup> Alistair Henry agreed that the police were 'more explicitly politically active than at any other time', to the extent that some Federation members were concerned with the way that they had 'nailed its flag for all to see to the Conservative Party mast'.<sup>189</sup> Ex-Metropolitan Police Commissioner Robert Mark similarly criticised the Labour party prior to the election, comparing the relationship between Labour and trade unions to that of Nazi Germany.<sup>190</sup>

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<sup>183</sup> Layton-Henry, *The Politics of Race*, pp. 150-1.

<sup>184</sup> Solomos, *Race and Racism in Britain*, p. 72.

<sup>185</sup> Alibhai-Brown, *Who Do We Think We Are?*, p. xiv.

<sup>186</sup> Timothy Brain, *A History of Policing in England and Wales from 1974: A Turbulent Journey* (Oxford, 2010) p. 76.

<sup>187</sup> Conservative Party, *1979 Conservative Party General Election Manifesto*, as cited in *ibid.*, p. 55.

<sup>188</sup> *Ibid.*

<sup>189</sup> Alistair Henry, 'Looking Back on Police and People in London', in Alistair Henry and David J. Smith (eds.), *Transformations of Policing* (Aldershot, 2007) p. 9; Robert Reiner, *The Politics of the Police*, Fourth edition (Oxford, 2010) pp. 89-90.

<sup>190</sup> Reiner, *The Politics of the Police*, p. 89.

Accordingly, on the first working day after the Conservative election victory, police leaders were informed their personnel would receive the substantial pay increase recommended in a 1978 government inquiry; although in reality this was simply moving forward by a few months a step already agreed by their Labour predecessors, it further provoked anti-police sentiment at a time of high unemployment and economic difficulty.<sup>191</sup> It appeared clear to many observers that the Conservative party and police were seemingly moving closer together and undoubtedly new Home Secretary William Whitelaw's 'position of putting the police first in any issue of doubt' added to feelings of discontent and lack of police accountability.<sup>192</sup> For example Ray Wardle, Liberal candidate for Bath County Council, argued that Conservative tactics had spawned a 'Carte Blanch [sic] "Do as you like"' attitude within the police, which he described as: 'A gift for any Police Force.'<sup>193</sup> Such a situation worried and angered many within minority groups in society, seemingly unable to voice opposition to the increasingly forceful tendencies of the police.

### **OPERATION COUNTRYMAN**

Running parallel to these deaths causing great public disquiet were several other incidents and continuing situations further adding to discontent and suspicion regarding the police and authorities. Not least of these was an investigation into police corruption termed 'Operation Countryman', initiated in August 1978 after Metropolitan Police officers obtained evidence from an informant that indicated police corruption suggesting that officers were helping criminals evade justice or, at worst, were actively involved in planning and conducting robberies.<sup>194</sup> Arthur Hambleton, Chief Constable of Dorset Constabulary and Leonard Burt, Assistant Chief Constable, were placed in charge of the investigation team of nearly one hundred officers, which relocated to Dorset as the scope of corruption throughout London forces was unknown.<sup>195</sup>

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<sup>191</sup> Committee of Inquiry on the Police, *Report on Negotiating Machinery and Pay* (Chairman: Lord Edmund-Davies), Her Majesty's Stationery Office, 1978 (Cmnd. 7283); Reiner, *The Politics of the Police*, p. 89; Clive Emsley, *The English Police: A Political and Social History* (London, 1991) p. 169; Martin Kettle, 'The Drift to Law and Order', in Stuart Hall and Martin Jacques (eds.), *The Politics of Thatcherism* (London, 1983) p. 220.

<sup>192</sup> Reiner, *The Politics of the Police*, p. 89; Brain, *A History of Policing*, p. 56.

<sup>193</sup> Ray Wardle, 'Bristol Riots: The Reasons Why: A Time-Bomb: Ticking Over in Bath's Black Community', Speech given to Bath Walcot Ward Liberals, 14 April 1980, BRO: 43129 (Box 105).

<sup>194</sup> Stewart Tendler, '12 "Super Informers" Aid Search for Corrupt Policemen', *The Times*, 10 December 1979; Steven Box, Power, *Crime and Mystification* (London, 1983) p. 106.

<sup>195</sup> Tendler, '12 "Super Informers" Aid Search for Corrupt Policemen'; Brain, *A History of Policing*, p. 51; Box, *Power, Crime and Mystification*, p. 107.

A later letter from an unnamed senior officer in relation to the 1984-85 miners' strike stated how provincial forces often described the Metropolitan police as 'the Banana Squad – all bent and yellow'.<sup>196</sup> Brain stated however that even those officers opposed to corruption resented the intrusion of the investigation and Metropolitan officers derogatorily referred to the West Country-based investigation as 'The Sweedey'.<sup>197</sup> Regardless of how much officers resented the intrusion, outside observers expected tangible results and a subsequent rebuilding of trust in their police force.

Despite compiling files on 200 officers and submitting 41 reports to the DPP, only three detectives stood trial and were convicted.<sup>198</sup> Such a statistic is a damning indictment of the police's ability to investigate themselves and the difficulty in obtaining convictions against the police. Hambleton and Burt publicly blamed this upon obstruction from the Metropolitan Police and lack of support from the DPP, whereas Brain conversely described it as being for 'a variety of procedural and evidential reasons'.<sup>199</sup> Metropolitan Police Commissioner Sir David McNee later claimed that any lack of support from the DPP was likely due to concerns 'about the length of time the inquiry was taking' and 'doubts about the expertise of the team'.<sup>200</sup> McNee complained that Burt encouraged Countryman officers to 'see themselves as being some general anti-corruption squad' who 'cast their net wide, so as to cover complaints received from all quarters instead of getting on with the job they had been given to do'.<sup>201</sup> He deemed allegations of obstruction as unfounded and Hambleton and Burt's distrust of the DPP as 'extraordinary and unprecedented'.<sup>202</sup> Steven Box alleged that the Countryman team were instructed by 'its political masters' to confine future investigations to the three robberies which had originally launched the investigation, and pass all other evidence to the Metropolitan Criminal Investigation Board (CIB). In Box's words, 'The Met. CIB do not seem to have

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<sup>196</sup> Unnamed senior police officer to Ian Lavery MP, as quoted in Mark Townsend, 'Miners' Strike: Senior Officer Was "Appalled" at Conduct of Other Police', *The Observer*, 15 December 2012.

<sup>197</sup> A reference to the popular Thames Television police drama *The Sweeney*, based upon members of the Flying Squad and so named for its cockney rhyming slang, 'Sweeney Todd': Brain, *A History of Policing*, p. 51.

<sup>198</sup> Brain, *A History of Policing*, pp. 86-7.

<sup>199</sup> *Police Review*, 20 October 1982 and 24 June 1984, as cited in Brain, *A History of Policing*, pp. 86-7; Granada Television, *World in Action*, 2 August 1982, as cited in Box, *Power, Crime and Mystification*, p. 109; Brain, *A History of Policing*, pp. 86-7.

<sup>200</sup> David McNee, *McNee's Law* (London, 1983) p. 190.

<sup>201</sup> *Ibid.*, pp. 189-90.

<sup>202</sup> *Ibid.*, pp. 198-200.

pursued this evidence with the energy or enthusiasm it deserved.<sup>203</sup> Indeed, Countryman officers alleged that many cases were near completion when handed to the CIB and expressed surprise that more prosecutions were not forthcoming.<sup>204</sup> When the Countryman team initiated their investigations, they believed informers would be granted immunity from prosecution for disclosing participation in offences in return for providing evidence against officers. However the DPP's office reneged on this apparent offer and consequently more informers were arrested than the police named in their evidence.<sup>205</sup> Box questioned whether this was 'a calculated attempt to frighten informers into changing their evidence and to deter other potential informers?'<sup>206</sup>

McNee later described the facts of Operation Countryman 'a sad record', and that an internal Metropolitan investigation would have achieved more than this outside investigation had.<sup>207</sup> As Maurice Punch summarised, 'again, a commissioner of the Met missed the vital point that however professional and successful that internal investigation might have been by the highest of objective standards, a police agency with a long record of corruption would have been investigating itself'.<sup>208</sup> The lasting result of the investigation was that further damage had been done to the police's reputation and they were now even more reluctant to allow external investigators to examine their activities.<sup>209</sup> As Graeme McLagan highlighted, this additionally made officers more reluctant to inform on their corrupt colleagues: 'What was the point of speaking out if your complaint against Met detectives was to be investigated by Met detectives?'<sup>210</sup> If the police could not be trusted to thoroughly investigate accusations, report misconduct, or effectively utilise the police complaints procedure, then it appeared that members of marginalised communities had even less chance.

### **POLICE POLICIES AND ACTIONS**

The police's general policies were also criticised and accused of creating and raising tensions with local black communities. For example Brain

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<sup>203</sup> Box, *Power, Crime and Mystification*, p. 107.

<sup>204</sup> *Ibid.*

<sup>205</sup> *Ibid.*, p. 109.

<sup>206</sup> *Ibid.*

<sup>207</sup> McNee, *McNee's Law*, p. 196.

<sup>208</sup> Maurice Punch, *Police Corruption: Exploring Police Deviance and Crime* (New York, 2009) p. 136.

<sup>209</sup> Brain, *A History of Policing*, pp. 86-7.

<sup>210</sup> Graeme McLagan, *Bent Coppers: The inside Story of Scotland Yard's Battle against Police Corruption* (London, 2003) p. 18.

summarised that, even allowing for the lack of riot or disturbances within mainland Britain for many years previously, police tactics and equipment used during the 1974 Red Lion Square disorders had been 'extraordinarily low-key'.<sup>211</sup> The prevalent feeling at the time was that riots and specialised equipment used to combat them belonged in other countries and not in Britain. Senior police officers, such as Metropolitan Police Commissioner Robert Mark, believed maintaining public confidence in the police was more important than dispersing a riot; or, in his words, 'winning by appearing to lose'.<sup>212</sup> However a movement towards stronger policing tactics can be seen in the policing of the later events which led to the death of Blair Peach when a more heavy-handed police response flooded the streets with officers. The police tactic of 'overpolicing', literally meaning to deliberately deploy large amounts of officers in an attempt to dissuade disorder, has been cited as one such police tactic which often actually caused more tension and problems than it prevented.<sup>213</sup> By 1981 it was deemed more important to be seen to be actively engaging with rioters including widespread demands for specialised equipment to combat them; as Reiner eloquently summarised, 'Darth Vader displaced Dixon in riot control tactics'.<sup>214</sup> This was undoubtedly influenced by the negative response awarded to the tactical police withdrawal during the 1980 St Pauls disturbance in Bristol, where a lack of police was reported to have left 'the innocent to struggle against crazed destroyers for four solid hours on their own', as well as experience in Northern Ireland where constant battles took place between the police and protestors leading to the dissemination of police tactics in responding to violent street protests.<sup>215</sup>

A common thread running through many incidents was criticism of the Metropolitan Police's Special Patrol Group (SPG). Formed in 1961, Brain highlighted how they were not specialist 'riot' police such as the French *Compagnies Républicaines de Sécurité*, but their training and ability led critics to view them as 'a force within a force'.<sup>216</sup> The use of the SPG has been well

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<sup>211</sup> Brain, *A History of Policing*, p. 14.

<sup>212</sup> *Ibid.*

<sup>213</sup> Kettle and Hodges, *Uprising!*, p. 79.

<sup>214</sup> *Dixon of Dock Green* (1955-1976) was a BBC television series depicting the daily life of an understanding and likeable police constable. Alternatively Darth Vader, villain in the *Star Wars* film series, has become a synonym for evil in popular culture. Reiner, *The Politics of the Police*, p. 87.

<sup>215</sup> 'When the Law Breaks Down', *Daily Mail*, 9 April 1980.

<sup>216</sup> Brain, *A History of Policing*, p. 13.

documented, as has the resulting negative impact upon relations between police and local communities. John Benyon highlighted a speech by Trades Union Congress General Secretary, Len Murray, which criticised the SPG as 'alien to the tradition of this country of leaving policing to a local constabulary with knowledge of and sympathy with the local community'.<sup>217</sup> In stark contrast with ideas of 'community policing', which encouraged close relationships with the local community, the SPG had a 'burgeoning reputation as an élite, aggressive, unaccountable squad'.<sup>218</sup> Meacher argued that the SPG had never been endorsed either by public opinion or Parliamentary debate, and that it was a 'para-military force heavily equipped and armed for anti-terrorist work, but is actually repeatedly used against civilian targets'.<sup>219</sup> It was also suggested by some that their ease of identification was what marked them out for criticism; just as the police were to become visible representations of authority for violent uprisings in 1980-81, the SPG were the most visible of those police. For example, the SPG were at the heart of the most apparent criticism of the police's tactics during the disturbances leading to Blair Peach's death.<sup>220</sup>

Their use was defended as it was argued that their small numbers and mobility gave them a tactical advantage.<sup>221</sup> Commander Cass' inquiry into violent disorder in Southall concluded that an organised mobile taskforce, with the ability to be drafted in at short notice as opposed to recruiting small numbers of officers from various police districts, was 'absolutely essential for present day policing'.<sup>222</sup> The Home Office stated that the SPG received no special training or equipment, simply a reserve of experienced officers whose primary function was crime prevention and subject to the same disciplinary and complaints system as other officers.<sup>223</sup> Kenneth Oxford, Merseyside Chief Constable and ACPO President 1982-83, argued that 'Much of the criticism, that [the SPG] are elitist, highly trained, paramilitary officers, is both emotive

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<sup>217</sup> J. Weeks, "'Flying Riot Police" Worry Len Murray', *The Daily Telegraph*, 23 May 1979, as cited in John Benyon, 'The Policing Issues', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 105.

<sup>218</sup> Kettle and Hodges, *Uprising!*, p. 93.

<sup>219</sup> Meacher to Whitelaw, 28 May 1980.

<sup>220</sup> Cass, 'First Report'.

<sup>221</sup> Telegram from Foreign and Commonwealth Office to New Delhi, 26 May 1979, TNA: FCO 107/135.

<sup>222</sup> Cass, 'First Report'.

<sup>223</sup> Philip Mawer to S. G. Cook, 24 October 1979, TNA: FCO 107/135; Lord Belstead to Michael Meacher, 4 July 1980, TNA: HO 299/114.

and inaccurate.<sup>224</sup> This argument had previously been made by Chairman of the Police Federation, Jim Jardine, who criticised how the relatively small SPG had been depicted by some areas of society as being closer to the Nazi Gestapo and SS than British police.<sup>225</sup> Such a histrionic comparison shows his attempt to ridicule those articulating legitimate concerns about the SPG. Metropolitan Commissioner Sir David McNee stated that he supported the SPG 'to the hilt'.<sup>226</sup> This explicit backing for this controversial group clearly convinced some that it was impossible for SPG members to be held accountable for their perceived transgressions. McNee also told a black journalist, the day after Blair Peach's funeral: 'I understand the concern of your people. But if you keep off the streets of London and behave yourselves you won't have the SPG to worry about.'<sup>227</sup> Statements such as these question whether McNee really did understand the concerns.

After events in Southall the Deputy Commissioner, Patrick Kavanagh, launched a review into the SPG and recommended three major organisational changes to reinforce links with local communities, prevent elitism and insensitivity to local policing situations, and added supervision.<sup>228</sup> Welcoming the changes, McNee stated that Kavanagh's report had 'not revealed any serious defect' in the SPG.<sup>229</sup> On the other hand, socialist newspaper *Morning Star* implored the authorities to release the full report as none of the recommendations and changes announced would have been suggested if 'all was rosy in the SPG garden'.<sup>230</sup> A less radical response came from the NCCL who stated that, whilst more needed to be done, such reorganisations were a 'move in the right direction' in making the SPG 'more accountable'.<sup>231</sup> However many more simply agreed with Labour Minister of State at the Home Office, Alex Lyon, that the SPG should have been disbanded.<sup>232</sup> On the contrary,

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<sup>224</sup> Kenneth Oxford, 'Policing by Consent', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 116.

<sup>225</sup> Evans, 'Report going to DPP on man who died in custody of police'.

<sup>226</sup> 'Police Chief Backs SPG "to the Hilt"', *Morning Star*, 9 November 1979.

<sup>227</sup> Paul Lewis, 'Partner of Man Killed by Met Officers Calls for Investigation to be Made Public', *The Guardian*, 13 June 2009.

<sup>228</sup> 'Police Chief Backs SPG "to the Hilt"'; HC Deb 10 March 1980 vol. 980 cc. 395-6W; James Nicholson, 'Top Police Squad is Here to Stay', *Daily Star*, 11 March 1980; Philip Jordan, 'Closer "Local Links" for Special Patrol Group', *The Guardian*, 11 March 1980; McNee, *McNee's Law*, p. 88.

<sup>229</sup> T. A. Sandrock, 'Extra Men for Mobile Yard Squad', *The Daily Telegraph*, 11 March 1980.

<sup>230</sup> 'Publish this Damning Report', *Morning Star*, 12 March 1980.

<sup>231</sup> Jordan, 'Closer "Local Links" for Special Patrol Group'.

<sup>232</sup> Sandrock, 'Extra Men for Mobile Yard Squad'.

following this review their strength was increased and controversial name retained as 'a change would be detrimental to the morale of the Group, since it would almost certainly be interpreted as a victory for their more vociferous and unreasonable critics'.<sup>233</sup> This was clearly damaging to the morale of those, particularly within black communities, who perceived the SPG as an unaccountable tool of police and authority oppression.

The SPG was also routinely employed in saturation policing. The police's response to 'high crime areas' this tactic consisted of extra police officers descending upon an area to deter criminal activity, known as 'targeting' and imported from anti-terrorist police operations in Northern Ireland. It was a tactic used frequently in black residential areas, such as Brixton in 1981's 'Operation Swamp 81' merely days before the area descended into disorder.<sup>234</sup> Study of such operations concluded that the number of stops was disproportionate to the reasonable suspicion of criminal offences, amounting to a form of harassment.<sup>235</sup> Increased and disproportionate use of stop and search laws caused widespread resentment amongst young black men, the most infamous of which was 'sus', the shorthand for suspicious behaviour under the Vagrancy Act 1824. This was an arrestable offence, without any other crime having to be committed, a victim, or any witnesses other than two police officers.<sup>236</sup> Kettle and Hodges highlighted how the offence was only tried in the magistrates' court, 'so there was no right to trial by jury and the "sus" charge put the onus on defendants to prove that they were not acting suspiciously'.<sup>237</sup>

Black people believed they were unfairly targeted by police as 'acting suspiciously', and not without supporting evidence. A disproportionate number of Afro-British people were stopped and/or arrested for 'sus' throughout the 1960s and 1970s and, during the years 1977 to 1979, around three-quarters of those arrested for 'sus' were black.<sup>238</sup> Many have noted the detrimental effect of 'sus' on police and community relations, but it was not the only policy causing

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<sup>233</sup> McNee, *McNee's Law*, p. 89.

<sup>234</sup> Institute of Race Relations, *Policing against Black People* (London, 1987) p. 2.

<sup>235</sup> Joanna Rollo, 'The Special Patrol Group', in Peter Hain (ed.), *Policing the Police*, (London, 1980), as cited in Kettle and Hodges, *Uprising!*, p. 94.

<sup>236</sup> George Greaves, 'The Brixton Disorders', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 66.

<sup>237</sup> Kettle and Hodges, *Uprising!*, p. 91.

<sup>238</sup> Trevor Carter, *Shattering Illusions: West Indians in British Politics* (London, 1986) p. 104; Greaves, 'The Brixton Disorders', p. 66.

discontentment; not least because it did not apply outside of London.<sup>239</sup> 1,469 people, both black and white, were arrested under the 'sus' law throughout the whole of London in 1980; equivalent to only one third of the number of police stops of black people in the Brixton division alone during the same year.<sup>240</sup> Reiner continued to detail how police activity has always been focused upon the 'economically marginal elements in society' that spent most of their lives in the street and other public places.<sup>241</sup> Young black men fit that description in 1970s and 1980s Britain. Development of self-conscious youth cultures and increasing militancy led to further questioning of the police, with a 1972 select parliamentary committee on relations between black people and the police surprised at a submission from the West Indian Standing Conference which characterised the situation as 'almost akin to civil war'.<sup>242</sup> Reflecting a broader shift towards a more combative stance, black communities organised a 'Scrap Sus' campaign which combined campaigners of all ages to question and challenge the police harassment of black youth.<sup>243</sup> 'Sus' was subsequently repealed on 27 August 1981, demonstrating to black communities that it was possible to achieve positive change through the political system: 'it wasn't black people asking white people to do something for them, it was black people organising to make sure something happened'.<sup>244</sup>

The movement towards increased militancy also saw in the 1970s an increased number of violent conflicts between black youth and the police. Peter Fryer suggested that this was the 'logical and...inevitable response' to previous racist attacks where black people 'had been forced to defend themselves, since nobody else could or would defend them'.<sup>245</sup> One such example, the 1976 Notting Hill Carnival rioting which injured 500, was blamed on a massive police presence of 1,600 attempting to prevent crime but rather causing local anger that the police had attempted to take over 'their carnival'.<sup>246</sup> Despite calls to do

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<sup>239</sup> Kettle and Hodges, *Uprising!*, p. 92; Greaves, 'The Brixton Disorders', pp. 66-67; Interview with Paul Gilroy, as cited in Mike Phillips and Trevor Phillips, *Windrush: The Irresistible Rise of Multi-Racial Britain* (London, 1998) p. 306; Brain, *A History of Policing*, p. 55.

<sup>240</sup> Kettle and Hodges, *Uprising!*, p. 92.

<sup>241</sup> Reiner, *The Politics of the Police*, p. 94.

<sup>242</sup> *Parliamentary Papers* (1971-2), XXXIV. 72, as cited in Fryer, *Staying Power*, p. 392.

<sup>243</sup> Interview with Diane Abbott MP, as cited in Phillips and Phillips, *Windrush*, pp. 306-7.

<sup>244</sup> Interview with Paul Boateng MP, as cited in Phillips and Phillips, *Windrush*, pp. 308-10.

<sup>245</sup> Fryer, *Staying Power*, p. 395. See also Layton-Henry, *The Politics of Race*, chapter 8; David Waddington, Karen Jones and Chas Critcher, *Flashpoints: Studies in Public Disorder* (London, 1989) p. 142.

<sup>246</sup> Nelson, *Black Atlantic Politics*, p. 201; Joshua, Wallace and Booth, *To Ride the Storm*, pp. 60-1.

so, the Home Secretary remained consistent and rejected inquiry appeals with Joshua *et al.* concluding that, by maintaining 'that the courts would decide who was guilty or not and the law would deal with the situation; discussion of the issues was thus drastically curtailed'.<sup>247</sup>

Paul Boateng argued that use of saturation policing, 'sus' laws, and the SPG prevented the tactic of community policing from being effective, as local communities could not be expected to instantly absorb the change from forceful specialised units to the 'friendly bobby on the beat'.<sup>248</sup> Contrary to community policing, the Institute of Race Relations termed such actions 'policing against the community' and Geoffrey Dear, Assistant Chief Constable of Nottinghamshire, described the difficulties raised:

They might apparently solve one problem but in its wake create another of aggravated relationships between minority groups and the police in general. It is then in this atmosphere that the permanent beat officer is expected to continue his work, often finding that his task, which was always difficult and delicate, has now been made almost impossible.<sup>249</sup>

Lord Scarman would later highlight the dilemma faced by the police. Violent crime and robberies had increased by 138 percent in Brixton and the police concluded that black people 'were disproportionately involved'.<sup>250</sup> Police in 1976 had described crime rates amongst black people as a problem, despite four years earlier noting that the African-Caribbean community in Britain exhibited a relatively low involvement in crime.<sup>251</sup> Nonetheless, Kenneth Oxford deemed it crucial for action to be seen to be taken against such a rise in offences if public confidence in the police was to continue.<sup>252</sup> However this argument completely disregards the decreasing confidence in the police due to their perceived lack of accountability and desire to combat crime to the apparent detriment of good relations with the community they were charged with protecting.<sup>253</sup>

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<sup>247</sup> Joshua, Wallace and Booth, *To Ride the Storm*, p. 61.

<sup>248</sup> Paul Boateng, 'The Police, the Community and Accountability', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 157.

<sup>249</sup> Kettle and Hodges, *Uprising!*, p. 93; Assistant Chief Constable of Nottinghamshire Geoffrey Dear, as cited in Ben Whitaker, *The Police in Society* (London, 1979) p. 68.

<sup>250</sup> Lord Leslie Scarman, *The Scarman Report: The Brixton Disorders, 10-12 April 1981* (Harmondsworth, 1981) pp. 83-4.

<sup>251</sup> Ben Bowling and Coretta Phillips, *Racism, Crime and Justice* (Harlow, 2002) p. 78.

<sup>252</sup> Oxford, 'Policing by Consent', p. 116.

<sup>253</sup> David J. Smith, 'Ethnic Origins, Crime and Criminal Justice', in Mike Maguire, Rod Morgan and Robert Reiner (eds.), *The Oxford Handbook of Criminology* (Oxford, 1997) p. 710.

Conversely an April 1980 Select Committee inquiry concluded that the total number of black people arrested for 'sus' did not accurately reflect actual black involvement in street crimes.<sup>254</sup> Whilst prior to the mid-1970s evidence showed that black people were less likely to be arrested than white, research after this date certainly proved this was no longer the case.<sup>255</sup> It showed that black people were more likely to allege personal experience of excessive force and make complaints against the police, although they were less likely to have their complaints substantiated.<sup>256</sup> Consequently, and unsurprisingly, black people were less positive about the complaints system than white counterparts, as discussed below. Furthering an argument pioneered by John Lea and Jock Young in 1984, Reiner concluded that 'A vicious cycle of interaction developed between police stereotyping and black vulnerability to the situations that attract police attention.'<sup>257</sup> The police persisted in such operations and methods, despite evidence suggesting a low level of success in combating street crime.<sup>258</sup> The negative effect however of such operations upon relations between police and certain sections of local communities was, in Scarman's words, 'beyond doubt'.<sup>259</sup>

### **POLICE COMPLAINTS**

Another area of concern highlighted by events discussed in this chapter was the function and effectiveness of the police complaints system. Under the system an 'amazingly small number of complaints [were] substantiated', and numerous studies showed that ethnic minority groups were much more likely to complain of police misconduct but they were significantly less likely to be substantiated.<sup>260</sup> The Police Act of 1964 had introduced a complaints system against the police, albeit investigated purely by the police themselves. It would take until the Police Act 1976 before the independent Police Complaints Board

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<sup>254</sup> Home Affairs Committee 1979-80, 'Race Relations and the "Sus" Law', as cited in Kettle and Hodges, *Uprising!*, p. 91.

<sup>255</sup> John Lambert, *Crime, Police and Race Relations: A Study in Birmingham* (Oxford, 1970); John Lea and Jock Young, *What Is to Be Done About Law and Order?* (London, 1984).

<sup>256</sup> P. Stevens and C. Willis, *Ethnic Minorities and Complaints against the Police* (London, 1981); M. Maguire and C. Corbett, *A Study of the Police Complaints System* (London, 1991); Box, *Power, Crime and Mystification*.

<sup>257</sup> Lea and Young, *Law and Order?*; Reiner, *The Politics of the Police*, p. 95.

<sup>258</sup> Greaves, 'The Brixton Disorders', p. 65.

<sup>259</sup> Scarman, *The Scarman Report*, p. 87.

<sup>260</sup> Institute of Race Relations, *Police against Black People: Evidence Submitted to the Royal Commission on Criminal Procedure* (London, 1979) p. 87; P. Stevens, and C. F. Willis, 'Ethnic Minorities and Complaints against the Police', Home Office Research and Planning Unit Paper 5 (London, 1981); Whitaker, *The Police in Society*; Benyon, 'The Policing Issues', p. 109.

was introduced, although as a political compromise that appeased neither side.<sup>261</sup> The Board was later described in 1981 by its new chairman, Sir Cyril Phillips, as having 'kept so low a profile that it has climbed into a ditch'.<sup>262</sup> The Board's 1978 Annual Report stated that once the DPP had decided not to prosecute, it thus ruled out the possibility of a disciplinary charge occurring using the same evidence.<sup>263</sup> Meacher argued that as senior police were aware of this they would thus refer most cases against the police to the DPP, who would invariably decide not to prosecute due to their high demands of levels of proof, in turn resulting in no further action by the Board. Supporting this accusation, figures from the 1978 Report showed there was not a single case where the Board challenged or disagreed with the police's initial action, and Meacher questioned whether this 'constitutional façade' should remain such a 'toothless quango'.<sup>264</sup> There appeared to be weight behind Meacher's arguments as the Home Secretary was told privately that the referral of James Kelly's case to the Board would most likely not produce a different outcome than the DPP's decision as it was based upon the same evidence.<sup>265</sup>

It is perhaps unsurprising therefore that the Police Complaints Board was branded by some as 'a rubber stamp for police cover-ups'.<sup>266</sup> It was even suggested that fear of retribution prevented many victims from pursuing complaints against the police, with a Liverpool Trade Council inquiry suggesting that 'Even taking a police officer's number, we have found, can and does lead to threats of abuse'.<sup>267</sup> Such accusations undoubtedly further damaged the reputation of the police complaints system and were repeatedly voiced throughout the disturbances addressed in subsequent chapters.

This oft-maligned situation of police investigating themselves was also addressed by the investigation into deaths in police custody. Labour MP Robert Kilroy-Silk questioned whether it was 'unreasonable in a controversial or sensitive area' for police to investigate fellow officers.<sup>268</sup> Her Majesty's Inspectorate of Constabulary James Crane argued that his experience was that

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<sup>261</sup> Reiner, *The Politics of the Police*, p. 224.

<sup>262</sup> *The Guardian*, 19 March 1981, as cited in Reiner, *The Politics of the Police*, p. 224.

<sup>263</sup> Meacher to Whitelaw, 11 January 1980.

<sup>264</sup> *Ibid.*

<sup>265</sup> J. A. Chilcot, Note of a meeting held on 7 January 1980, 8 January 1980, TNA: HO 299/123.

<sup>266</sup> 'How Kelly Died'.

<sup>267</sup> 'Union Police Inquiry', *The Guardian*, 21 January 1980.

<sup>268</sup> Home Affairs Committee, 'Deaths in Police Custody', p. 7.

such inquiries were 'impartial and thorough', although critics might suggest that he would not likely admit otherwise.<sup>269</sup> When Kilroy-Silk suggested that special investigations, independent from the police, should be established in order to reassure the public that justice was being done and maintain the police's reputation, Crane responded that he was satisfied as the current procedure involved the independent DPP and Police Complaints Board; seemingly missing the growing public concern about the role of both those statutory bodies.<sup>270</sup> It certainly appears that, in many of the examples discussed above, trusting the police to investigate their own ranks seemed to spark the most fervent complaints and discontent, especially in the face of growing evidence that such investigations were inadequate.

### **CONCLUSION**

The events discussed throughout this chapter certainly resulted in growing questioning of and disillusionment with the forces of British law and order. Also the way that the police reacted to, often minor, criticism undoubtedly worsened the situation in the minds of many who believed outright rejection of their legitimate concerns showed a lack of accountability. For example the *Daily Star* highlighted how the traditional worldwide image of the 'British bobby', with its reputation for honesty and fair play, was being challenged throughout the years leading to 1980-81 and there was a 'growing suspicion that the system of accountability is not working as it should'.<sup>271</sup> Labour MP Alex Lyon summed up many people's views when he argued: 'It is a disgrace that a man should be able to kill another person and he is dressed in a police uniform and gets away with it.'<sup>272</sup> Despite the constant rejections by the government to hold public inquiries, both for financial reasons and to avoid undermining of their authority, the calls for such persisted. This was despite the distrust of the government who would run such inquiries and a lack of evidence that past examples had achieved anything. They were nonetheless viewed as key to increasing black communities' political participation. Running parallel to this continual growth of disillusionment and anger was a growing willingness and acceptance within certain areas of society that such participation could only be achieved through

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<sup>269</sup> *Ibid.*

<sup>270</sup> *Ibid.*

<sup>271</sup> 'Secrecy on the Force', *Daily Star*, 12 March 1980.

<sup>272</sup> Michael White, 'Police Chief Replies to MP's Attack', *The Guardian*, 26 January 1980.

violent means, which would contribute to violent disorder erupting throughout England in 1980-81, beginning in St Pauls, Bristol.

**CHAPTER TWO**  
**THE BEGINNING?: ST PAULS, BRISTOL,**  
**2 APRIL 1980**

When violence erupted in the St Pauls area of Bristol on 2 April 1980, it came as a surprise to many. Timothy Brain later epitomised the view of this group: 'With the passage of time it is difficult to emphasize just how unexpected the St Paul's riot was.'<sup>1</sup> Brain's viewpoint was likely influenced by having been a police constable in Bristol at the time and Peter Fryer conversely argued that it only shocked 'those blind to what had been happening all through the 1970s, and deaf to the many protests and warnings'.<sup>2</sup>

There have been many references to St Pauls in the historiography, although most tend to be passing mentions of the event as a precursor to the following years' intensified violence.<sup>3</sup> In one of the few extended works dedicated to examining this event in detail Harris Joshua, Tina Wallace, and Heather Booth characterised the disorder within the 'bargaining by riot' framework. They strongly argued that, although economic and social conditions in St Pauls were significant, police tactics and overreaction ignited violence subsequently fanned by media coverage and shaped by the state's response as a problem of law and order, not race relations.<sup>4</sup> Similarly Martin Kettle and Lucy Hodges focus primarily on the role played by the police as the most important factor and attempt to suggest ways to improve the relationship between them and black communities.<sup>5</sup>

Their in-depth studies consider many aspects of the disturbance discussed below, as well as ensuing responses regarding local housing and education policies, unemployment figures, governmental financial aid etc., and therefore numerous references are made to them within this chapter. Such aspects are not the primary focus of this thesis and, accordingly, this chapter

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<sup>1</sup> Timothy Brain, *A History of Policing in England and Wales from 1974: A Turbulent Journey* (Oxford, 2010) p. 53.

<sup>2</sup> Peter Fryer, *Staying Power: The History of Black People in Britain* (London, 1984) p. 395.

<sup>3</sup> See for example: Fryer, *Staying Power*, or Mike Phillips and Trevor Phillips, *Windrush: The Irresistible Rise of Multi-Racial Britain* (London, 1998).

<sup>4</sup> Harris Joshua, Tina Wallace and Heather Booth, *To Ride the Storm: The 1980 Bristol 'Riot' and the State* (London, 1983).

<sup>5</sup> Martin Kettle and Lucy Hodges, *Uprising!: The Police, the People and the Riots in Britain's Cities* (London, 1982).

and the next concentrate more heavily upon the response and involvement of local interested organisations, extensive calls for a full independent inquiry, and subsequent governmental rejection. This is achieved through examination of previously unstudied records relating to the disturbance and addresses one of the key research themes of this thesis; the involvement of local organisations and perceived failed attempts to effect change within the British legal system, with the subsequent increased disillusionment leading to collective violence outside of those boundaries.

### **ST PAULS**

Like other areas in Britain, immigration of African-Caribbean people into Bristol increased after the Second World War as they were attracted to life in the 'Mother Country' and attempts from the British government to address labour shortages. Bristol was deemed an area with 'diverse industries and thus good chances of employment' and migration increased into the city accordingly.<sup>6</sup> Faced with discriminatory housing practices, migrants often had little choice but to flock to the suburb of St Pauls.<sup>7</sup> Situated just north east of the city centre it quickly became known for its relatively high proportion of black residents and was the location for the devising of the 1963 Bristol Bus Boycott. It attracted black people from all over Bristol for parties, games, and fundamentally acting as a meeting place for people with 'nowhere else to go'.<sup>8</sup> Despite its growing reputation as a black 'ghetto', Madge Dresser and Peter Fleming would later counter that official statistics consistently overestimated the black population of St Pauls, having reached only 31 percent of its total population by 1991.<sup>9</sup>

Numerous witnesses providing evidence to a Trades Union Congress inquiry argued that the level of unemployment in the area was higher than the 35 percent estimated by the City of Bristol planning department in 1976.<sup>10</sup> It is difficult to estimate the exact number of unemployed people in the area at the time due to a lack of figures and not every unemployed worker registering with

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<sup>6</sup> Peter Courtier former Chair of Bristol Council for Racial Equality (Interview, 1997), as cited in Madge Dresser and Peter Fleming, *Bristol: Ethnic Minorities and the City 1000-2001* (Chichester, 2007) p. 158.

<sup>7</sup> Dresser and Fleming, *Bristol*, p. 161.

<sup>8</sup> Kettle and Hodges, *Uprising!*, p. 24.

<sup>9</sup> Dresser and Fleming, *Bristol*, p. 159.

<sup>10</sup> Bristol Trades Union Congress (TUC), *Slumbering Volcano?: Report of an Enquiry into the Origins of the Eruption in St Paul's Bristol on 2nd April 1980* (Bristol, 1981) BRO: 32080/TC1/10/8, p. 14.

the Careers Service, but the subsequent report estimated that 9 percent of the ethnic minority working population was registered as unemployed, compared with 5.6 percent of the white population.<sup>11</sup> Also between 1977 and 1980 the percentage of black youth registered unemployed grew whereas those of white counterparts declined.<sup>12</sup>

A common debate following the disturbance was whether an injection of investment into the St Pauls area would actually solve any of the inherent problems.<sup>13</sup> Numerous commentators blamed the disturbance upon a lack of investment, although others countered that changing people's perceptions of black immigration was more important than money.<sup>14</sup> In addition to above average unemployment, the area was infamous for its abundance of brothels long before the influx of a West Indian community in the 1950s, who themselves dubbed it 'the jungle'. Ken Pryce, a West Indian sociologist, produced a study of St Pauls soon before the disorder which recorded it was 'regarded as a place of "vice and shame", with a high potential for trouble'.<sup>15</sup>

Fryer contended that this capacity for disorder was a reflection of Bristol's history as a chief slave port. Alongside London and Liverpool, areas with extensive activity during the slave trade that would experience similar disturbances the following year, he argued 'There, if anywhere, the persistent bullying of black people was bound, sooner or later, to provoke rebellion.'<sup>16</sup> It is debatable the extent to which a past history of slavery would specifically incite violence in 1980-81, whereas their position as port cities with various employment opportunities leading to increased immigrant settlement likely played more of a role; however it remains historically noteworthy.

S.D. Reicher added that whilst black youth experienced the same kinds of deprivation as other areas of the country, there was more of a local sense in St Pauls of their entire community being under siege.<sup>17</sup> This was aggravated by

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<sup>11</sup> *Ibid.*, p. 15.

<sup>12</sup> *Ibid.*, pp. 15-6.

<sup>13</sup> See Joshua, Wallace and Booth, *To Ride the Storm*, chapter 4.

<sup>14</sup> 'Notes on Debate of Councillor John McLaren's Motion', City Council meeting, 15 April 1980, BRO: 42974/1; Bristol Council for Racial Equality, *Annual Report* (Bristol, 1980); 'Extracts from report of Joint Meeting on St. Pauls, 25th March, 1981', p. 3, BRO: 32080/TC1/10/8.

<sup>15</sup> Ken Pryce, *Endless Pressure: A Study of West Indian Life-Styles in Bristol* (Harmondsworth, 1979) p. 26.

<sup>16</sup> Fryer, *Staying Power*, p. 399.

<sup>17</sup> S. D. Reicher, 'The St. Pauls Riot: An Explanation of the Limits of Crowd Action in Terms of a Social Identity Model', *European Journal of Social Psychology*, 14 (1984), 14-15.

the building of the M32 motorway in the 1970s which further reduced housing standards and fragmented the local community who resented the intrusion upon their desires to 'lead much of their social life in the open air and on the streets'.<sup>18</sup> In almost all regards, it appeared to the local black community that their lives were under attack.

### **THE RAID**

Against this backdrop the St Pauls disturbances began after a police raid on the Black and White Café, a local meeting place for black residents which had taken on greater significance in recent months due to forced closure of other similar establishments. Despite the possibility of its name being an attempt to spread a social integrationist message within an area known locally as the 'frontline', this was actually due to it being run by a black and white husband and wife - although in itself noteworthy.<sup>19</sup> The police obtained information it was being used for illegal drinking and that cannabis was being openly smoked within the premises.

There are many details which differ between accounts, but a brief summary of the generally accepted events is as follows.<sup>20</sup> Around 3.00pm or 3.30pm a number of police officers entered the Black and White Café searching for the illegal sale of alcohol and drugs. A number of officers were plain clothed and there were several officers in reserve positioned nearby if needed, which included dogs. The inhabitants of the café were questioned and crates of alcohol were seized as evidence. At some point, and the reasons why vary in different accounts, the growing crowd of people outside the café became engaged in confrontation with the police, throwing stones and missiles at them. Police reinforcements were thus summoned to attempt to rescue those trapped inside the café, but vehicles which had entered the area to provide backup were overturned and one was set on fire. There then followed a period variously described as 'uneasy calm' or 'rearmament'. During this time, the majority of the police had been withdrawn to less visible positions – attributed by Chief Constable of Avon and Somerset Constabulary, Brian Weigh, as being the

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<sup>18</sup> TUC, *Slumbering Volcano?*, pp. 6, 8; Kettle and Hodges, *Uprising!*, p. 23.

<sup>19</sup> Kettle and Hodges, *Uprising!*, p. 24

<sup>20</sup> Brief outline of events created from William Whitelaw's Memorandum placed in the House of Commons library, and evidence provided and the Judge's summing up at the subsequent Crown Court Trials. For a more detailed account of the disturbance, see: Joshua, Wallace and Booth, *To Ride the Storm*, chapter 2.

reason for the reduction in violence.<sup>21</sup> A breakdown vehicle, escorted by around thirty officers, arrived to remove the burnt-out car from the scene around 6.30pm; however both the vehicle and officers came under attack from missiles and the police vacated the area. Around the same time approximately thirty riot shields were delivered into the area, authorised for use by the Superintendent in command. The police formed a cordon and attempted to establish a position across City Road, but were forced to retreat due to a barrage of missiles from all sides. Another police car was set alight and Lloyds Bank broken into, causing a Superintendent to order a transit van and Land Rover full of officers with riot shields to attempt to reach the bank. They came under such fierce attack that it was at this point the decision was made to withdraw police around 7.30pm. Police returned to the area at 11pm and by midnight had retaken control.

The raid was later described by police officials as 'routine' and that officers were not anticipating trouble.<sup>22</sup> However, as pointed out by Joshua *et al.*, the numbers of police involved suggested that they were at least aware of the possibility.<sup>23</sup> When questioned on police numbers and the positioning of auxiliary reserves nearby, senior police officers argued: 'That's prudent. That doesn't mean to say you're expecting trouble.'<sup>24</sup> The numbers actually involved differ in various accounts. During a press conference the morning after the disorder, the police initially stated 12 officers entered the café with some in reserve, rising to '12 to 15' when questioned specifically.<sup>25</sup> This was supported by the Commission for Racial Equality's Paul Stephenson who placed the number of uniformed police who entered the café at fourteen.<sup>26</sup>

Alternatively the memorandum placed in the Library of the House of Commons by Home Secretary William Whitelaw suggested 20 officers went to the café and, during later Crown Court trials, Justice Stocker stated 39 officers

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<sup>21</sup> William Whitelaw, 'Serious Disturbances in St. Paul's, Bristol on 2 April 1980', Memorandum placed in Library of the House of Commons, 28 April 1980, p. 3.

<sup>22</sup> In accordance with permission obtained from Avon and Somerset Constabulary to access documents which are sealed until 2056, information from this file can be used but no individuals identified. 'Report of Press Conference following disturbances in St Pauls Area, Bristol, 3 April 1980', BRO: Pol/LG/1/9.

<sup>23</sup> Joshua, Wallace and Booth, *To Ride the Storm*, p. 75.

<sup>24</sup> 'Press Conference following disturbances in St Pauls', BRO: Pol/LG/1/9.

<sup>25</sup> *Ibid.*

<sup>26</sup> Paul Stephenson, 'Report of Bristol disturbances April 2nd, 1980', Fieldwork and Liaison Division, Commission for Racial Equality, 29 April 1980, BRO: 43129 (Box 105).

were involved in the raid.<sup>27</sup> Utilising various sources, including numerous written police statements, Joshua *et al.* contested that the briefing specified that twenty-four officers were to enter the café, six to be posted outside and the remainder on stand-by at the nearby Inkerman pub, some 100 yards away. They argued this clearly showed more police were present than Weigh stated in his report which claimed minimum numbers would keep the operation low key.<sup>28</sup> This claim of higher numbers of police actually involved than acknowledged by Weigh is supported by the Police Operational Order for the raid; although this numerical discrepancy concerned reserve police initially not tasked with entering the café, which Weigh could claim was what he was addressing when he provided the lower number.<sup>29</sup> Nevertheless the conspicuous absence from the Chief Constable's report of six Task Force 'A' officers, a local equivalent of the infamous Special Patrol Group, suggests an attempt to minimise possible criticism of heavy-handed police tactics.

A senior police officer stated that they did not believe police numbers during the raid to be a material factor for causing the disturbance. They described a follow-up question, querying if there were initially too many police in St Pauls and subsequently not enough to effectively manage the resulting situation, as being: 'rather an Irish question'.<sup>30</sup> The exact meaning behind this response is unknown, as various possibilities present themselves. Firstly, they could be referring to the question as a foolish one by using the widely-held stereotype of Irish stupidity; although at a press conference discussing the violent consequences of indelicate handling of cultural differences, this is at best unlikely and at worst extremely tactless.<sup>31</sup> Secondly, and more likely given the circumstances, they could have been claiming that the question was unanswerable by referencing the Northern Irish 'Troubles' and claiming that police numbers were largely immaterial when faced with this kind of unpredictable, unknown disorder. A Northern Ireland influence can be seen throughout discussions in 1980-81, addressed later in more depth. But

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<sup>27</sup> Whitelaw, 'Serious Disturbances in St. Paul's', p. 1; Joshua, Wallace and Booth, *To Ride the Storm*, p. 73.

<sup>28</sup> Joshua, Wallace and Booth, *To Ride the Storm*, pp. 73, 75.

<sup>29</sup> Avon and Somerset Constabulary, 'Operational Order, Re: Black and White Cafe, 27 Grosvenor Road, St. Paul's', BRO: Pol/LG/1/9.

<sup>30</sup> 'Press Conference following disturbances in St Pauls', BRO: Pol/LG/1/9.

<sup>31</sup> For discussion of Irish 'stupidity' stereotype, see for example: Christie Davies, 'The Irish Joke as a Social Phenomenon', in John Durant and Jonathan Miller, *Laughing Matters: A Serious Look at Humour* (London, 1989).

nonetheless the police agreed that, whilst they did not believe there had initially been too many officers present to carry out the raid, once the situation had escalated there was not really enough to 'do what we wanted to do there'.<sup>32</sup>

## RESPONSE

After the disturbance subsided, questions regarding why it had happened began in earnest. A crude – if fairly accurate – method of dividing people into those surprised by the events and those who were not, would be the division of the 'establishment' opposed to members of ethnic minority communities or those involved with organisations supporting them. This was the view of partisan newspaper *The Jamaican Weekly Gleaner*, when writer L.C. Francis claimed that: 'The trouble was expected by everyone in the area except the police.'<sup>33</sup> Indeed Bristol City Council leader Claude Draper emphasised the shock of the events for many, even admitting he believed the telephone call notifying him of the disturbance had been a joke.<sup>34</sup> Not least surprising to the authorities was the location of Bristol; this 'sleepy, easy-going conservative City of the South West' had long been regarded as a 'model city' in dealing with inner city problems.<sup>35</sup> Leon Brittan, junior Minister to Whitelaw, had recently heard a 'glowing report' regarding relations between the police and black community in Bristol.<sup>36</sup> A further example was Deputy Under-Secretary of State for the Home Office, Phillip Woodfield, responding to questions whether there had been surprise at events: 'Taking place in Bristol, yes.'<sup>37</sup> Fred Emery, writing in *The Times* after the event, summarised that 'no one at Westminster would have even shortlisted Bristol as the potential powder keg which many, afterwards, said it had long been'.<sup>38</sup>

This synopsis does a disservice to the many people who had been warning of such violent possibilities but were disregarded. The level of surprise expressed that Bristol saw an eruption of anti-police unrest shows precisely what many continued to argue; that the problems and concerns of black

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<sup>32</sup> 'Press Conference following disturbances in St Pauls', BRO: Pol/LG/1/9.

<sup>33</sup> L.C. Francis, 'The Build-up to Explosion', *The Jamaican Weekly Gleaner*, 9 April 1980.

<sup>34</sup> City Clerk, 'Notes of a Press Conference held at the Council House, 10 April 1980', BRO: 42974/1; Home Affairs Committee 1980-81; *Racial Disadvantage*, HC 424-II, p.6 as cited in Kettle and Hodges, *Uprising!*, p. 23.

<sup>35</sup> Gordon Grieg and Raymond Rodgers, 'It must never happen again', *Daily Mail*, 5 April 1980; Carmen Beckford, 'Senior Community Relations Officer's Report', Bristol Council for Racial Equality, *Annual Report* (Bristol, 1980) p. 9.

<sup>36</sup> Grieg and Rodgers, 'It must never happen again'.

<sup>37</sup> 'Riot Probe Call-by Coachloads', *Bristol Evening Post*, 6 June 1980.

<sup>38</sup> Fred Emery, 'The Shock and the Challenge of Bristol', *The Times*, 5 April 1980.

communities such as within St Pauls had not been treated as a serious problem.

Bill Nicks, Chairman of the Bristol Council for Racial Equality (BCRE), countered that it could have happened at any time and the prolonged period of calm prior to the disturbance should not have been viewed as indicative of a healthy situation.<sup>39</sup> A subsequent BCRE report recorded that 2 April 'shocked but did not surprise' those involved with the situation at ground level who had been warning authorities for more than a decade about the possibility of violence.<sup>40</sup> BCRE Senior Community Relations Officer Carmen Beckford phrased it in a more poetic manner: 'the artificial icing has been ruthlessly removed from the Bristol cake'.<sup>41</sup> In a similar vein Nicks accused people in Bristol of mistakenly congratulating themselves that there was no racial problem, and hence the disturbance displayed a widespread feeling amongst local black people that there was 'no other way to make their points of view known'.<sup>42</sup> If the authorities did not even acknowledge the severity of problems and difficulties faced, it is not difficult to imagine why a lack of accountability was perceived, leading to the feeling that such collective violence was the only recourse. Monique Courtier, married to Peter Courtier, Bristol's full-time Assistant Community Relations Officer, questioned whether the authorities would delve deeper into the issues or simply blame black people for the violence. She also accused authority figures of learning nothing from the past and astutely warned: 'this could be just the beginning'.<sup>43</sup>

Belief that the black community would be blamed for the violence stemmed from previous criticism of oppressive police strategies. Kettle and Hodges showed that, even where illegal activities were undertaken, the belief proliferated in the local community that illicit drinking and cannabis smoking did not harm other people and therefore did not require such a heavy-handed police response.<sup>44</sup> Following the unrest, there were many calls for certain laws to be reconsidered in order to promote better racial harmony. Reverend Keith Kimber,

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<sup>39</sup> Bill Nicks, 'Chairman's Letter', Bristol Council for Racial Equality, *Annual Report* (Bristol, 1980), p. 7.

<sup>40</sup> Bristol Council for Racial Equality, "Picking up the pieces" A Report on the aftermath of the St. Paul's Riot – 2nd April 1980', *Annual Report* (Bristol, 1980) p. 24.

<sup>41</sup> Beckford, 'Senior Community Relations Officer's Report', p.11.

<sup>42</sup> City Clerk, 'Notes of a Press Conference', BRO: 42974/1.

<sup>43</sup> *Ibid.*

<sup>44</sup> Kettle and Hodges, *Uprising!*, p. 24.

Vicar of St Agnes Church in St Pauls, advocated the decriminalisation of cannabis as laws preventing its use 'grate against the cultural traditions of the immigrants, and their needs'.<sup>45</sup> An inquiry conducted by *The Sun* reported that black youths in St Pauls believed smoking cannabis did not negatively affect anybody else and police efforts against this were in actuality attempts to suppress their culture.<sup>46</sup> Thus the violent response to the police raid of the Black and White was portrayed as an attempt to protect a culture that was under constant attack from the British State. Robert Wilkes, brother of the café owner, reasoned: 'I know we can't be treated separately, but there is no need for the police to be heavy-handed.'<sup>47</sup> This argument was later countered by *The Sun* itself, which argued that strong action was required as *all* drugs were harmful and that Kimber should be supporting the police rather than 'sniping at the very laws which the country has asked them to enforce'.<sup>48</sup> This was hardly an unsurprising argument from a newspaper which had recently begun to support the Conservative Party in such an unambiguous manner.<sup>49</sup>

Nicks connected this complicated drug decriminalisation debate to the widely-held stereotypical belief that all blacks were predisposed to be unlawful and would not accept British law and order.<sup>50</sup> He argued that people in Britain had spent centuries being raised to believe that black people were inferior, or 'at best as a source of entertainment', and further warned that, until it was fully accepted that British society had changed and thus included black people, potential lessons from 2 April would never be learnt.<sup>51</sup> In the words of Fryer: 'To the black communities the police had become, in effect, an army of occupation charged with the task of keeping black people in their place.'<sup>52</sup> Use of such anti-colonial rhetoric as 'an army of occupation' was prevalent and is telling of the mind-set of many within British black communities who believed their culture and neighbourhoods were under attack from an outside force. Viewing the situation within this context, it appeared that it would only be a matter of time before unrest occurred.

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<sup>45</sup> Helen Reid, 'After the Riots', *Western Daily Press and Times and Mirror*, 9 April 1980.

<sup>46</sup> David Graves and Keith Deves, 'Everyone Here Smokes Dope...There's no Harm in it, is There?', *The Sun*, 5 April 1980.

<sup>47</sup> *Ibid.*

<sup>48</sup> 'Wrong – Twice', *The Sun*, 8 April 1980.

<sup>49</sup> For example on 3 May 1979 *The Sun* ran the front page headline: 'VOTE TORY THIS TIME'.

<sup>50</sup> Francis, 'The Build-up to Explosion'.

<sup>51</sup> Nicks, 'Chairman's Letter', p. 7.

<sup>52</sup> Fryer, *Staying Power*, p. 394.

## 'RACE RIOT'?

Whilst some newspapers pronounced '19 POLICE HURT IN BLACK RIOT' or 'RACE RIOT', in the immediate aftermath the police were keen to diminish the racial element of the disturbance.<sup>53</sup> This is consistent with the authorities' attempts to discourage public discourse about race. Chairman of the Avon and Somerset Police Authority Ian Crawford asserted that the event was not a race riot, and senior police officials added: 'it was purely a riot against authority'.<sup>54</sup> MP for Bristol West, William Waldegrave, echoed that it was not a race riot 'in the simplistic sense of those words'. Both he and Tony Benn, Bristol South East MP, declared that it was not a case of one community attacking another; rather it was a 'difficult policing problem' and relations between the police and all communities needed to be considered.<sup>55</sup> This response was not limited to simply the view of the authorities. At an emergency meeting of the Executive Committee of the BCRC it was stressed that the incident was not a race riot; although it 'undoubtedly had racial implications'. It was instead seen as a violent reaction against 'heavy handed and ill-timed' police activities and indicative of the level of frustration felt by black youth towards a 'hostile society'.<sup>56</sup> However *The Sun* pointed out that it would be 'absurd' to completely ignore the racial overtones of an act of rebellion from a predominantly black population against a predominantly white police force.<sup>57</sup>

This reluctance to blame events on race, even to the extent of trying to remove it completely, can be seen to be similar to the state's response to other previous racial events such as the 1958 Notting Hill race riots. Kettle and Hodges highlighted that this diminishing of racial characteristics was seen by black people as a typically British response and in essence a denial that they faced particular challenges of disadvantage and discrimination: 'Not to recognize the racial nature of them is to bury one's head in the sand, to lump black people's problems in the same bracket as poor housing and unemployment and to treat outbreaks of violence as aberrations.'<sup>58</sup> This was certainly consistent with the state's broader response to St Pauls and added

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<sup>53</sup> *The Daily Telegraph*, 3 April 1980; *Western Daily Press*, 3 April 1980; emphasis in originals.

<sup>54</sup> City Clerk, 'Notes of a Press Conference', BRO: 42974/1; 'Press Conference following disturbances in St Pauls', BRO: Pol/LG/1/9.

<sup>55</sup> HC Deb 03 April 1980 vol. 982 cc. 662-3.

<sup>56</sup> Bristol Council for Racial Equality, "Picking up the pieces", p. 24.

<sup>57</sup> 'Never Again!', *The Sun*, 5 April 1980.

<sup>58</sup> Kettle and Hodges, *Uprising!*, p. 30.

further weight to the feeling that the British framework would not improve their particular situation which led others to contemplate similarly violent actions.

### **POLICE ACTIONS**

Unsurprisingly much subsequent attention was focussed upon the police raid of the café; the event which, it was suggested, 'lit the touch paper'. A BCRC press release placed the blame squarely upon this raid and, condemning the nature of the police action, claimed it 'led the Black Community to stand up against this type of police intimidation'.<sup>59</sup> Clinton Brown, who would later appear in court on charges of riotous assembly, described the violence as an unleashing of frustrations and resentment: 'It was the first time we had the chance to give them a lick back and get evens.'<sup>60</sup> The police on the other hand repeatedly stated that they did not know why violence had erupted. During a press conference the day following the disorder, senior police officials identified that objection to the police presence in the area had very quickly escalated, but that they 'just wouldn't know' why. Also labelling accusations of provocative police action as 'a very subjective statement', a police representative retorted: 'I suppose all police action to some extent is provocative and it depends who you are and what you're doing at the time', before repeating that it had been a 'perfectly normal police operation'.<sup>61</sup> A statement from the Avon and Somerset Police Authority continued to attempt to diminish the police's blame for the outburst by stating it was 'sad' that years of work to improve community relations had been shattered by this 'totally unforeseeable situation'.<sup>62</sup> As previously discussed, it had certainly been predicted by many familiar with the situation in St Pauls.

The raid itself was planned ten days in advance, although at no point during this time was it noted or believed important that it fell upon the local policeman's weekly day off, an officer known and reasonably liked within the community.<sup>63</sup> As seen in many examples of other disturbances it was argued that, had the local community faced someone familiar to the community and its particular issues and nuances, the likelihood of violence would have been

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<sup>59</sup> Press Release, Bristol Council for Racial Equality, BRO: 43129 (Box 105).

<sup>60</sup> 'It was the First Time We Had the Chance to Get Even', *Bristol Evening Post*, 28 April 2011.

<sup>61</sup> 'Press Conference following disturbances in St Pauls', BRO: Pol/LG/1/9.

<sup>62</sup> Statement by the Avon and Somerset Police Authority following a meeting of the full membership on 23 April 1980, BRO: Pol/LG/1/9.

<sup>63</sup> Joshua, Wallace and Booth, *To Ride the Storm*, p. 75.

decreased. Weigh reasoned that previous raids had been carried out at the same time of day with no trouble, but did later admit that the day and time chosen was not ideal as the local school had closed at lunch for Easter holidays.<sup>64</sup> Furthermore the Police Community Relations Officer was not consulted about the raid, although members of the West Indian community had been consulted in a ‘temperature-taking exercise’; Superintendent Vincent Arkell stated community leaders attending this meeting had claimed that ‘police-black relations could not have been better’.<sup>65</sup> Clearly the ‘temperature’ had been vastly misjudged, either through misunderstanding between police and community leaders or the inherent issue with denoting anybody a ‘leader’ of the entire community.

On top of such oversights Joshua *et al.* argued that removing the alcohol from the café added to other potentially provocative actions, but was unnecessary as it had already been photographed for later use as evidence.<sup>66</sup> The Police Operational Order clearly stated the object of the raid was to discover *and* seize any items relating to the illegal sale, supply, or offer to supply of alcohol.<sup>67</sup> Thus the decision to confiscate items was clearly taken at the planning stage and not by officers on the scene, and many stated they had carried crates of alcohol from the café into a police van for around 20-30 minutes before serious incidents occurred.<sup>68</sup> Whether or not officers should have sensed the possible provocative nature of removing alcohol through the already disgruntled gathered crowd is another question, but their operational order shows that they were, to borrow an infamous phrase, simply following orders.

This is not to say that there were not some decisions taken on the day which could have added to feelings of police provocation. Several witnesses later interviewed by Reicher accused officers of failing to produce a search warrant, harassing those inside the café, or even that some officers had been involved in buying or smoking drugs. As Reicher concluded: ‘Whether true or not, these perceptions indicate a general feeling about the illegitimacy of the

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<sup>64</sup> Whitelaw, ‘Serious Disturbances in St. Paul’s’, p. 1.

<sup>65</sup> Vincent Arkell, ‘St Pauls “Riot” Crown Court Trial’, Bristol Resource Centre, 4 February 1981, p. 2; Kettle and Hodges, *Uprising!*, p. 26.

<sup>66</sup> Joshua, Wallace and Booth, *To Ride the Storm*, p. 76.

<sup>67</sup> Avon and Somerset Constabulary, ‘Operational Order, Re: Black and White Cafe’, BRO: Pol/LG/1/9.

<sup>68</sup> Joshua, Wallace and Booth, *To Ride the Storm*, p. 77.

police action.’<sup>69</sup> The willingness to make such accusations and, more importantly, for others to believe them, is more significant than whether or not such accusations were true. When discussing why events became violent, some referenced an argument that had occurred after a police officer was accused of ripping a black youth’s trousers as a crate was carried past, although officers stated that this situation was quickly resolved and anger dissipated.<sup>70</sup> This account was questioned by Dr Alfonso ‘Prince’ Brown, a member of the West Indian Development Council who had been present at the café and ‘had seen the explosion coming’. He reiterated the story of torn trousers but, rather than agreeing that the police had quickly resolved the situation, Brown alleged that officers ignored requests for compensation and instead warned those present they would be arrested if they did not move away.<sup>71</sup> Paul Stephenson recorded that the man with torn trousers had insisted on ‘immediate cash compensation’ from the police.<sup>72</sup> It is unlikely that, whatever the circumstances, the officer in question would simply reimburse the angry man from his own pocket; but it provided to the black community another apparent example of the police not being held accountable for their actions. Stephenson added that, after being threatened with arrest, the youth defiantly replied ‘arrest my ras’ which caused the officer, according to Brown, to use a beer crate to push the boy backwards and thus initiating the disturbance.<sup>73</sup>

At the later trial defence lawyers emphasised that the police had no legal right to document innocent people inside the café and Justice Stocker agreed these actions would certainly generate animosity. At the very least, he believed, these actions undermined the Superintendent’s statement that the majority of those inside the café were law-abiding customers whose rights had to be respected.<sup>74</sup> In addition Joshua *et al.* argued that, as customers inside the café had offered no resistance and were likely already outnumbered by police, Superintendent Arkell’s decision to send for additional officers was ‘difficult to

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<sup>69</sup> Reicher, ‘The St. Pauls Riot’, 6.

<sup>70</sup> Joshua, Wallace and Booth, *To Ride the Storm*, p. 77.

<sup>71</sup> City Clerk, ‘Notes of a Press Conference’, BRO: 42974/1.

<sup>72</sup> Peter Evans, ‘Bristol Riot Began after Police Tore Man’s Trousers, Report Alleges’, *The Times*, 15 May 1980.

<sup>73</sup> In this usage ‘ras’ signifies ‘backside’: Richard Allsopp and Jeannette Allsopp, *Dictionary of Caribbean English Usage* (Kingston, 2003) p. 466. Francis, ‘The Build-up to Explosion’; Stephenson, ‘Report of Bristol Disturbances April 2nd, 1980’.

<sup>74</sup> Joshua, Wallace and Booth, *To Ride the Storm*, p. 76.

understand'.<sup>75</sup> The official reason given for these reinforcements was that more alcohol had been found than expected and, with numbers congregating outside the café, it was felt increased manpower would hasten the removal of alcohol and enable a level of crowd control. In addition, there were two arrests visible to the crowd causing great agitation. One man, arrested for illegal consumption of alcohol, was detained for half an hour before being transferred to the police station. Also the proprietor of the café, Bertram Wilks, was handcuffed and restrained despite being known to the police and unlikely to flee or become violent. Joshua *et al.* highlighted that he could have instead been summonsed to appear later at the police station, and knowledge of this therefore caused every senior officer to later in court deny ordering his arrest.<sup>76</sup> Stephenson documented that only a brief time after Wilks had been driven off in police custody missiles had begun to be thrown at the café from black youths assembled across the road.<sup>77</sup> In such a volatile atmosphere the police perhaps would have been wise to err on the side of level-headedness.

After such actions which may have fuelled antagonism, numerous eyewitness reports blamed the police's response to initial low-level tensions for the subsequent eruption of violence. Providing evidence at the Crown Court trial, Howard Wright stated that the police marching through the streets with riot shields incited a response from the black community: 'It was obvious they were going to react. If the National Front marched through St Paul's it would have been the same.'<sup>78</sup> As some officers were being trained to use such shields in the police station yard immediately prior to deployment, they likely did not have comprehensive experience of how to appropriately use such equipment.<sup>79</sup> Partisan publication *Out West* later quoted Superintendent Arkell's statement 'There was a group who were hell-bent on causing trouble that day', before asking: 'Which group? The rioters or the police? Taken out of context, the statement is appropriately double-edged.'<sup>80</sup>

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<sup>75</sup> *Ibid.*

<sup>76</sup> *Ibid.*

<sup>77</sup> Stephenson, 'Report of Bristol Disturbances April 2nd, 1980'.

<sup>78</sup> Maurice Fells, 'Riot "Was Reaction to Police March"', *Western Daily Press*, 24 February 1981.

<sup>79</sup> Brain, *A History of Policing* p. 54.

<sup>80</sup> 'Riot Police on Trial Too', *Out West*, 4 March 1981.

Accusations of police misconduct also appeared, with one call to the police demonstrating displeasure at police 'running people over'.<sup>81</sup> Further examples exist in subsequent disturbances of police driving into crowds at high speed, a tactic likely influenced by Northern Irish examples. Kettle and Hodges reasoned that despite police hoping that a show of strength would disperse the crowd police numbers were insufficient to successfully impose control.<sup>82</sup> Prince Brown stated that police use of dogs against crowds 'infuriated the black population' leading to increased conflict.<sup>83</sup> There was a history of police use of dogs in the area and Owen Henry, chairman of the West Indian Parents and Friends Association, claimed that he could not remember any occasion when the police entered the St Pauls area without being accompanied by dogs.<sup>84</sup> In fact, the police had been forewarned about the local community's aversion to the use of dogs as *The Jamaican Weekly Gleaner* recorded that the police had been informed several times that the repeated use of dogs branded people as criminals despite having committed no crime.<sup>85</sup> Despite the fact that police dogs were not officially meant to be used for crowd control, frequent references to them in testimony and evidence suggest that they undoubtedly were. Notably, more than one officer admitted to being frightened by the police dogs themselves.<sup>86</sup> The apparent callous use of dogs to 'control' St Pauls residents created the impression amongst many in the black community that the police and state treated them differently from other British citizens; an inhuman 'other' that were treated as such. After the disturbance Weigh acknowledged that the use of dogs required 'very careful consideration' and that this was something which could be learned from the disturbance.<sup>87</sup> However, as will be discussed in subsequent chapters, this was not the case.

#### PREVIOUS POLICE/COMMUNITY RELATIONS

The disorder took place against the backdrop of poor relations between the police and black community of St Pauls. Many reports after the disturbance showed this was not an isolated incident, and Nicks stated that the BCRC had

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<sup>81</sup> Avon and Somerset Constabulary, 'Riots St Pauls Area Bristol: Log of Events', BRO: POL/LG/1/9.

<sup>82</sup> Kettle and Hodges, *Uprising!*, p. 27.

<sup>83</sup> City Clerk, 'Notes of a Press Conference', BRO: 42974/1.

<sup>84</sup> *Ibid.*

<sup>85</sup> Francis, 'The Build-up to Explosion'.

<sup>86</sup> Joshua, Wallace and Booth, *To Ride the Storm*, p. 91.

<sup>87</sup> Kettle and Hodges, *Uprising!*, p. 28.

previously encountered 'great disquiet' regarding police activities.<sup>88</sup> More problematically the police mistakenly believed relations were good, or at least claimed so afterwards in an attempt to absolve themselves from responsibility. Brain, a police constable in Bristol at the time, encapsulated this when he later argued that 'there was no history of general disorder or poor police-community relations. Nor was there any noticeable background build-up of tension.'<sup>89</sup> Chairman of the Avon and Somerset Police Authority, Ian Crawford, stated the police had believed relations were improving, but 'apparently they had not improved so much as he had thought'.<sup>90</sup> Senior police officials conceded that the disturbance represented a major failure in efforts to improve relations, but repeated the assessment that the police had a very good relationship with St Pauls; or that they 'always thought we had'.<sup>91</sup> Weigh argued that the media picture of 'continual conflict' between police and ethnic minorities was incorrect and that on-going police efforts had improved relations; to the extent that police even acted in a mediatory capacity in some quarrels between ethnic groups.<sup>92</sup> Indeed, the BCRC stated that they enjoyed close liaison with the Community Relations Officer Chief Inspector Derek Lane.<sup>93</sup>

Despite this, and further suggesting an attempt to clear police of blame for the disturbance, Weigh had previously warned in his annual report the year before about the possibility of such violence. Blaming the disorder upon a 'hard core' group of young males who occasionally broke the law and were then resentful of authority figures that punished them, he argued that the 'double standards' that this group desired were unacceptable and unfair to the law-abiding public.<sup>94</sup> He stated that, although the police had attempted much to improve community relations, it was 'clearly not enough' and he was 'always willing' to meet with anyone to improve the situation.<sup>95</sup> When questioned on introducing more black officers into the St Pauls area, police officials responded that they did not have many black officers but would consider doing so; although past experience suggested it would not necessarily be welcomed by

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<sup>88</sup> City Clerk, 'Notes of a Press Conference', BRO: 42974/1.

<sup>89</sup> Brain, *A History of Policing*, p. 53.

<sup>90</sup> City Clerk, 'Notes of a Press Conference', BRO: 42974/1.

<sup>91</sup> 'Press Conference following disturbances in St Pauls', BRO: Pol/LG/1/9.

<sup>92</sup> Brian Weigh, 'Foreword', Avon and Somerset Constabulary, *Annual Report 1980* (March 1981) p. 2, BRO: Pol/R/3/46.

<sup>93</sup> Peter Courtier, 'Assistant Community Relations Officer Report', Bristol Council for Racial Equality, *Annual Report* (Bristol, 1980) p. 21.

<sup>94</sup> Weigh, 'Foreword', p. 1.

<sup>95</sup> City Clerk, 'Notes of a Press Conference', BRO: 42974/1.

the black community.<sup>96</sup> This is reflective of other studies and opinions, as black officers were often treated as traitors by local communities and Scarman later rejected suggested quotas for recruiting black officers.

Conversely Owen Henry believed that there had never been friendly relations between the black community and the police. He argued the police did not appear to be familiar with people in the area and communicated wrong information from one area to another, both of which fostered distrust.<sup>97</sup> He and Prince Brown claimed St Pauls was used as a training ground for young inexperienced constables who were 'quicker to react to things and people they did not understand'.<sup>98</sup> This was a similar accusation made against other areas where disturbances occurred in the following year such as Brixton, and often used as an explanation for the disorders. Robert Reiner's 1974 study of Bristol police noted common hostility towards black people, with one constable claiming that '90 per cent of the force are against coloured immigrants'.<sup>99</sup> When Leader of the Conservative Opposition for Bristol City Council, Councillor Bob Wall, suggested that the majority of Bristolians were supportive of the police force, Roy de Freitas of the African-Caribbean Community Association emphasised that Bristol's minorities also largely backed the police when they were appropriately conducting their jobs. For example he claimed that Weigh had described the St Pauls events as 'a minor incident which had got out of hand', and countered that, for local residents, the incident was far from minor.<sup>100</sup>

This is indicative of broader arguments that the violent stance against the police was symbolic of a community fighting for its rights, that those involved in the violence were somehow predisposed to be less supportive of the police than the average resident, and that many in positions of authority did not appear to sympathise with or understand the concerns and frustrations of local black communities. In a later City Council debate regarding a public inquiry, Councillor Bassett argued that, whilst such people may not have supported the violence, the 'bitterness and resentment' of black youths was apparent in other groups, including white people.<sup>101</sup> Although possibly not intending to be, the

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<sup>96</sup> 'Press Conference following disturbances in St Pauls', BRO: Pol/LG/1/9.

<sup>97</sup> City Clerk, 'Notes of a Press Conference', BRO: 42974/1.

<sup>98</sup> Reid, 'After the Riots'; Francis, 'The Build-up to Explosion'.

<sup>99</sup> Robert Reiner, 'Black and Blue: Race and the Police', *New Society*, 57 (1981), 468.

<sup>100</sup> City Clerk, 'Notes of a Press Conference', BRO: 42974/1.

<sup>101</sup> *Ibid.*

connotations of Bassett's words appear to be that the situation was becoming particularly bad as even white people were becoming dissatisfied. He concluded that it was very important to direct this bitterness through the 'political machine'; otherwise there would be more outbursts.<sup>102</sup> This further illustrates how those in positions of power seemingly did not appreciate the level of discontent and feelings that this 'political machine' was itself the problem, and how the outbursts were an attempt at political participation on their own terms. Despite this discontent emerging following the disturbance, the Avon and Somerset Constabulary recorded only nine official complaints from black people in 1980. This, as Assistant Community Relations Officer Peter Courtier pointed out, was somewhat of a false figure due to the prevalent reluctance to use the official complaints procedure. Echoing criticisms made repeatedly through the period, Courtier argued the main reasons for this disinclination was the belief it would not be productive or even fear of increased future persecution; both linked to the fact that the police directly investigated such complaints against themselves.<sup>103</sup> This was to become a major cause pursued by community groups in the following years.

Police Federation Chairman Jim Jardine contended that, whilst much was said about the problems faced by young black people, difficulties for the police were often forgotten. He argued that officers were aware that 'a simple exercise of a police power' would be regarded as prejudice and 'add yet another statistic to the complaints against the police', criticising that portrayals of the police as the enemy was a 'classic example of the old propaganda trick, if you repeat an untruth often enough, people begin to believe it'.<sup>104</sup> Jardine would continue to respond to accusations of police misconduct with a similar blunt refusal to admit there may be some truth behind such complaints. Agreeing with suggestions of police difficulties, local MP Tony Benn argued that it was not fair to ask the police to 'carry a burden' which had emerged, to some extent, from rising unemployment, social deprivation and other problems in urban areas which affected everyone and not solely ethnic minorities.<sup>105</sup> This opinion defined the police as the identifiable face for the problems of urban areas and perceived government failings. This was somewhat corroborated when De Freitas claimed

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<sup>102</sup> *Ibid.*

<sup>103</sup> Courtier, 'Assistant Community Relations Officer Report', p. 21.

<sup>104</sup> 'Don't Overlook Police View', *Bristol Evening Post*, 22 May 1980.

<sup>105</sup> HC Deb 03 April 1980 vol. 982 c. 663.

the disturbance was more a reflection of the larger feelings of the black community rather than specifically connected with the café raid.<sup>106</sup> Many facilities and resources in St Pauls had been eroded and the café was seen as the last place where unemployed youths could gather. Henry supported this view and claimed that St Pauls' residents were 'deprived, like chattels, herded in a pen'.<sup>107</sup> Three other prominent meeting places - a disco and two bars - had been shut recently and the Black and White was described as 'the last survivor'.<sup>108</sup> De Freitas claimed the general feeling amongst the youth was: 'if they close this place, where will we be able to go?'<sup>109</sup> After witnessing their other meeting places being, in their view, unfairly taken from them the black community was now prepared to fight to use the café as they liked, which can be viewed within the widely suggested broader theme of a departure from the peaceful compliance of earlier years.<sup>110</sup>

#### POLICE WITHDRAWAL

One aspect which garnered much attention was the police withdrawal from the area at the height of the disturbance, later described by Brain as 'a fateful decision'.<sup>111</sup> It was criticised by many who believed the police's primary role was to maintain law and order and protect citizens, being viewed as the police having conceded defeat.<sup>112</sup> The police log of events recorded numerous emergency calls from the public questioning why, despite the 'mob which is running wild like rats in St. Pauls', there was 'not a Policeman in sight'. Indeed, the log of emergency calls received show a wide range of responses to the incident and the role that members of the public believed the police should be playing. A motorist, compelled to stop and find a telephone kiosk to inform the police of the scene in St Pauls, ended their description with the damning phrase: 'no sign of police'. Less subtle attempts to encourage police action included one caller bluntly predicting: 'someone will be killed soon'.<sup>113</sup> Officers stated that their subsequent return was greeted with cheers, various residents

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<sup>106</sup> City Clerk, 'Notes of a Press Conference', BRO: 42974/1.

<sup>107</sup> *Ibid.*

<sup>108</sup> Simon Kinnersley, 'What Made Bristol Burn?', *Daily Mail*, 5 April 1980.

<sup>109</sup> City Clerk, 'Notes of a Press Conference', BRO: 42974/1.

<sup>110</sup> Fryer, *Staying Power*, p. 398; Kettle and Hodges, *Uprising!*, pp. 24-5. For discussion of departure from previous peaceful compliance, see for example: Fryer, *Staying Power*; Harry Goulbourne, *Race Relations in Britain since 1945* (Basingstoke, 1998); or Zig Layton-Henry, *The Politics of Race in Britain* (London, 1984).

<sup>111</sup> Brain, *A History of Policing*, p. 54.

<sup>112</sup> Kettle and Hodges, *Uprising!*, p. 29.

<sup>113</sup> Avon and Somerset Constabulary, 'Riots St Pauls Area Bristol: Log of Events'.

wishing them well, and older black tenants apologising for the actions of the black youth.<sup>114</sup> This is in keeping with arguments that it was younger generations who had grown disillusioned with the situation they faced and were thus more willing and likely to engage in violence against the police, that older generations of black people in Britain were more deferential to authority. Whilst the police, now with sufficient reinforcements, were praised for quickly regaining control of St Pauls, various observers qualified this by stating that most of the streets were by then deserted and only around a dozen officers were actually needed.<sup>115</sup>

The decision for the police withdrawal was taken by Chief Constable Brian Weigh, and senior police officials later described it as a 'very violent...very very dangerous situation'.<sup>116</sup> Weigh argued the 'clearly overwhelmed' police had no other choice than to leave as they were not sufficient in number to contain the situation and a maintained police presence would continue to exacerbate the situation: 'They weren't throwing at anyone else, they were throwing at the police.'<sup>117</sup> This belief was seemingly vindicated by Detective Sergeant Patrick Ward, who alleged that an interviewed suspect had told him: 'There would have been a lot more of you in hospital if you hadn't run away.'<sup>118</sup> Furthermore Reicher's participant interviews recorded that the message being spread was: 'the object was the police, direct your antagonism that way'.<sup>119</sup> It was reasoned that photographers and cameramen had only been targeted because of fear of the film being used for police identifications.<sup>120</sup>

It certainly appears that the violence and looting was specifically directed, with local shops either owned by Asians or known to employ black workers protected and looting prevented.<sup>121</sup> Injuries and some damages were blamed on accidental cross-fire or people missing police targets, and the numbers of cars attacked was rationalised as either punishment for apparent endorsement of police harassment or the belief that they were unmarked police

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<sup>114</sup> Testimony of Inspector Richard Allen during the Bristol Crown Court trial: 'Cheers as the Riot Police March Back', *Western Daily Press*, 10 February 1981.

<sup>115</sup> Stephenson, 'Report of Bristol Disturbances April 2nd, 1980'.

<sup>116</sup> 'Press Conference following disturbances in St Pauls', BRO: Pol/LG/1/9.

<sup>117</sup> Whitelaw, 'Serious Disturbances in St. Paul's', p. 5.

<sup>118</sup> "'We'll Fight Back" Claim', *Bristol Evening Post*, 25 February 1981.

<sup>119</sup> Reicher, 'The St. Pauls Riot', 10-1.

<sup>120</sup> *Ibid.*

<sup>121</sup> 'Lesson of St Paul's', *The Jamaican Weekly Gleaner*, 9 April 1980; Stephenson, 'Report of Bristol Disturbances April 2nd, 1980'.

vehicles.<sup>122</sup> However many examples exist of non-police damage, such as the Black and White Café being itself looted during the disturbance; although this may have been an attempt to remove the remaining alcohol before the police could.<sup>123</sup> Similarly the burning of Lloyds Bank was justified as ‘part of the Establishment we are rebelling against’, although this may have been a convenient rationalisation for spreading violence.<sup>124</sup>

Weigh argued that simply retreating a marginal distance from the café would have encouraged confrontation to follow police out of St Pauls, and that a complete police withdrawal from the area, to regroup and ‘obtain sufficient reinforcements to ensure a speedy return to law and order with a minimum of bloodshed’, might in itself diffuse the situation.<sup>125</sup> Whether a marginal retreat would have expanded violence is obviously impossible to know, but *The Sunday Times* did note the clear geographical limits of the crowd remaining within the boundaries of St Pauls and, once the police had withdrawn, even helped direct traffic through the area.<sup>126</sup> This is another example of the sense of community attached to the disturbance as highlighted by Reicher, who believed participants saw themselves as ‘representing the entirety of St. Pauls in the sense of an independent community, fighting for its right to survive’.<sup>127</sup> This spatial, territorial aspect can also be seen by one St Pauls’ resident: ‘The police after they had been reinforced did not retake St Paul’s: we decided to go home and allow them to move in.’<sup>128</sup>

A question posed during a police press conference the following morning summed up the main criticism of this withdrawal; with rioters ‘left to run wild’, did that not increase the chance of fatalities? Police representatives dismissed this as conjecture and stated that several injuries had occurred whilst officers were present, but that they were not aware of any following their departure. Whilst confirming that more damage had been caused after the police withdrew, they argued that the police’s main objective was preservation of life. A follow up question began that shopkeepers who had lost their premises and stock were

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<sup>122</sup> Reicher, ‘The St. Pauls Riot’, 10.

<sup>123</sup> Maurice Fells, ‘Looters Hit Riot Cafe’, *Western Daily Press*, 17 February 1981.

<sup>124</sup> ‘Lesson of St Paul’s’, *The Jamaican Weekly Gleaner*, 9 April 1980; Stephenson, ‘Report of Bristol Disturbances April 2nd, 1980’.

<sup>125</sup> Whitelaw, ‘Serious Disturbances in St. Paul’s’, p. 5.

<sup>126</sup> *The Sunday Times*, 6 April 1980.

<sup>127</sup> Reicher, ‘The St. Pauls Riot’, 15.

<sup>128</sup> ‘Pressure Mounting for Public Inquiry into Bristol Riot’, *The Times*, 5 April 1980.

very angry at the police's withdrawal, but a senior police officer interrupted and reaffirmed that, despite having 'the utmost sympathy' with them, the 'necessary but regrettable' withdrawal had been 'for the greater good'.<sup>129</sup> This was not likely to placate those who had incurred a large expense from the disorder and the related looting, reportedly undertaken mostly by white people, which totalled an estimated £150,000 alone.<sup>130</sup> This was a pattern repeated around the country the following year, as events portrayed as being black criminality were actually perpetrated by a white majority. However of the 134 arrests made by the police in relation to St Pauls, 88 were black and 46 white; of these, over 100 were charged with offences such as theft, receiving stolen property, and threatening behaviour; whereas 16 would face the more serious charge of riotous assembly, discussed in detail in the following chapter.<sup>131</sup>

One shopkeeper summarised sentiment when stating the police had instigated the riot through heavy-handed actions and then retreated, 'leaving us to bear the brunt'.<sup>132</sup> Introducing a social class argument, they questioned whether the police would have similarly fled if looting had started in Broadmead, home to big business interests in Bristol.<sup>133</sup> The *Daily Mail* later demanded that, 'when society leaves the innocent to struggle against crazed destroyers for four solid hours on their own', they must be 'recompensed, to the last bottle of toffees, out of public funds'.<sup>134</sup> The characterisation of the 'innocent' struggling against 'crazed destroyers' leaves little room for nuanced discussion of the underlying causes for the disturbance, or indeed where blame and financial relief should be attributed. Ian Crawford responded that a considerable amount of damage had actually taken place when the police were present, suggesting the police withdrawal may not have had an impact upon that aspect. Peter Courtier countered that, prior to the withdrawal, only police property had been damaged; once they had vacated the area, looting and arson began.<sup>135</sup> Much police property had been damaged before their withdrawal as twenty-one police cars alone sustained damage, of which six were completely destroyed. Adding insult to injury for the police, the day before the disturbance insurance of 664

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<sup>129</sup> 'Press Conference following disturbances in St Pauls', BRO: Pol/LG/1/9.

<sup>130</sup> Kettle and Hodges, *Uprising!*, p. 29.

<sup>131</sup> Joshua, Wallace and Booth, *To Ride the Storm*, p. 151; Kettle and Hodges, *Uprising!*, p. 34.

<sup>132</sup> Reid, 'After the riots'.

<sup>133</sup> *Ibid.*

<sup>134</sup> 'When the Law Breaks Down', *Daily Mail*, 9 April 1980.

<sup>135</sup> City Clerk, 'Notes of a Press Conference', BRO: 42974/1.

police vehicles had been downgraded from comprehensive cover, ironically in order to save money.<sup>136</sup>

Arguments over the police withdrawal highlights the disputed issue of who and what exactly the police's main responsibilities are; whether it be upholding law and order, the general public's welfare, tenants and owners of the buildings and items damaged in the riot, ethnic minorities at the centre of the disturbances, or even the personal safety of the police themselves. Contrary to the criticism he received from many areas for the withdrawal, it is clear that Weigh believed that his responsibility rested more upon the safety of his officers and general public than the defence of material possessions and livelihoods. Unsurprisingly this view of the well-being of police personnel being the most important was shared by many officers. The Avon and Somerset Police Authority 'strongly and unanimously supported' Weigh and believed that, due to his 'cool and firm leadership, no lives were lost, nor was any serious injury suffered by any of those involved'.<sup>137</sup> Similarly Constable Dennis Sherman believed that, during the riot, it had been more important to help protect fellow officers than make arrests.<sup>138</sup> Local community leaders also praised the police withdrawal and De Freitas described the action as 'an inspired move' which avoided serious injuries or the riot spreading to other localities. He believed that anger had only been directed towards merchants who had previously demonstrated contempt for the black community whilst making a living out of them but, 'Had the police tried to suppress the black anger with force, traders and other people's lives could have been in danger'.<sup>139</sup>

Home Secretary William Whitelaw stated that police actions had been 'in the highest traditions' of service and hoped it would be recognised and accepted that, regardless of criticisms concerning actions or tactics, 'individual police officers perform their duties with dedication to the service of this country'.<sup>140</sup> Similarly Conservative MP Sir Graham Page called for the policemen to be venerated for remaining in the area for so long with so many casualties until they were forced to retreat to obtain reinforcements.<sup>141</sup> Whitelaw

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<sup>136</sup> 'Race Riot', *Western Daily Press*, 3 April 1980.

<sup>137</sup> Statement of Avon and Somerset Police Authority: Colin Randall, 'Bristol Riot Police Chief's Tactics Backed', *The Daily Telegraph*, 24 April 1980.

<sup>138</sup> 'Safety Was Top Priority, P-c Tells Court', *Western Daily Press*, 12 February 1981.

<sup>139</sup> Jonathan Shorney, "'Inspired Retreat" of Riot Police', *Western Daily Press*, 23 May 1980.

<sup>140</sup> HC Deb 28 April 1980 vol. 983 c. 977.

<sup>141</sup> *Ibid.*, c. 976.

believed that the fact there had been no loss of life or serious injury might go some way to justifying the decision to withdraw, although some countered that this could simply have been a matter of luck.<sup>142</sup> Despite Whitelaw's apparent public backing of Weigh, the *Daily Mail* characterised him as being sufficiently 'shaken' by the withdrawal to 'urgently' review procedures for handling large civil disorders.<sup>143</sup> Whitelaw later stated that 'The removal of police protection in this way could not be allowed to happen again', and therefore arrangements were implemented which allowed for adequate reserves of police from other forces in the future.<sup>144</sup> Whitelaw also made a point of publically stating that there would be no appearance of so-called 'no go' areas in the country. The perceived strength of public feeling regarding fear of 'no go' areas reaching England from Northern Ireland was highlighted by Whitelaw explaining how important it was for him to say it, 'to be heard to say it, and for it to be realised that that will not happen in the future'.<sup>145</sup>

Indeed it is not a stretch to believe that this was a prominent public fear when newspapers printed headings such as: 'We never dreamed that they could come here; that in the England of 1980 we could have "no-go" areas like those of Londonderry'.<sup>146</sup> A further connection across the Irish Sea came from Shadow Home Secretary Merlyn Rees, previously Secretary of State for Northern Ireland during a particularly turbulent period of 1974-76. He would maintain a keen interest in the Irish Troubles for the rest of his life, and it is not too unreasonable to suggest that this influenced his views on policing.<sup>147</sup> He subsequently served as Home Secretary 1976-79 and, despite the obvious outward Conservative policy of favouring law and order over other considerations, Whitelaw's response can be viewed as a continuation of previous policy from that outgoing Labour government as Rees agreed he was 'inclined to accept' the police decision to fall back in order to regroup, but that he also fundamentally rejected 'no-go' areas.<sup>148</sup>

Others were not inclined to be quite so accepting. Clearly from the reaction to the withdrawal many believed that the police should view the

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<sup>142</sup> Grieg and Rodgers, 'It Must Never Happen Again'.

<sup>143</sup> *Ibid.*

<sup>144</sup> William Whitelaw, *The Whitelaw Memoirs* (London, 1989) p. 242.

<sup>145</sup> HC Deb 28 April 1980 vol. 983 c. 973.

<sup>146</sup> 'Never Again!', *The Sun*, 5 April 1980.

<sup>147</sup> Tam Dalyell, 'Obituaries: Lord Merlyn-Rees', *The Independent*, 6 January 2006.

<sup>148</sup> HC Deb 28 April 1980 vol. 983 c. 972.

protection of the populace and property as a priority. As highlighted by centre-right newspaper *The Times*, this was especially felt by Conservatives whose 'intense' shock at the police withdrawal expressed 'that classic Tory commitment to the sanctity of property above all else'.<sup>149</sup> Similarly, local Conservative-leaning newspaper *Western Daily Press* cited several Conservative MPs likely to demand Weigh's resignation for his withdrawal.<sup>150</sup> It was argued that the laws of Britain must be the same for everybody and the police's role was to protect the law-abiding, in which they had failed: 'we naively believed that police protection was but a telephone call away, we now know this is no longer true'.<sup>151</sup> Home Affairs Committee Secretary Alan Clark further argued that it was worrying that those who had contacted the police were given the response 'Sorry we're frightened' and, as it had never previously happened in England, 'Someone has some hefty explaining to do.'<sup>152</sup> A senior officer disagreed that this was the first example where police had not been present during large scale violence, citing the example of the St Pancras Rent Riots in 1960 where it was claimed the Metropolitan Police had been forced to delay their entrance before accumulating sufficient numbers.<sup>153</sup> However it was recorded that several other chief constables, privately and off the record, claimed that they would have maintained a police presence in the area even at the risk of serious injury or death.<sup>154</sup> Many would soon have the opportunity to do just that when violence spread around the country the following year.

The phrasing used in much of the media when describing the police withdrawal included such emotive sentences as: 'leaving an area of the city unprotected'; 'as police moved out, rioters moved in to ransack'; and 'There was no law, no protection of property or even of the safety of the people of the area'.<sup>155</sup> These all reflected the view that the police withdrawal had been an abandoning of the general public left behind. A description of other police chiefs being unwilling to comment upon Weigh's decision was utilised to infer that they believed it was an incorrect decision; although it is difficult to see what exactly

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<sup>149</sup> Emery, 'The Shock and the Challenge of Bristol'.

<sup>150</sup> 'Police Chief "Should Resign"', *Western Daily Press*, 12 April 1980.

<sup>151</sup> 'Don't Overlook Police View', *Bristol Evening Post*, 22 May 1980; 'When the Law Breaks Down', *Daily Mail*, 9 April 1980.

<sup>152</sup> 'Police Chief "Should Resign"', *Western Daily Press*, 12 April 1980.

<sup>153</sup> 'Press Conference following disturbances in St Pauls', BRO: Pol/LG/1/9.

<sup>154</sup> Gerry Northam, *Shooting in the Dark: Riot Police in Britain* (London, 1988) p. 36; Brain, *A History of Policing*, p. 54.

<sup>155</sup> Hugh Noyes, "'No Go" Areas for Police Ruled Out', *The Times*, 29 April, 1980; Grieg and Rodgers, 'It Must Never Happen Again'; 'Never again!', *The Sun*, 5 April 1980.

the personal benefit for other police chiefs would be for them backing Weigh's controversial withdrawal, regardless of their genuine beliefs.<sup>156</sup> Certainly this was an area addressed by many observers; rather than focusing upon the reasons behind the eruption of violence, questions were asked of the police's failure to preserve law and order and why it took four hours to be sufficiently reinforced to return.<sup>157</sup> Some newspapers highlighted the importance of Whitelaw's role in fulfilling the Conservative election campaign promise to focus upon law and order and support the police: the 'short, sharp shock' treatment of offenders. He needed to make sure no other British city suffered a similar fate to Bristol due to police inability to combat a 'roaming band of thugs'.<sup>158</sup> This led to an increased focus upon police procedures and equipment, with the demand that they should not be caught out in such a way again. Weigh's subsequent annual report recorded that organisational lessons when responding to such occurrences of sporadic violence had been very quickly implemented, so that the police were now adequately trained and equipped to appropriately respond to any recurrence of similar violence.<sup>159</sup>

It is interesting to note that the reaction to complaints of the local black population was not so immediate and it appears that the public discourse and media attention, focussed upon the police's lack of protection for the 'general public', had an impact upon this swiftness. This is consistent with the argument that the state successfully framed the reaction to the disturbance around ideas of law and order, criminalising those involved and diminishing the real discontent at the heart of the uprising.

This focus was not purely a Conservative response. Shadow Home Secretary Merlyn Rees, again seemingly influenced by experience with Northern Ireland, proposed mobile police units which could deal with such emergencies; simultaneously overlooking the condemnation by black communities of such specialised 'task forces' for not being familiar with the local communities and situations, as well as making the foremost focus on law and order a cross-party response.<sup>160</sup> Fitting within a broader aversion to changing methods of police accountability and questioning of their methods, it was

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<sup>156</sup> Grieg and Rodgers, 'It Must Never Happen Again'.

<sup>157</sup> *Ibid.*; 'Lessons', *Sunday Telegraph*, 6 April 1980.

<sup>158</sup> Grieg and Rodgers, 'It Must Never Happen Again'.

<sup>159</sup> Weigh, 'Foreword', p. 1.

<sup>160</sup> 'Never Again!', *The Sun*, 5 April 1980.

suggested that this had a negative effect upon the police's role. Implying that fear of potential racial criticism if they had engaged with black protesters played a role in the police withdrawal, it was argued that the police 'must not be allowed to be either too weak or too inhibited to function effectively'.<sup>161</sup> When all of these reactions are considered, as barrister John Spokes argued in his closing arguments during the Crown Court Trial, it perhaps 'took considerably more courage to give the order to withdraw than an order to stay'.<sup>162</sup>

### ARMED POLICE?

A recurring theme throughout the 1980-81 disturbances was questioning whether police should be armed in order to effectively respond to such outbreaks of disorder. The police were asked whether they had been armed once the St Pauls violence had escalated, to which they confirmed they had not.<sup>163</sup> The police log of events does record that the police were prepared, at Bristol headquarters at least, to deploy firearms personnel if required.<sup>164</sup> This would not have been an unprecedented measure, as Avon and Somerset Constabulary records show that 150 officers were trained to use firearms and officers were required to carry weapons on 142 occasions in 1980.<sup>165</sup> Equally many rumours spread around St Pauls during the unrest that rioters were themselves armed, and numerous references were made in the police log of emergency calls reporting such possibilities.<sup>166</sup> Questions were asked after the disturbance about rioters carrying firearms and notably, suggesting the level of panic and sensationalism in some aspects of the media's response, the answer that none were used was taken to imply that they may have been carried unused.<sup>167</sup> Some 370 weapons had been seized by local police during 1980 so, again, this was not an impossibility; although police officials interceded and clarified that there was no evidence that any firearms had been present.<sup>168</sup> During later disturbances throughout the country in July 1981 Prime Minister

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<sup>161</sup> 'Lessons', *Sunday Telegraph*, 6 April 1980.

<sup>162</sup> Dennis Johnson, '£1/2m Cost of Riot After Battered Police Withdrew', *The Guardian*, 4 February 1981.

<sup>163</sup> 'Press Conference Following Disturbances in St Pauls', BRO: Pol/LG/1/9.

<sup>164</sup> Avon and Somerset Constabulary, 'Riots St Pauls Area Bristol: Log of Events'.

<sup>165</sup> Brian Weigh, 'Community Involvement and Support Services', Avon and Somerset Constabulary, *Annual Report 1980* (March 1981) p. 50, BRO: Pol/R/3/46.

<sup>166</sup> Conclusions of a meeting of the Cabinet held at 10 Downing Street on Monday 8th September 1958, The National Archives (TNA): CAB/128/32.

<sup>167</sup> 'Press Conference following disturbances in St Pauls', BRO: Pol/LG/1/9.

<sup>168</sup> Weigh, 'Community Involvement and Support Services', p. 50; 'Press Conference following disturbances in St Pauls', BRO: Pol/LG/1/9.

Margaret Thatcher briefly considered a Liverpool MP's request to deploy the army but, with Whitelaw, agreed that this 'could not be contemplated' and would prefer instead to arm the police if necessary.<sup>169</sup> However William Humphries, who had barricaded himself and his family in his home, claimed that the threat of the army being summoned appeared to be the only thing which frightened the rioters.<sup>170</sup> The focus upon law and order to the detriment of further examination of the particular problems facing the British black population would lead to significant changes during the following year's disorder. Neither armed police nor the army would be seen on the streets of England but significantly transformed police tactics and supplies, including riot control equipment and CS gas, would become commonplace for police use in 1981.

### **INQUIRY?**

Immediately after the St Pauls disorder there were calls for a full independent inquiry into why it had happened, and talk of such dominated the following day's press conference. Councillor John McLaren stated that the City Council would support an independent inquiry into events, provided it was truly independent and had the support of all.<sup>171</sup> Despite applauding the idealistic aim of unanimous backing, obtaining support from all sections of society is a difficult if not impossible task. BCRE Chairman Bill Nicks suggested that an independent tribunal was needed to produce a report 'to satisfy the black community that this would not happen again'.<sup>172</sup> Conversely Roy de Freitas suggested that any inquiry would 'go over the heads of the black community, although it might satisfy the whites' and complained that organisations attempting to help the black community were often ignored or had little or no finances, despite being 'the eyes and ears of the community'.<sup>173</sup> Similarly Francis Salandy, who ran an advice centre in the centre of St Pauls, dismissed ideas of a state-run inquiry believing that the police and white authority would be reflected favourably and that black people could not rely upon white counterparts, even liberals, to act in their interests.<sup>174</sup> This shows a desire for

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<sup>169</sup> Willie Rickett to Colin Walters, 13 July 1981, TNA: PREM 19/484.

<sup>170</sup> Maurice Fells, 'Riot Crowd Breached a Barricade', *Western Daily Press*, 20 February 1981.

<sup>171</sup> City Clerk, 'Notes of a Press Conference', BRO: 42974/1.

<sup>172</sup> *Ibid.*

<sup>173</sup> *Ibid.*

<sup>174</sup> Lucy Hodges, 'Riot Issues Remain as an Uneasy Bristol Sees Races Mixing in a Carnival Spirit', *The Times*, 7 July 1980.

political participation by the black community themselves, rather than ineffective state organisations to act on their behalf without understanding their situation.

This scepticism towards state inquiries was reinforced by the belief that previous investigations had identified the problems, but nothing had been done subsequently to resolve them. An interim report emerging from a Bristol inquiry into employment and inequality, backed by the Commission for Racial Equality (CRE), later summarised that this call for an inquiry was 'in part a tactical manoeuvre to apply pressure to politicians at all levels to respond appropriately to the "riot", in the absence of helpful responses in the past'.<sup>175</sup> This clearly shows how calls for a public inquiry were part of a wider strategy, including the violence itself, to achieve their political goals and improve their situation. Perhaps unsurprisingly the Conservative leader of Avon County Council, Sir Gervas Walker, also discouraged a public inquiry as he believed it would take too much account of evidence provided by 'the wrong people'.<sup>176</sup> Clearly Walker did not deem the disorder as anything further than criminality, rather than a means for a marginalised group to achieve political participation. Ian Crawford stated that the Chief Constable would be holding a police inquiry, but such inquiries 'may or may not produce results'.<sup>177</sup>

Bristol City Council leader Claude Draper confirmed they wished 'that a suitable enquiry be held and that ultimately goodwill would be regained'.<sup>178</sup> Nicks was initially highly critical of this reaction, calling their organised press conference 'a showpiece' and claiming Councillors and MPs were simply 'jumping on the bandwagon'.<sup>179</sup> He later stated that he warmly welcomed that at last both local and national governments were now apparently willing to discuss and search for solutions.<sup>180</sup> By this time, Nicks had been reminded that Tony Benn had stated during that press conference he had already proposed a public inquiry to Whitelaw; a fact believed 'sufficiently important for it to be recorded'.<sup>181</sup> It is likely however that Nicks' initial argument was that authorities

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<sup>175</sup> Bristol Resource Centre, 'Race, Employment and Inequality in the Bristol Area: An Action Research and Education Project sponsored by the Commission for Racial Equality: Interim Report', (1980), p. 25, BRO: 32080/TC1/10/8.

<sup>176</sup> City Clerk, 'Notes of a Press Conference', BRO: 42974/1.

<sup>177</sup> *Ibid.*

<sup>178</sup> *Ibid.*

<sup>179</sup> O. H. Page, 'Notes from the Meeting of the Bristol Council for Racial Equality held on Wednesday, the 16th April', 17 April 1980, BRO: 42974/1.

<sup>180</sup> Nicks, 'Chairman's Letter', p. 7.

<sup>181</sup> Graham W. Reid to W. Nicks, 17 April 1980, BRO: 43129 (Box 105).

had been sufficiently warned that action should have occurred prior to the eruption of violence, rather than at the press conference following it. Alongside local MP Waldegrave who also called for a full public inquiry, Benn in particular placed events into a broader context when he implored that such an inquiry should be wide enough in scope to consider and provide recommendations upon a wide range of problems.<sup>182</sup> Whitelaw responded that, before establishing any inquiry, he wished to receive reports from the Bristol Chief Constable and MPs as 'it is right to get the initial reactions first, and then to decide what is best'.<sup>183</sup> At this point, outwardly at least, Whitelaw claimed to have not ruled out the possibility of holding the inquiry which would have appeased many repeatedly calling for such action.

At a City Council meeting on 15 April, Councillor McLaren followed through on his previous promise by introducing a motion calling for a 'full independent public enquiry' into the events in St Pauls.<sup>184</sup> McLaren emphasised that he did not see the inquiry as an exercise in 'Police bashing', stating his belief that Bristol Police were, generally speaking, excellent, but there was still some room for improvement.<sup>185</sup> Councillor Stephen Williams reasoned that it would be naïve not to accept that mistakes had been made by the police, but that the difficulty of their duties also had to be acknowledged.<sup>186</sup> These arguments highlight the tendency towards leniency often awarded to the police due to the perceived difficulty and importance of their role within society, meaning a marginalised community faced a struggle for recognition. McLaren contended that it was not his desire to engage in blind attacks upon the police, but equally that it was important that the process of investigations into police affairs were reviewed, asking: 'Why were the Police different from anyone else?' He argued that any inquiry conducted by the internal Police Authority worked within the 'police's own machinery', but that it was not appropriate in reassuring the general public.<sup>187</sup> This argument echoed the vast number of people likewise maintaining that it would be impossible for the police to regain the trust and

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<sup>182</sup> HC Deb 03 April 1980 vol. 982 cc. 662-3.

<sup>183</sup> *Ibid.*, cc. 663-4.

<sup>184</sup> 'Notes on Debate of Councillor John McLaren's Motion', BRO: 42974/1.

<sup>185</sup> Despite stating to not be a 'verbatim record' of the debate, this phrase is included in quotation marks in the notes and thus can be assumed to be the exact words spoken by McLaren: 'Notes on Debate of Councillor John McLaren's Motion', BRO: 42974/1.

<sup>186</sup> 'Notes on Debate of Councillor John McLaren's Motion', BRO: 42974/1.

<sup>187</sup> *Ibid.*

consent of the entire community if they were to continue to investigate their own controversies.

Similarly, Councillor Alderson highlighted the wider debate when he stated that there would be disagreements from different groups about what exactly constituted an *independent* inquiry. Therefore it was decided that the term 'independent' inquiry would be replaced with 'judicial', allowing the inquiry to be conducted by those experienced in considering evidence from a high number of submissions, as well as allowing participants to have legal representation. However with such a level of distrust and discontent with the British legal system, there were some who believed this removed any chance of the inquiry being independent in nature. Councillor Trench argued that holding judicial inquiries was an important part of the British constitution; proving that there were systems in place for holding the authorities accountable for their actions, just so long as you were in a sufficiently powerful position of authority to be able to utilise them. Councillor Hewlett argued such a point, believing that a judicial inquiry would simply be an 'establishment exercise'; the last thing that the people of St Pauls wanted. Indeed, when Alderson attempted to claim that a judicial inquiry would in fact be accepted by all involved parties, many members of the council loudly disagreed. Draper argued that the inquiry must be 'sufficiently representative of authority' so its report would be deemed worthy of reading, and Councillor Keeley stated it was inevitable that the authorities would be involved in setting up an inquiry, as if people 'sought to forget the establishment, the result would be anarchy'. The resolution was eventually passed without opposition and Whitelaw was informed of the Council's decision and that, whilst the Council would examine their own policies without waiting for the results of the inquiry, this action alone was insufficient and a full independent public inquiry was essential.<sup>188</sup>

In the process of discussing the above proposal Councillor Bassett conveyed that, during a meeting of the St Pauls Ward the previous night, it had been expressed that a public inquiry may become 'bureaucratic, long drawn out and legalistic'. A suggestion was thus made to supplement it with a local inquiry led by Trades and Labour groups, from which evidence could later be submitted to the full public inquiry. The implication was that this would not be received in

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<sup>188</sup> 'Notes on Debate of Councillor John McLaren's Motion', BRO: 42974/1; John A. Brown to William Whitelaw 18 April 1980, BRO: 42974/1.

such negative terms. However Councillors Trench and Draper both pointed out that such an inquiry would not have the standing or personnel required to impress ministers and, whilst a judicial inquiry would have powers to compel attendance and submission of evidence, other inquiries may just be shunned.<sup>189</sup> Although the obvious practicalities of having authority figures appear at every possibly conceivable private inquiry would render their jobs unfeasible, such situations added another layer of discontent amongst people who believed that those in positions of power were unaccountable for their actions.

A different view of this St Pauls Ward meeting came from Labour Party member Trevor Morgan, who described it as a 'shambolic rambling catastrophe'.<sup>190</sup> Rather than supporting the idea that this meeting should be seen as an indication of what the disgruntled St Pauls community desired he instead argued it achieved nothing and was not representative of the views of the local community, as most were not present. The proposed local inquiry had been suggested by Labour members, not the 'alienated poor of St. Paul's', and the fate of the local black community

...will not be influenced by this meeting of cranks, well-intentioned do-gooders and weaklings. It will not be influenced in any way by this event; for the actors who will take part in the drama that is to unfold were not in the room or anywhere near the meeting.<sup>191</sup>

Morgan seemed to recognise, more so than some other colleagues, that believing to know what was best for the community or their needs, was not the same as their actual participation in the process.

A meeting which appeared to boast more local support was of the Bristol Council for Racial Equality (BCRE), held the following day. This also called for a full public inquiry and that the police drop any charges or investigations relating to the disturbance. Demonstrating the importance attributed to such demands, it was decided that any BCRE member not fully supporting these resolutions would henceforth be denied membership. Due to this meeting being freely open to the public, it was well attended and stimulated great discussion.<sup>192</sup> From a population who felt that the British democratic system had repeatedly excluded them, the opportunity to voice opinions on their own future was an appealing

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<sup>189</sup> 'Notes on Debate of Councillor John McLaren's Motion', BRO: 42974/1.

<sup>190</sup> Trevor Morgan, 'Report on Ashley and St. Paul's Meeting at Horley Road on 15th May, 1980', 15 May 1980, BRO: 43129 (Box 106).

<sup>191</sup> *Ibid.*

<sup>192</sup> Page, 'Notes from the Meeting of the Bristol Council for Racial Equality', BRO: 42974/1.

prospect and representative of a desire for political participation. During the meeting there was much criticism of both the City and County Councils, suggesting that the black community saw these local authorities as easily recognisable groups to which they could express their frustrations about enduring racial discrimination, mirroring arguments of the police's similar position as frontline targets.<sup>193</sup> Indeed, during discussion it was suggested that the lack of a focal point within the Council had resulted in the police being the only body which the black community had regular contact with. Nicks stated that, whilst the violence could be interpreted as anti-police, he believed it was rather a build-up of frustrations within the community and that the police were 'the butt end of this accumulation'. In this argument the police represented an easily identifiable face of authority, and the collective violence was an attempt to hold the authorities as a whole accountable for their perceived failings, rather than the police specifically.

During this meeting other groups were not immune from criticism, including the BCRE and community itself. The BCRE was charged with being turned away too easily from the Council's offices and that they 'should have kept knocking until they were listened to'. A description of the overall feeling of the meeting recorded that most believed any possible lessons of the disturbance would either be buried or deliberately misinterpreted by any official inquiry, and regardless nobody would be willing to learn them.<sup>194</sup> This clearly shows the continuation of a pessimistic view of the British authorities which had led to collective violence in the first place.

Despite the contention that the disturbance had not been purely anti-police, many at this meeting believed that any complaints against the police made by ethnic minorities were not investigated in a fair and impartial manner. This had thus led many to completely lose faith in the police. The level of anger was shown by a proposed BCRE motion calling for the immediate resignations of the Divisional Commander and Head of the Criminal Investigation Department. Although eventually dropped, this suggestion clearly shows the backlash created due a perceived lack of accountability on behalf of the police. Furthermore one speaker alleged that the police had previously assured the

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<sup>193</sup> Assistant Director (Estates), Housing Department, 'Bristol Council for Racial Equality Meeting, 16th April 1980', 17 April 1980, BRO: 42974/1.

<sup>194</sup> Page, 'Notes from the Meeting of the Bristol Council for Racial Equality', BRO: 42974/1.

BCRE that no further arrests would be made in relation to the disturbance, but that a number of subsequent arrests further reduced 'what credence the coloured people could put in Police promises'. Community Relations Officer Chief Inspector Derek Lane attempted to respond to this accusation, but it was reported his 'valiant attempts' were not accepted by the crowd.<sup>195</sup> It appears that this accusation was not in fact wholly accurate, but again the importance of the widespread willingness to believe it is noteworthy. A BCRE report stated that, during a meeting of representatives and senior officers of the Avon and Somerset Constabulary one week after the disturbance, it was argued that the level of police inquiries and interrogation was being interpreted as a campaign directed against the black community in order to regain police authority lost during their withdrawal. Weigh had assured the Committee that house to house inquiries had ceased and agreed to allow members of the local community to visit cells to prove that nobody was still being held in relation to St Pauls.<sup>196</sup> This latter privilege was wholly conditional upon black social workers 'accompanying' those still wanted for questioning to the police station (i.e. finding and rounding them up), suggesting that any police concessions would be decidedly on their own terms; although the police contended that this was simply so that black social workers could be present if requested to aid those who may be unfamiliar with or intimidated by the legal system.<sup>197</sup> A so-called 'wanted list', initially predicted by the police to contain twenty-five names, only actually resulted in six.<sup>198</sup>

Deputy Chief Constable Donald Smith informed the BCRE on 29 April that the police did not have the power to grant their demand for an amnesty of charges relating to the disturbance.<sup>199</sup> It was thus agreed by the BCRE that they would pursue this request with the Attorney General and Director of Public Prosecutions.<sup>200</sup> Regardless of this inability to actually grant such an amnesty, it was felt that the apparent rejection to exonerate participants from any legal backlash was a further refusal to acknowledge the local community's perspective and admit mutual culpability. It was not only the BCRE who

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<sup>195</sup> *Ibid.*

<sup>196</sup> Bristol Council for Racial Equality, "Picking up the pieces", p. 25.

<sup>197</sup> Joshua, Wallace and Booth, *To Ride the Storm*, p. 130.

<sup>198</sup> Bristol Council for Racial Equality, "Picking up the pieces", pp. 25-6.

<sup>199</sup> Paul Stephenson, 'Bristol Disturbances - April 2nd 1980', 6 May 1980, BRO: 43129 (Box 105).

<sup>200</sup> Bristol Council for Racial Equality, "Picking up the pieces", p. 27.

requested such an amnesty for those arrested in relation to the riot. Dr Leslie Wollen, former Chairman of the Community Relations Council, informed Whitelaw that he believed any attempts to punish those involved would further damage race relations and suggested an amnesty would be 'not only generous but wise':

...it seems to me that nothing would do more to re-establish confidence in the police and our judicial system. Any punishment inflicted is bound to be arbitrary, falling on innocent and guilty, and leaving many yet more guilty to get off free. This will only increase the sense of grievance which many already understandably have and further worsen the relations with the police.<sup>201</sup>

The Bristol community workers' branch of the National Union of Public Employees also backed calls for an amnesty, similarly receiving the response from the Police Authority that they did not possess the power to do so.<sup>202</sup> Thus the trials of those arrested in relation to the disturbance proceeded, causing much discontent and maintaining tensions between the local black community and authorities, and are discussed in the following chapter.

## **CONCLUSION**

The explosion of violence in St Pauls certainly shocked many, although not those involved with the local black community. The police argued that they had previously enjoyed a good relationship with the local black community, proven to be at best woefully mistaken and at worst wilfully disingenuous as an attempt to avoid criticism. Their temporary withdrawal from the area during the height of the disorder was branded by many as deeply worrying and increased calls for police to be adequately equipped with resources and manpower to appropriately respond to any further violent outbreaks. This surely shaped the response of future disturbances in making sure such 'weaknesses' were not again displayed by the police; but such a response undermined the discontent at the heart of the disorder. Despite numerous discussions about the best way to study events in order to obtain any possible lessons, as Roy de Freitas summarised: 'The future depended not on enquiries but on what [action] actually happened.'<sup>203</sup> As will be shown in the following chapters, the absence of either governmental public inquiries or related action ensured that the

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<sup>201</sup> Leslie Wollen to William Whitelaw, 25 April 1980, 43129 (Box 106); Leslie Wollen to Carmen Beckford, 25 April 1980, 43129 (Box 106).

<sup>202</sup> Shorney, "'Inspired Retreat' of Riot Police".

<sup>203</sup> City Clerk, 'Notes of a Press Conference', BRO: 42974/1.

immediate future would see a recurrence of the St Pauls violence, when similar disturbances spread around England the following year.

**CHAPTER THREE**  
**LACKING CONVICTION?: INQUIRIES AND**  
**TRIALS AFTER BRISTOL**

Calls for public inquiries into events in St Pauls continued, as they did during all of the main events discussed. It was believed that a lack of such an inquiry demonstrated the government did not care about the plight of local black communities, or that they were attempting to protect and conceal police misconduct. Other measures that were implemented by the government were thus boycotted by various groups who believed their attendance would imply satisfaction with such a limited response, although such a tactic resulted in the only actions sanctioned by the government being less productive than they might otherwise have been with more participation. Continuing the focus upon criminality aspects to the detriment of race relations, the state appeared more focussed upon obtaining sentences for those involved in the disturbances in attempts to provide a deterrent for future violence and to reassure the general public. This was possibly influenced by the criticism directed towards the Bristol police for their temporary withdrawal. This chapter concludes with discussion of how news of the disturbances spread, first within the city and subsequently around the country, linking into ideas of how the disorder would extend around the country the following year.

**NO INQUIRY – BUT A ‘THREE-PRONGED RESPONSE’**

Governmental action that did follow the Bristol disturbances was limited and criticised as an inadequate response. For example the Commission for Racial Equality (CRE)-backed inquiry into employment and inequality within Bristol described how a ‘plea for recognition’ after St Pauls had been ‘fobbed off’.<sup>1</sup> Home Secretary William Whitelaw, in the words of Martin Kettle and Lucy Hodges, ‘got himself off the hook of having to announce an inquiry’ by outlining a three-pronged response which was immediately seen as a ‘tacit refusal’ of the

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<sup>1</sup> Bristol Resource Centre, ‘Race, Employment and Inequality in the Bristol Area: An Action Research and Education Project sponsored by the Commission for Racial Equality: Interim Report’, (1980), p. 25, BRO: 32080/TC1/10/8.

demand for a full public inquiry.<sup>2</sup> Bristol's Assistant Community Relations Officer Peter Courtier told government officials how 'many local people are confused as there was almost unanimous support in the call for a full independent public inquiry'.<sup>3</sup> Such confusion undoubtedly led to anger in many who believed the government were not answering the pleas of the community, even after collective violence. Whitelaw privately told the Cabinet he believed 'Such an inquiry would be undesirable' as 'the Chief Constable and the police would be pilloried to no good purpose'.<sup>4</sup> Furthermore he believed 'the pressure to hold a public inquiry into every controversial matter affecting the police ought to be resisted, not least because of the demands such inquiries made on the time of senior judges'.<sup>5</sup>

This governmental response, alongside many other similarities, was linked by Bishop Norman Sargant to the refusal to grant a public inquiry following the 1831 Bristol riots in favour of a similar 'three pronged approach'.<sup>6</sup> At that time Unitarian minister Dr Lant Carpenter had stated that, if he were a member of the magistracy, he would call for a full investigation because 'the public odium would not be increased by the knowledge of the whole truth'.<sup>7</sup> A similar argument was made in 1980 by chairman of the West Indian Parents and Friends Association Owen Henry, who asked; if the Home Office had nothing to hide or to be ashamed of, 'why not have a public inquiry?'<sup>8</sup> Whilst arguments of cost can be directed against such questions, both financially and of undermining governmental or police authority, without a strong governmental response or full explanation for the lack of an inquiry it appeared to many observers that authorities still believed, in 1980 as in 1831, that revealing 'the whole truth' would indeed increase 'the public odium'.

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<sup>2</sup> Martin Kettle and Lucy Hodges, *Uprising!: The Police, the People and the Riots in Britain's Cities* (London, 1982) p. 32; Bristol Council for Racial Equality, "Picking up the pieces" A Report on the aftermath of the St. Paul's Riot – 2nd April 1980', Bristol Council for Racial Equality, *Annual Report* (Bristol, 1980) p. 27, BRO Pol/LG/1/11.

<sup>3</sup> Peter Courtier to David Natzler, 15 May 1980, BRO 43129 (Box 105).

<sup>4</sup> Conclusions of a Meeting of the Cabinet held at 10 Downing Street on Thursday 24 April 1980, The National Archives (TNA): CAB 128/67/17.

<sup>5</sup> *Ibid.*

<sup>6</sup> Bishop Norman Sargant, Honorary Archivist of Bristol Cathedral, 'The Bristol Riots – 1831', (October 1980), BRO 43129 (Box 105).

<sup>7</sup> *Ibid.*

<sup>8</sup> Owen Henry to David Natzler, 14 May 1980, BRO 43129 (Box 106).

## HOME OFFICE REPORT

The first of Whitelaw's three prongs was a request for senior government officials to 'thoroughly and urgently' examine arrangements for handling spontaneous public disorder.<sup>9</sup> The CRE detailed how this completed assessment was "published", i.e. placed in the Library of the House of Commons', clearly showing how little relation they believed this response bore to the calls for a full public inquiry that addressed the situation and how marginalised groups could not even access such discussion:

The report...is lodged in the House of Commons Library for the perusal of all with access to that institution. This would seem to indicate that certain matters are either too weighty and complex to be entrusted, or too trivial to be of interest, to ordinary people, and in particular to the black people of inner-city Bristol whose situation brought about the review in the first place.<sup>10</sup>

Harris Joshua, Tina Wallace, and Heather Booth argued that, by focusing foremost upon this aspect of the disturbances, it further disseminated the idea that it had been an unprovoked attack upon the police by the local black community and that a better police response to public disorder would be the solution. Without a public inquiry, the primacy placed upon the Chief Constable's report and later riot trials formulated a response which removed social, political, and economic dimensions and instead discussions were 'reduced to its lowest common denominator – a crisis of law and public order'.<sup>11</sup> In what Kettle and Hodges labelled 'a revealing priority', the government tactic of framing the post-disturbance debate around issues of law and order rather than their social, economic or racial policies, diminished the potential threat to their authority.<sup>12</sup>

Joshua *et al.* dedicated sizeable discussion to how there was little dispute in public regarding the 'facts' of the disorder and the legitimacy of the official version was not generally questioned, despite resting largely on a highly selective and confused account provided by the Chief Constable.<sup>13</sup> St Pauls was a clear indictment that government policies, such as the belief immigration controls combined with successive Race Relations Acts would improve race

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<sup>9</sup> HC Deb 28 April 1980 vol. 983 cc. 971-2.

<sup>10</sup> Bristol Resource Centre, 'Race, Employment and Inequality in the Bristol Area', pp. 25-6.

<sup>11</sup> Harris Joshua, Tina Wallace and Heather Booth, *To Ride the Storm: The 1980 Bristol 'Riot' and the State* (London, 1983) pp. 72, 190.

<sup>12</sup> Kettle and Hodges, *Uprising!*, p. 32.

<sup>13</sup> Joshua, Wallace and Booth, *To Ride the Storm*, chapters 2-3.

relations and reduce discrimination, had failed; but rather than reconsider their position on racial issues the government instead focused to 'suppress the symptom of that failure – collective racial violence'.<sup>14</sup> By presenting and focusing reaction to events in order to further their own ends, it is difficult to claim that this was a governmental response demonstrating accountability for its policies and actions.

Some contemporaries did challenge this concentration upon law and order; for example local MP Tony Benn commented that if, for example, it was recommended that the Special Patrol Group were expanded this would not 'constitute a proper answer' to the problems.<sup>15</sup> The Bristol Council for Racial Equality (BCRE) implored Whitelaw to thoroughly examine underlying reasons for the disorder and that 'it would be a tragedy if this unhappy incident was seen simply as a "law and order issue"'.<sup>16</sup> Mike and Trevor Phillips later commented that the absence of an inquiry into conditions which produced the disturbances, despite these same conditions existing elsewhere, suggested, especially to the black population, that the government's strategy for dealing with such conflicts was a 'crude reliance on the police to contain trouble'.<sup>17</sup> When outlining his response, Whitelaw stated that it was important that 'we consider carefully the lessons to be learnt' from the event; and in framing governmental response to reduce public criticism of their policies, it appears that it was indeed extremely carefully considered.<sup>18</sup>

#### SELECT COMMITTEE ON HOME AFFAIRS

The second of Whitelaw's three-pronged response was announcing the Race Relations and Immigration Sub-Committee of the Select Committee on Home Affairs would undertake an inquiry into racial disadvantage. However Whitelaw actually had no control over the Sub-Committee's actions and they had already elected to consider racial disadvantage prior to both Whitelaw's

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<sup>14</sup> *Ibid.*, p. 192.

<sup>15</sup> HC Deb 28 April 1980 vol. 983 c. 975.

<sup>16</sup> Bristol Council for Racial Equality to William Whitelaw, 14 April 1980, BRO 42974/1.

<sup>17</sup> Mike Phillips and Trevor Phillips, *Windrush: The Irresistible Rise of Multi-Racial Britain* (London, 1998) p. 362.

<sup>18</sup> HC Deb 28 April 1980 vol. 983 c. 978.

announcement and even the disorder itself.<sup>19</sup> Summarising the belief that this was an inadequate and inappropriate response, the CRE inquiry described this as 'A fortuitous use (or misuse?) of an existing body'.<sup>20</sup> In the process of their inquiry, the Sub-Committee visited Bristol on 22 May and met with various interested parties.<sup>21</sup> City Clerk John Brown illuminated the subtext when stating that the Sub-Committee's visit 'seems to be the Government's response to the City Council's resolution seeking a full independent public inquiry'.<sup>22</sup> A letter from Brown to Bristol Councillors detailed the Sub-Committee's visit, stating that they wished to examine 'racial disharmony'; although it was not to be limited to St Pauls or even Bristol itself.<sup>23</sup> Any hope that this inquiry would be addressing the 'disharmony' of 2 April was dashed when this apparent mistake was quickly rectified and Brown stated the following day that the letter should have instead read 'racial disadvantage'.<sup>24</sup> Whether a genuine typing mistake on Brown's part or a misunderstanding between Brown and the Sub-Committee of the focus of its investigations, it shows that an inquiry addressing disharmony and the unrest itself was certainly on the minds of those involved in Bristol.

This issue was further addressed by the Sub-Committee when they clarified they 'would not wish to examine the particular case' of 2 April, but that the terms of reference for their enquiries was to study the underlying causes.<sup>25</sup> Similarly notes circulated for the guidance of witnesses prior to their visit stated that oral evidence would be collected in a 'strictly question and answer form', and that it would be helpful if witnesses could keep their answers as brief as possible.<sup>26</sup> It is not difficult to imagine the frustration and further disillusionment of those calling for a full independent inquiry only to be subsequently told that the only chance for them to voice their opinions or vent their frustrations directly to government officials was in an atmosphere explicitly described as: 'not in any

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<sup>19</sup> John Wheeler stated that the Sub-Committee had decided upon its inquiry in March: John Wheeler, 'Sub-Committee on Race Relations & Immigration Visit to Bristol – Thursday 22 May', 14 May 1980, BRO 43129 (Box 105); Graham W. Reid, 'Report of House of Commons Home Affairs Sub-Committee on Race Relations and Immigration Day Trip to Bristol on 22 May 1980', BRO 43129 (Box 105).

<sup>20</sup> Bristol Resource Centre, 'Race, Employment and Inequality in the Bristol Area', p. 25.

<sup>21</sup> Reid, 'Home Affairs Sub-Committee on Race Relations and Immigration'.

<sup>22</sup> John Brown to Michael Colvin MP, 12 May 1980, BRO 42974/1.

<sup>23</sup> John Brown to various Councillors, 6 May 1980, BRO 42974/1.

<sup>24</sup> John Brown to R. W. Wall, 7 May 1980, BRO 42974/1.

<sup>25</sup> R. J. W. / J. B. F., 'Race Relations and Immigration Sub-Committee of the Home Affairs Select Committee', 30 April 1980, BRO 42974/1.

<sup>26</sup> I. C. Bryan, 'Notes for the Guidance of Witnesses', p. 2, BRO 42974/1.

way a discussion'.<sup>27</sup> Even this limited opportunity was only available to those actually granted permission to submit oral evidence to the Sub-Committee and many who wished to verbally make their views known to the government were unable to do so. It is hard to argue that increased political participation or full accountability was being achieved under such strict constraints. Leader of Bristol City Council Claude Draper, further to expressing disappointment that a public inquiry was not deemed 'either necessary or appropriate', wrote to Whitelaw to warn that many local residents would wish to provide oral evidence and 'will most strongly object to any lack of opportunity to do so'.<sup>28</sup> Conservative MP William Waldegrave responded that Draper 'does not seem to have a very clear understanding of how select committees work', that they had no limitations upon what they could examine, and had powers to subpoena if required.<sup>29</sup> However just because they had no limitations upon what they *could* look at, did not mean that they *would* look at everything that was requested of them; they had already rejected the idea of examining 'the particular case' of 2 April.

Draper further deemed the Sub-Committee's single day visit inadequate and 'a failure to appreciate the complexity of the problems'.<sup>30</sup> He believed a three-day visit would be far more realistic and warned that any attempt to limit the amount of time for evidence to be heard would have 'serious repercussions'.<sup>31</sup> MPs Michael Colvin and Arthur Palmer agreed and suggested that the BCRC should make it clear to the Sub-Committee that one day was inadequate.<sup>32</sup> Waldegrave retorted that it was 'perfectly possible' for the Sub-Committee to return to Bristol if they felt they needed more time to obtain oral evidence, although the assistant clerk had previously stated he did not think the Sub-Committee would be able to find the time to prolong the inquiry to more than one day.<sup>33</sup> If a visit from a Sub-Committee was a poor response to the full independent public inquiry being requested, then such a fleeting visit added insult to injury.

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<sup>27</sup> *Ibid.*

<sup>28</sup> Councillor Claude Draper to William Whitelaw, 13 May 1980, BRO 42974/1.

<sup>29</sup> William Waldegrave MP to John Brown, 16 May 1980, BRO 42974/1.

<sup>30</sup> Draper to Whitelaw, 13 May 1980.

<sup>31</sup> R. J. W. / J. B. F., 'Race Relations and Immigration Sub-Committee'.

<sup>32</sup> Michael Colvin to Peter Courtier, 19 May 1980, BRO 43129 (Box 106); Arthur Palmer to Peter Courtier, 24 May 1980, BRO 43129 (Box 106).

<sup>33</sup> Waldegrave to Brown, 16 May 1980; R. J. W. / J. B. F., 'Race Relations and Immigration Sub-Committee'.

Draper also warned Whitelaw that the lack of a public inquiry would likely be unpopular and various organisations may undertake 'other local "enquiries"...with all the implications that could result from such action'; clearly suggesting that such studies might not be balanced or impartial and likely increase resentment against the authorities.<sup>34</sup> Draper attempted to argue that to avoid a government-sanctioned public inquiry, on the basis that it may provoke criticism of the police or authorities, would be counterproductive as local inquiries with less government influence would surely do so in a far more overtly partisan manner. Waldegrave countered that, as other inquiries had been announced prior to the government officially announcing their three-pronged response, it was 'quite obvious' that 'whatever happened, there would have been other organisations jumping on the bandwagon'.<sup>35</sup> Instead, as has been shown, it was likely that it was previous experience alongside the initial government sluggishness to announce a full and coherent response to events that provoked action from other interested parties. Furthermore it could be suggested that such partisan and unbalanced inquiries might actually be welcomed by the government, as they could afterwards be easily condemned as inaccurate and therefore add credence and strengthen the authorities' 'official' response.

As the BCRE began collecting evidence to submit to the Sub-Committee, local feeling during a meeting in St Pauls promoted the tactic of boycotting their visit. The Sub-Committee was thus informed of this decision, as well as the continued demand from the local community for a public inquiry.<sup>36</sup> Palmer, whilst agreeing with their objections, hoped that the BCRE would actually submit evidence as 'my experience is that it always pays to use every channel when a protest is to be made'.<sup>37</sup> Whilst this was undoubtedly sage advice and appeared to support that the disorder itself was another 'channel' used as protest rather than mindless violence, it was sent to the BCRE two days after the Sub-Committee's actual visit. Even when local politicians attempted to give constructive advice, it did not always arrive in time. At an emergency Executive Committee meeting three days before the visit it was resolved that, whilst the BCRE should be represented at discussions to make its position clear, it should

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<sup>34</sup> Draper to Whitelaw, 13 May 1980.

<sup>35</sup> Waldegrave to Brown, 16 May 1980.

<sup>36</sup> Bristol Council for Racial Equality, "Picking up the pieces", p. 28.

<sup>37</sup> Palmer to Courtier, 24 May 1980.

'defer the submission of written evidence until such a time as it was satisfied that such evidence was likely to be used to the best advantage'.<sup>38</sup> It was believed that providing evidence to the Sub-Committee would be seen as a tacit acceptance of Whitelaw's response and refusal to conduct a full independent public inquiry. Such an inquiry was considered essential as previous Select Committee proceedings had little positive effect, such as the government's previous rejection of the Committee's earlier recommendation that 'sus' laws be abolished.<sup>39</sup> Furthermore, echoing previous points, the BCRC did not believe an inquiry into racial disadvantage was required as this had already been confirmed multiple times by previous investigations: 'An inquiry was needed to establish remedies for racial discrimination not the fact of it.'<sup>40</sup> The Bristol West Indian Parents and Friends Association agreed and believed investigation into racial disadvantage in place of a public inquiry into the St Pauls disturbances would be 'a cover up'.<sup>41</sup>

It was not only the BCRC which planned to boycott the Sub-Committee's visit to demonstrate their disapproval at the lack of a public inquiry. During a public meeting, the St Pauls United Defence Committee resolved to request the Sub-Committee not come to Bristol and boycott submitting oral evidence as it was 'a wholly unacceptable response to the community's demand'.<sup>42</sup> A further oft-repeated criticism leading to boycott was the lack of time given to local organisations in order to prepare their evidence.<sup>43</sup> Monique Courtier reasoned that, by not giving local community organisations sufficient notice or information as to how evidence was to be collected, that was itself racial disadvantage 'particularly to those of the minority groups who cannot read, write or get an opportunity like myself to know that there is such an exercise to take place'. It was deemed vital that 'the common man must be reached' if the inquiry was to serve any purpose and many believed the Sub-Committee had not sufficiently

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<sup>38</sup> Bristol Council for Racial Equality, "Picking up the pieces", p. 28; Bill Nicks, 'Sub-Committee on Race Relations & Immigration visit to Bristol Thursday 22nd May', Press release, BRO 43129 (Box 105).

<sup>39</sup> Bristol Council for Racial Equality, "Picking up the pieces", p. 28; Bristol Resource Centre, 'Race, Employment and Inequality in the Bristol Area', p. 25.

<sup>40</sup> Nicks, 'Sub-Committee on Race Relations & Immigration'.

<sup>41</sup> Henry to Natzler, 14 May 1980.

<sup>42</sup> St Pauls United Defence Committee, Press Release, 14 May 1980, BRO 43129 (Box 105).

<sup>43</sup> Courtier to Natzler, 15 May 1980, BRO 43129 (Box 105); Henry to Natzler, 14 May 1980.

done enough to ensure this.<sup>44</sup> Indeed, such a response did not appear to be granting marginalised groups the increased political participation they desired.

In response to such fervent criticisms, Chairman of the Sub-Committee John Wheeler MP subsequently released a press statement stating he greatly regretted this boycott. He emphasised to the community that the Sub-Committee was 'not an organ of the government but an independent body' and that, as Whitelaw had no control over their actions, their visit bore no relation to the demands for an independent public inquiry.<sup>45</sup> He specified they were willing to revise the format of their day visit to Bristol in order to hear more testimony from the community and reiterated the possibility of a return to Bristol if considered necessary. In response to the strength of local opinion, two days prior to the visit the itinerary was restructured to include an extra hour of open discussion and an evening visit to St Pauls, during which the Sub-Committee would 'of course also be open to approaches from individual residents'.<sup>46</sup> This eleventh-hour attempt to appeal to the 'common man' and those who had deemed their visit an excuse for not conducting a full inquiry did not appear successful. Community leaders maintained their boycott threat as, despite this extra hour's hearing, they repeated that a day's visit was simply not enough. Less than two hours had been allocated for all community groups to make their views heard, which meant that each group would only have roughly ten minutes each to make their arguments to the Sub-Committee.<sup>47</sup> Such a tight schedule would require witnesses to 'beat the clock to get their views across' during the visit of a Sub-Committee accused of 'rushing in and rushing out again so it can say it has been to Bristol'.<sup>48</sup>

Thus when the Sub-Committee eventually visited Bristol on 22 May 1980 it was met with a largely negative response from the local community, described by one newspaper as 'A wall of resentment'.<sup>49</sup> The level of anger was such that a police presence was required for security reasons, advised to keep a low

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<sup>44</sup> Monique Nzilani Courtier to David Natzler, 13 May 1980, BRO 43129 (Box 106).

<sup>45</sup> Wheeler, 'Sub-Committee on Race Relations & Immigration Visit to Bristol – Thursday 22 May'.

<sup>46</sup> Home Affairs Committee, 'Race Relations and Immigration Sub-Committee Visit to Bristol on Thursday 22nd May', Press Note 10, BRO 43129 (Box 106); David Natzler to Peter Courtier, 16 May 1980, BRO 43129 (Box 106).

<sup>47</sup> 'Race Probe "Boycott" Threat', *Bristol Evening Post*, 19 May 1980; Dave Baxter, 'Race Probe Boycott is Still On', *Bristol Evening Post*, 16 May 1980.

<sup>48</sup> Words of Peter Courtier, as cited in 'Race Probe "Boycott" Threat'; Baxter, 'Race Probe Boycott is Still On'.

<sup>49</sup> 'Bristol Riots: Snub for MPs', *Daily Mail*, 23 May 1980.

profile and be plainclothed, undoubtedly in an attempt to avoid any recurrence of violence directed towards easily identifiable officers.<sup>50</sup> Local authorities and statutory bodies attended and provided evidence to the Sub-Committee, but representatives of BCRE and others conducted their planned strategies of using the visit to repeat calls for a public inquiry.<sup>51</sup> Whilst this 'all-or-nothing' tactic of refusing to submit evidence until a full public inquiry was held may have been believed to be a persuasive bargaining chip, the continued refusal of the Home Secretary to reverse his decision resulted in a situation where local organisations achieved neither a full inquiry nor submission of evidence to the only investigation into events originating from Westminster. Conservative Sub-Committee Chairman John Wheeler accused those community leaders who called for a boycott of having 'betrayed the ordinary people of the community'.<sup>52</sup> Labour Councillor John McLaren countered that the whole issue had stemmed from Whitelaw's public insistence that the Sub-Committee's visit was part of the government's response, thus imposing 'something on the Sub-Committee which was not in its original brief' and instead suggesting that the government had betrayed the community.<sup>53</sup> Such a response is possibly unsurprising from a political opponent, but it highlights the dissatisfaction felt by local people towards the apparent repeated failure for a full governmental-endorsed investigation.

The open discussion of the Sub-Committee's visit was a largely spiky affair with many occasions when emotions threatened to boil over. BCRE Chairman Bill Nicks stated that 'No discourtesy was intended' from their non-submission of written evidence, but not all who attended seemed as keen to be as civil. One speaker described the session as 'a complete farce' and another curtly replied to the Sub-Committee's questions with: 'You've got my name wrong.'<sup>54</sup> Despite the intention being for the visit to hear testimony from the local community, there were more members of the press present than the public; attributed by Graham Reid to the fact it fell on a Thursday, part of the common working week.<sup>55</sup> It was thus impossible for many members of the local community, who had repeatedly wished to make their views known to the

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<sup>50</sup> R. J. W. / J. B. F., 'Race Relations and Immigration Sub-Committee'.

<sup>51</sup> Bristol Council for Racial Equality, "Picking up the pieces", p. 28.

<sup>52</sup> 'St Paul's Traitors, by MP', *Western Daily Press*, 23 May 1980.

<sup>53</sup> Reid, 'Home Affairs Sub-Committee on Race Relations and Immigration'.

<sup>54</sup> *Ibid.*

<sup>55</sup> *Ibid.*

democratically elected officials, to even attend this unsatisfactory inquiry. Newspaper estimates placed the number present at 42-50 with many pointing out that there were few black people present.<sup>56</sup> Fred Walcott, a black magistrate, believed young people had stayed away due to fear of being identified on television cameras and subsequently targeted by the police, something he claimed had occurred following the disturbances.<sup>57</sup> This is not implausible as such accusations had existed for years previously of police targeting individuals who provided evidence of misconduct; however it is just as likely that black youth simply did not believe this meeting was worth attending as it would not do anything to help them.<sup>58</sup>

The Sub-Committee made it clear on numerous occasions that they were not involved in whether there should be a public inquiry and it was not why they had visited the area, but the majority of speakers wished to address this topic. This was epitomised by a solicitor who had attended the meeting, on behalf of a client charged in connection with the disturbances, upon the misunderstanding that it was the inquiry into the disturbances that so many had been calling for.<sup>59</sup> John McLaren stated the community felt 'snubbed' and, until the general public were allowed an opportunity to voice their opinions, the Sub-Committee's 'presence in Bristol is a complete and utter waste of time'.<sup>60</sup> Wheeler responded that their visit was exactly the opportunity for 'ordinary people to make their points', but few present accepted that argument. Rising tensions caused MP Alex Lyon to bluntly state 'We are here to try to help black people' and Wheeler subsequently complained: 'How can we go back and report if you fail to tell us anything?' He implored a reluctant Avon County Councillor to 'Do go on' on the rare occasion that detailed evidence was being given, but Draper appeared to correctly sum up the mood of the meeting when he remarked to the Sub-Committee: 'You are not going to get anywhere this morning, are you?'<sup>61</sup>

The Sub-Committee also did not appear to endear themselves to the assembled locals. For example Wheeler questioned whether one speaker was planning to return to Kenya and questioned her 'right to speak for the black

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<sup>56</sup> Colin Randall, 'MPs' Riot Scene Discussions "Utter Waste of Time"', *The Daily Telegraph*, 23 May 1980; 'Bristol Riots: Snub for MPs', *Daily Mail*, 23 May 1980.

<sup>57</sup> Dennis Johnson, 'MP Tries to Clear Air Over Riot Inquiry', *The Guardian*, 23 May 1980.

<sup>58</sup> Kettle and Hodges, *Uprising!*, p. 34.

<sup>59</sup> Reid, 'Home Affairs Sub-Committee on Race Relations and Immigration'.

<sup>60</sup> Randall, 'MPs' Riot Scene Discussions "Utter Waste of Time"'.

<sup>61</sup> "It's a Snub" Protest in Race Probe', *Bristol Evening Post*, 22 May 1980.

people here'. Another heated exchange occurred when Reverend Keith Kimber criticised the manner in which the Sub-Committee was collecting evidence. He argued that, as the open discussion was not being minuted or protected by Parliamentary privilege and its structure made even him 'nervous and intimidated', this disadvantaged those who could not prepare written submissions but whose oral evidence could have been recorded.<sup>62</sup> Indeed it had also been circulated before the visit that nothing from this open discussion would be regarded as evidence or used in the report; presumably causing people to question the point of even making their feelings known.<sup>63</sup> Lyon countered that Kimber was an educated man and knew why the Sub-Committee were in Bristol: 'It's no good striking a pose for us – we are not impressed. We want information.'<sup>64</sup> Kimber objected to both himself and the local community being patronised to which Lyon, who had previously resigned as a Labour Home Office Minister in a row over immigration, appeared to take as an accusation that he was unsuited for this job: 'I gave up my political career for race.'<sup>65</sup> Despite this professed sacrifice and dedication, his visit as part of the Sub-Committee still did not appear to be welcomed by the local community. Kimber later clarified that the point he was attempting to make was that 'however much I and a host of so-called experts in race relations know of racial discrimination, our voices are no substitute for those of people actually suffering'.<sup>66</sup> This was supported by Walcott who pointed out that none of those involved in the disturbance were currently present, admitting 'We have failed to bring these people before you, and you must find a means of speaking to them.'<sup>67</sup> Whether this was actually a failure on behalf of the government or local community, the end result was that the Sub-Committee's visit did not appease the repeated pleas for a public inquiry into events in St Pauls.

#### CITY/COUNTY COUNCIL PARTNERSHIP

The third of Whitelaw's three pronged approach was also an action that had largely nothing to do with him or central government. He informed the Commons that he welcomed the decision of the Avon County Council and

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<sup>62</sup> Randall, 'MPs' Riot Scene Discussions "Utter Waste of Time"'.  
<sup>63</sup> 'Partial Boycott of Race Inquiry's Hearings on Riot in Bristol', *The Guardian*, 21 May 1980.  
<sup>64</sup> Randall, 'MPs' Riot Scene Discussions "Utter Waste of Time"'.  
<sup>65</sup> 'St Paul's Traitors, by MP', *Western Daily Press*, 23 May 1980.  
<sup>66</sup> Reverend Keith Kimber, 'Please Listen to the People of St Pauls', *Western Daily Press*, 5 June 1980.  
<sup>67</sup> Johnson, 'MP Tries to Clear Air Over Riot Inquiry'.

Bristol City Council to jointly examine how they could best improve community relations and declared that experts from all government departments concerned would 'play a full part' in this exercise.<sup>68</sup> Whitelaw publicly stated a belief that, alongside the Select Committee's work, it represented 'the best way forward in tackling the complex and delicate issues that are involved'.<sup>69</sup> However he privately told the Cabinet that this joint examination 'might not, in fact, achieve much'.<sup>70</sup> Furthermore, with the exception of the local department of the Manpower Services Commission, the 'full part' played by government departments in reality amounted to very little; a Home Office representative even admitted that his department 'did not profess to know any answers to the problem or be able to provide solutions'.<sup>71</sup> Minister for Home Affairs Timothy Raison, using this City and County Council exercise to defend the decision to not proceed with a public inquiry, emphasised the great importance the government placed on the 'involvement of all locally-elected representatives in the Local Enquiry'.<sup>72</sup> Not all such locally-elected representatives approved. The Bristol City Clerk later conveyed explicit information that this collaboration would not be an inquiry into the St Pauls disturbances, and the inability to secure a government endorsed public inquiry was thus labelled a 'failure' by City Councillor Parsons.<sup>73</sup> In addition a City Council meeting noted that, prior to Whitelaw's statement the day after the disturbances, joint discussions with the County Council had already been proposed.<sup>74</sup>

Therefore, significantly, two of the government's three-pronged response to the events in St Pauls were unconnected to the national government and had already begun before Whitelaw even publically addressed the situation. In an effort to frame the response to the disturbance around aspects of public disorder instead of governmental policies, the only response that was spearheaded by Whitelaw himself was in how the police would deal with future outbreaks of violence, not examination of the situation which had initially led to such collective violence.

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<sup>68</sup> HC Deb 28 April 1980 vol. 983 c. 972.

<sup>69</sup> *Ibid.*; C. J. Stewart to John Brown, 28 April 1980, BRO 42974/1.

<sup>70</sup> Cabinet Meeting, 24 April 1980.

<sup>71</sup> Bristol Council for Racial Equality, Minutes, 1 May 1980, as cited in Joshua, Wallace and Booth, *To Ride the Storm*, p. 132.

<sup>72</sup> Notes of City Council meeting, 13 May 1980, BRO 42974/1.

<sup>73</sup> Brown to Colvin, 12 May 1980; Notes of City Council meeting, 13 May 1980.

<sup>74</sup> Notes of City Council meeting, 13 May 1980.

## **REACTION AND OTHER INQUIRIES**

This three-pronged approach was met with varying immediate responses from MPs. A private note to Prime Minister Margaret Thatcher informed that Whitelaw's announcement to the Commons 'went off very well' and nobody was 'disposed to argue seriously for a public enquiry'. This was despite Tony Benn and William Waldegrave already having done so. It concluded, somewhat optimistically: 'I think that the Home Secretary has successfully put this matter to bed for the time being.'<sup>75</sup> Conservative MP Nicholas Budgen questioned Whitelaw in the Commons what 'specific action – as opposed to discussion – is anticipated', to which Whitelaw broadly replied improved community relations, police recruitment, and that the communities involved must 'adopt a sensible attitude'.<sup>76</sup> For a community who felt that some had been pushed into a violent uprising to demand equality and political participation due to the repeated failures of the authorities, such a statement could only have been patronising.

Michael Colvin recorded that Bristol MPs, with the notable exception of Benn, conducted a lengthy conversation with Whitelaw prior to his announcement and agreed that his threefold inquiry proposals were the best way forward.<sup>77</sup> Colvin believed that a public inquiry had a high likelihood of turning into a 'witch hunt' which necessitated someone to be found guilty, but that 'the matter is so multifarious that it is quite impossible to lay the blame on any one particular individual organisation'.<sup>78</sup> Despite initially asking for a public inquiry, Waldegrave agreed the Bristol MPs welcomed the Sub-Committee's visit and believed it was a better approach than a judicial inquiry.<sup>79</sup> Conversely Benn, possibly explaining his absence at the meeting with Whitelaw, continued to back calls for a public inquiry as seen by his support for a visit to the House of Commons by a Parliamentary Lobby organised by the West Indian Parents and Friends Association and supported by the BCRE.<sup>80</sup>

Labour MP Arthur Palmer later reversed his opinion and stated that, whilst there was a time he believed the Sub-Committee's enquiries would be adequate, 'experience has now convinced me that this is not the case'.<sup>81</sup> Such

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<sup>75</sup> Note for Prime Minister, 28 April 1980, TNA: PREM 19/484.

<sup>76</sup> HC Deb 28 April 1980 vol. 983 c. 981.

<sup>77</sup> Michael Colvin MP to John Brown, 20 May 1980, BRO 42974/1.

<sup>78</sup> Colvin to Courtier, 19 May 1980.

<sup>79</sup> Waldegrave to Brown, 16 May 1980.

<sup>80</sup> Bristol Council for Racial Equality, "Picking up the pieces", p. 29.

<sup>81</sup> Arthur Palmer MP to John Brown, 30 June 1980, BRO 42974/1.

experience is likely what convinced the local black community likewise. As a result Palmer questioned whether the government, in light of local disappointment at the 'slowness of the so-called three-pronged inquiry', would reconsider the original request to hold an official inquiry.<sup>82</sup> Timothy Raison disputed claims that the three-pronged approach was proceeding slowly and, despite being aware of sustained calls for a public inquiry, stated that the current approach was the most productive. Previous dissenter Waldegrave, now seemingly fully toeing the party line, interjected by suggesting that, as the narrative of events of 2 April had been largely accepted, there would be nothing for an official inquiry to do except investigate the underlying causes; of which he pointed to several reports already or due to be published, concluding that 'the time has come, not to have more inquiries, but to take the necessary action'.<sup>83</sup> There are many that would have agreed with such a sentiment, but not necessarily with the established narrative of events. As mentioned previously this narrative had been carefully constructed and managed by the authorities, relying heavily upon police accounts of events and dismissing others, to frame events as a breakdown of law and order rather than providing local black people with the political participation they were being systematically denied.

Despite numerous calls to the government from several interested parties for a public inquiry they were instead answered with Whitelaw's three-pronged approach. One investigation into racial disadvantage which 'would not wish to examine the particular case' of 2 April, a joint initiative between City and County Councils which would not examine the violence and a third, the only action actually initiated by Whitelaw, which purely considered how authorities would suppress recurring violence. Prior to his announcement in the Commons, Whitelaw admitted to the Cabinet that 'There would, undoubtedly, be criticism of the actions of the Chief Constable and of the decision not to hold a full public inquiry'.<sup>84</sup> It is hard to argue that this was a Home Secretary that felt he needed to address demands of disillusioned and politically marginalised members of the black population of St Pauls.

Reacting against a perceived lack of action from the government, several other inquiries into the disturbances were launched by local interested groups

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<sup>82</sup> HC Deb 03 July 1980 vol. 987 c. 1748.

<sup>83</sup> *Ibid.*

<sup>84</sup> Cabinet Meeting, 24 April 1980.

and organisations. In response to a comment made by Palmer, that it took time for things to be done by the government, the CRE-backed inquiry into employment and inequality retorted: 'This is cold comfort for the black population of inner-city Bristol, denied even minimal access to what is purportedly being said and done (behind closed doors) on their behalf.'<sup>85</sup> As seen by the collective violence itself, demands for political participation had resulted in further action being taken. As early as 24 April, the General Committee of the Bristol West Constituency Labour Party passed a resolution calling for a Trade Union and Labour Movement-organised public inquiry.<sup>86</sup> As previously mentioned, Conservative MP Waldegrave would later refer to this swiftness pre-empting the government's response as simply 'jumping on the bandwagon' of discontent against the state. However for those involved it was more a case of seeing something being done, albeit through a partisan framework.

This inquiry also boasted the involvement of Professor Michael Dummet, previous chair of the inquiry into Blair Peach's death which received plaudits for its diligence and integrity. It also highlights the case that, throughout the events of this thesis, the same people often reappeared due to their prominence in the race relations field. The inquiry was chaired by Ian Mikardo, Labour MP for the Greater London constituency of Bethnal Green and Bow; not a Bristol local who would undoubtedly have been more accepted by the St Pauls community. Nonetheless he did have a history regarding issues relating to ethnic minorities. Mikardo, son of Jewish immigrants who arrived in Britain during the last stages of the Russian Empire, certainly earned his reputation for being an ardent socialist and had previously attempted to tackle relations between the police and local ethnic communities within the London Borough of Tower Hamlets.<sup>87</sup> He spearheaded a pilot scheme to improve confidence in the police which established a public body to investigate every alleged incident of racism. This scheme was, in his words, 'sabotaged' by the police who disliked 'the concept of the accountability of the police to the public who pay their wages', and he concluded: 'Ah well, some you win and some you lose.'<sup>88</sup> It is doubtful that

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<sup>85</sup> Bristol Resource Centre, 'Race, Employment and Inequality in the Bristol Area', p. 29.

<sup>86</sup> R. A. Fehler, pp. Mike Hodkinson to The Lord Mayor of Bristol, 6 May 1980, BRO 42974/1.

<sup>87</sup> Ian Mikardo, *Back-Bencher* (London, 1988) pp. 6, 213-4.

<sup>88</sup> *Ibid.*, pp. 213-5.

many black people would have been quite so philosophical about such a system capitulating to the power of the police.

If not previously evident, it quickly became clear that party politics played a role in the decision to undertake the inquiry. A Trade Union Congress (TUC) and Labour Party poster soon appeared appealing for support for their inquiry with drawings of prominent Conservatives asking: 'Who are the real looters'? The poster continued to list the 'crimes' of Prime Minister Margaret Thatcher and Secretary of State for Industry Keith Joseph, including the 'stealing' of over 2½ million jobs as well as milk from 7-11 year old school children, and that they were 'threatening to do even worse things unless stopped'.<sup>89</sup> It is difficult to argue the impartiality of an inquiry which advertised for witnesses in such a partisan way. Unsurprisingly Michael Colvin, Conservative MP for Bristol North East, deemed it a 'counter-productive witch hunt' which lacked official backing as Whitelaw had 'made the proper decision not to hold an inquiry'.<sup>90</sup> This tendency to engage in actions seen as politicking was often criticised, and Peter Courtier was concerned at the political overtones of the inquiry suggesting the feeling within the community was that 'political parties should be kept out of it'.<sup>91</sup> This was demonstrated by the lack of local support for a left-wing Labour protest march which had to be cancelled due to lack of numbers. The *Western Daily Press* reported that the 'half-a-dozen white extremists' were told by a local black youth that people objected to their attempts to 'cash in on a cause'.<sup>92</sup> It is not hard to imagine why a community who had directed violence towards the figurehead of a perceived unsympathetic state did not want their plight to become simply part of party politics.

It is difficult to separate the report from its political biases and influences, most apparent when it stated there was little hope of the significant reforms required under the current government.<sup>93</sup> Mikardo later stated, referencing government actions following later disturbances in the inner-city Liverpool area of Toxteth, that if there was another eruption of violence then the government

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<sup>89</sup> TUC and Labour Party poster, 'WHO ARE THE REAL LOOTERS', BRO 32080/TC1/10/8.

<sup>90</sup> Tina Moran, 'Labour Riot Probe "Mixed Feelings"', *Bristol Evening Post*, 10 July 1980; Bristol Resource Centre, 'Race, Employment and Inequality in the Bristol Area', p. 29.

<sup>91</sup> Dennis Johnson, 'Cautious Welcome for St Paul's Riot Inquiry', *The Guardian*, 10 July 1980.

<sup>92</sup> Jonathan Shorney, 'Little and Large: Or, March That Failed', *Western Daily Press*, 12 April 1980.

<sup>93</sup> Bristol Trades Union Congress (TUC), *Slumbering Volcano?: Report of an Enquiry into the Origins of the Eruption in St Paul's Bristol on 2nd April 1980* (Bristol, 1981), Bristol Records Office (BRO): 32080/TC1/10/8, p. 27.

would send Michael Heseltine; a move he likened to 'sending an arsonist down to the scene to find out the cause of the fire'.<sup>94</sup> The Labour Party itself did not escape criticism in the inquiry. Don McLaren, former Labour St Pauls Councillor, stated that 'very prevalent' racism in the Labour Party influenced decisions on planning and housing, as well as general policies in Bristol.<sup>95</sup> City Council Leader Claude Draper, also leader of the council's Labour group, vehemently denied such an accusation stating that, although any political party is representative of the general attitude of society, he was sure the Labour Party was not generally racist.<sup>96</sup> The juxtaposition of stating that the Labour Party was not generally racist despite being representative of general societal attitudes appears to be itself an implicit acknowledgement of the pervasiveness of racist attitudes throughout society.

Another problem with this inquiry, previously anticipated by the City Council, was that the local authorities and police could not be forced to take part, and indeed they did not.<sup>97</sup> Given the political slant of the inquiry it is perhaps unsurprising that Bristol City's Conservative group refused to give evidence. The group's leader, Councillor Bob Wall, argued they did not wish to 'indulge in police bashing' and that Mikardo's chairmanship was problematic due to being a 'fairly controversial figure of the Left'.<sup>98</sup> A brief letter from Chief Constable Brian Weigh informed that, as his officers had been involved in all of Whitelaw's three-pronged response, the police would not provide evidence to this inquiry.<sup>99</sup> A similar reply from William Hutchinson, Chief Executive of the County of Avon, provided a longer response, but the same refusal to meet the inquiry. In his detailed explanation Hutchinson drew attention to the amount of time and preparation spent providing evidence to the Sub-Committee and the on-going collaboration with the City Council, including meetings with the BCRC and CRE, concluding that the County Council were 'already subjected to more difficulties and pressure than ever before'.<sup>100</sup>

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<sup>94</sup> Lucy Hodges, 'Inquiry Allocates Blame for St Paul's "Volcano"', *The Times*, 24 July 1981.

<sup>95</sup> 'Council Policies Blamed for Riot', *Bristol Evening Post*, 19 January 1981.

<sup>96</sup> *Ibid.*

<sup>97</sup> Johnson, 'Cautious Welcome for St Paul's Riot Inquiry'; 'Notes on Debate of Councillor John McLaren's Motion', City Council meeting, 15 April 1980, BRO: 42974/1.

<sup>98</sup> Julie Hendry, 'Tory Group Say No to TUC Riot Probe', *Bristol Evening Post*, 13 November 1980.

<sup>99</sup> Brian Weigh to R. Thomas, 24 October 1980, BRO 32080/TC1/10/8.

<sup>100</sup> William J. Hutchinson to R. Thomas, 28 October 1980, BRO 32080/TC1/10/8.

The inquiry team did not accept these as legitimate reasons for not attending and were particularly incensed upon viewing two related letters on its first full day session. The first was a confidential memo sent to all Heads of Schools by Avon County's Director of Education which, in the words of the inquiry team, 'denigrated the Enquiry and described quite incorrectly both its composition and its purpose'.<sup>101</sup> The inquiry's resulting report stated that the Director later admitted these errors ('only after some months') but nevertheless refused to meet with the inquiry.<sup>102</sup> The second letter was a response to a personal invitation to participate in the inquiry to Avon's Specialist Youth Officer regarding Ethnic Minorities; however it was the Director of Education who responded to inform that the Youth Officer would not be participating.<sup>103</sup> This was a particularly unwelcome response as it appeared to the inquiry that the Youth Officer was being actively prevented from giving evidence, thus showing the Director did not believe any staff should cooperate with the inquiry. This refusal for such members of the local authorities to even meet with the inquiry team was presented as an undemocratic position and another way in which the government were failing the local black population. Ron Thomas, Secretary of the Bristol TUC and organiser of the inquiry, stated: 'It will be a denial of what we expect in a democracy if the chiefs refuse to meet us.'<sup>104</sup> This was perhaps just a sample of the lack of political participation awarded to those black people who had deemed 'bargaining by riot' a suitable response to such undemocratic denials.

Despite not being able to attract the attentions of such authorities, the TUC inquiry hoped to obtain much evidence from the local community. Instead the *Bristol Evening Post* reported how St Pauls had given the inquiry 'a massive cold shoulder' and the response had been 'virtually nil'.<sup>105</sup> Only 50 people, around half of them black, provided oral evidence to the inquiry.<sup>106</sup> The TUC believed that people had been discouraged by the intimidating formal atmosphere of the inquiry, but attempts to meet people in the relaxed

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<sup>101</sup> TUC, *Slumbering Volcano?*, p. 3.

<sup>102</sup> *Ibid.*

<sup>103</sup> *Ibid.*

<sup>104</sup> Julie Hendry, 'Riot Call to Police Chief', *Bristol Evening Post*, 15 January 1981.

<sup>105</sup> 'St Paul's Inquiry Snubbed', *Bristol Evening Post*, 21 November 1980.

<sup>106</sup> TUC, *Slumbering Volcano?*, p. 33; Guy Rais, 'Police Deny Bristol Claim of Racism', *The Daily Telegraph*, 24 July 1981.

environment of their own homes had only been achieved a few times.<sup>107</sup> Mikardo argued the ensuing report would have been more comprehensive if more people had offered evidence, but that 'they just feel an inquiry, whoever does it, is part of the establishment'.<sup>108</sup> This is of course also true of the public inquiries which were being demanded, highlighting the dichotomous view of public inquiries emanating from local black communities. Partly due to not wishing to be included in party politics and partly this belief that anyone in a position of power would not be able or willing to help them, this clearly highlights the level of distrust and disillusionment some members of the local black community had with the British state.

Regardless of the report not being as full as the organisers wished, it still managed to include numerous comments and recommendations seen as controversial. The main example was the blunt accusation, in the final paragraph of the final appendix, that 'for whatever denials and assurances are made, it is clear that the police hold deep, racist views, which are expressed when they harass black people'.<sup>109</sup> This charge was strongly denied by Bristol police and Assistant Chief Constable Walter Girven countered that no evidence was provided in support of such a claim.<sup>110</sup> Relatedly the report additionally stated that the system of the police investigating complaints against themselves needed to be altered as a matter of urgency as it was 'like the devil investigating sin'.<sup>111</sup> Without a doubt, self-investigation of police complaints was seen as a form of self-protection and a lack of accountability to the general public. The report made sixty-four recommendations covering areas such as housing, education, and community relations, with some of the less controversial being improved co-operation between City and County Councils, and closer consultation with local residents through the establishment of a community liaison committee.<sup>112</sup> The report was hoped to be, above all, a call for action, as characterised by Mikardo's explanation for the choice of *Slumbering Volcano?* as title: '[Bristol] is a slumbering volcano and, if nobody does anything about it, it

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<sup>107</sup> 'St Paul's Inquiry Snubbed'.

<sup>108</sup> Stephen McKenlay, 'Union Call for Cash to Help St Paul's', *Western Daily Press*, 24 July 1981.

<sup>109</sup> TUC, *Slumbering Volcano?*, p. 36.

<sup>110</sup> Rais, 'Police Deny Bristol Claim of Racism'.

<sup>111</sup> 'Riot Team to Go It Alone', *Bristol Journal*, 31 October 1980.

<sup>112</sup> Rais, 'Police Deny Bristol Claim of Racism'; Julie Hendry, '60 Proposals in Riot Report', *Bristol Evening Post*, 23 July 1981.

will erupt again.’<sup>113</sup> Throughout the months following 2 April numerous calls for a full public inquiry were made. Each time these were ignored by the authorities and the level of discontent towards the seemingly unaccountable police and state grew.

## TRIALS

What the government did continue to focus on was prosecuting those involved and persons charged in connection with the disorder began to appear in Bristol Magistrates Court. Between April and the end of November over 130 people were arrested, 90 of whom faced charges in court with the majority being minor offences which even included looting of toilet paper.<sup>114</sup> Sixteen defendants, who even prosecution lawyers admitted had been selected somewhat arbitrarily, faced the more serious charge of riotous assembly. Of these, Magistrates allowed twelve to stand leading to trials and, of these twelve, eleven were black. Crispin Aubrey implied that the reason for the substitution of all twelve defendants’ previous lesser charges with the more severe riotous assembly was due to ‘considerable political pressure on the police to justify their retreat’.<sup>115</sup> Similarly defence lawyer Rudi Narayan suggested that, due to immediate intense questioning throughout the country of why the disturbances occurred, the police arrested 126 people within 24 hours in order to be seen to be responding appropriately. He stated that ‘A script had to be written, actors found to perform it and possibly even a crucifixion arranged’.<sup>116</sup>

The defendants’ committal proceedings on 16 June was met with a march from St Pauls to the Court to demonstrate against their arrest and charging. A police operation named ‘Operation Discord’ aimed to ensure that the court appearances occurred with the ‘minimum of disruption’, although the name of the operation alone was a sign that the police realised at least some discontentment would be demonstrated.<sup>117</sup> Indeed there was; ‘Noisy disturbances’ erupted, during which £900 worth of damage was inflicted upon the court buildings, and police reinforcements were called to prevent

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<sup>113</sup> Hodges, ‘Inquiry Allocates Blame for St Paul’s “Volcano”’.

<sup>114</sup> Graham W. Reid, ‘Comments on the Crown Court St. Paul’s Trial’, Bristol Council for Racial Equality, *Annual Report* (Bristol, 1980) BRO 43129 (Box 105). For detailed discussion of the trial proceedings, see Joshua, Wallace and Booth, *To Ride the Storm*, pp. 148-84; Kettle and Hodges, *Uprising!*, pp. 34-8.

<sup>115</sup> Crispin Aubrey, ‘Trial Re-opens Old Wounds in Bristol’, *New Statesman*, 27 March 1981.

<sup>116</sup> ‘Riots Police Humiliated’, *Bristol Evening Post*, 13 March 1981.

<sup>117</sup> Avon and Somerset Constabulary, ‘Operational Discord’, Police Operational Order 16/80, 13 June 1980, BRO Pol/IO/7/8.

disturbances in the street.<sup>118</sup> The melee inside the courtroom included defendants and some members of the public, leading to David Royal being charged with obstructing a police officer in the execution of his duty, whilst others were reprimanded and at least one person ordered from the public gallery.<sup>119</sup> One of the defendants, Clinton Brown, later recalled demonstrations outside the court every time they appeared which included a violent clash with police in October 1980 after another defendant, Franklin Rapier, was imprisoned for contempt after branding it a 'kangaroo court'.<sup>120</sup>

Certain observers believed this was a sign of worse things to come and Gareth Peirce, representing six of the twelve defendants later tried for riotous assembly, wrote a strongly worded letter to Director of Public Prosecutions Sir Thomas Hetherington warning that such charges were 'intensely speculative' and would result in 'extended trials' worsening relations between the St Pauls community and authorities.<sup>121</sup> Peirce was to later become a noted human rights solicitor addressing high profile miscarriages of justice, including the successful overturning of life sentences for the men charged with the murder of PC Keith Blakelock during disturbances at the Broadwater Farm area of North London on 6 October 1985.<sup>122</sup> Her actions could not prevent the accused from standing trial, which commenced on 3 February 1981.

Another part of the reason for the lengthy interval before the beginning of the trials was jury selection. Graham Reid noted that, during the week prior to the St Pauls trial, there was not a single black juror amongst the 108 people sitting on juries in the Bristol Crown Courts.<sup>123</sup> This under-representation was not a new phenomenon and previous research in Birmingham showed there should have been twelve to fifteen times more black people on juries than there actually was.<sup>124</sup> The defence counsel thus exercised their right to reject jury

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<sup>118</sup> 'How Judge's Light Touch Kept Calm in Riot Trial', *The Guardian*, 21 March 1981.

<sup>119</sup> 'Tension Behind a Court Brawl', *Western Daily Press*, 8 April 1981; Stephen McKenlay, 'Police Guard Riot Trials Court', *Western Daily Press*, 17 June 1980.

<sup>120</sup> The Oxford English Dictionary defines 'kangaroo court' as 'an improperly constituted court having no legal standing'. 'It Was the First Time we had the Chance to get even', *Bristol Evening Post*, 28 April 2011.

<sup>121</sup> Aubrey, 'Trial Re-opens Old Wounds in Bristol'.

<sup>122</sup> David Rose, *A Climate of Fear: The Murder of PC Blakelock and the Case of the Tottenham Three* (London, 1992) pp. 201-3.

<sup>123</sup> Bristol Council for Racial Equality, 'Bristol Crown Courts, Jury Monitoring, Monday, 26.1.81 – Friday, 30.1.81', BRO 43129 (Box 105).

<sup>124</sup> John Baldwin and Michael McConville, *Jury Trials* (Oxford, 1979) p. 98, as cited in Joshua, Wallace and Booth, *To Ride the Storm*, p. 167.

candidates in order to obtain an 'accurate reflection of the local population'.<sup>125</sup> Out of a possible thirty-six rejections, three for each defendant, thirty-four potential jurors were vetoed on sight; these were mostly older white men, resulting in the eventual jury containing four non-white members.<sup>126</sup> Lord Denning, Master of the Rolls, later remarked that the eventual collapse of the trial was due to the composition of the jury. Kettle and Hodges believed that it was a fair assessment, although the system had not been abused as Denning suggested, rather it was the first time Denning had observed skin colour being a factor in jury selection.<sup>127</sup>

Whilst not abusing the system, the defence lawyers were clearly using it to reduce a level of perceived discrimination from jurors who would not understand or relate to the issues of black people in Bristol. This tactic had been previously attempted by Darcus Howe and Ian Macdonald in the trial of the 'Mangrove Nine' in 1971. After a demonstration against repeated police raids on the Mangrove restaurant and meeting-place of black radicals in north Kensington led to nine facing charges including conspiracy to incite a riot, they unsuccessfully argued that their right to be tried by a jury of peers meant an all-black jury was required to fully understand the situation of those accused.<sup>128</sup>

Another aspect which delayed proceedings was the time taken for police officers to write up the case before sending it to Hetherington; one local newspaper described the police file being eighteen inches high and containing over 600 pages of witness statements.<sup>129</sup> The majority of evidence used in the trial was that of the police and Joshua *et al.* detailed a great number of inconsistencies that arose such as incorrectly dated or altered statements.<sup>130</sup> Within the broader context of police corruption throughout the period, this was a serious but not implausible allegation. The main criticism was of officers not bringing their notebooks into court, despite the events they were describing having occurred ten months previously and it being common practice to do so. Defence lawyers accused the police of ordering officers not to bring notebooks

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<sup>125</sup> Reid, 'Comments on the Crown Court St. Paul's Trial'.

<sup>126</sup> Joshua, Wallace and Booth, *To Ride the Storm*, p. 167; Kettle and Hodges, *Uprising!*, pp. 36-37.

<sup>127</sup> Kettle and Hodges, *Uprising!*, p.36.

<sup>128</sup> Robin Bunce and Paul Field, *Darcus Howe: A Political Biography* (London, 2014) pp. 124-5. See also Peter Fryer, *Staying Power: The History of Black People in Britain* (London, 1984) p. 394; Joshua, Wallace and Booth, *To Ride the Storm*, p. 59.

<sup>129</sup> Maurice Fells, 'Counting the Cost of the Riot Trial', *Western Daily Press*, 18 February 1981.

<sup>130</sup> Joshua, Wallace and Booth, *To Ride the Storm*, pp. 153-7.

so that their testimony could not be checked against written evidence, but this was repudiated by the police. The majority of statements were written after officers had been briefed by senior police, during discussion with other officers, and after seeing photographs and videos of the incident.<sup>131</sup> Thus it was argued that the police had enough time to fabricate a consistent response.

Largely as a consequence of this, it was alleged during the trials that there was a police attempt to frame one of the defendants Franklin Rapier, a local outspoken critic of the police. Considered a spokesman for the local community, Rapier had already had numerous violent exchanges with the police prior to 2 April.<sup>132</sup> Detective Constable Bernard Mattock, present during the raid of the café, inserted an apparent personal sighting of Rapier leading a crowd into his testimony after its initial submission. During cross-examination Mattock agreed with Rudi Narayan, Rapier's defence lawyer, that this sighting was an important part of his evidence which should have been originally included and not inserted later as an afterthought. Mattock deemed it an omission on his part which he had added in shortly afterwards, but defended his actions as he'd had a 'very busy day' and: 'Quite frankly, I had a lot to put in that statement.' He denied the specific charge that he had added this reported sighting after discussion with other police officers in a concerted attempt to discredit and frame Rapier.<sup>133</sup> Likewise Police Sergeant Terence Crees was questioned at length about his statement which had been completed in two sessions on 2 and 6 April. Narayan similarly accused Crees of having changed his statement after discussions with fellow officers and alleged that, by 6 April, Crees: 'had to write a script of the police line'. Crees denied this charge completely and argued that only his other police duties had stopped him from finishing his statement in a single session.<sup>134</sup> Clearly the attempt to discredit the police's testimony was a defence tactic, as other officers were similarly accused of perjury.<sup>135</sup> That the idea of police dishonesty was so widely prevalent within the local community shows why this was chosen as an avenue for questioning for the defence, as well as suggesting further explanation for the anti-police violence in the first place.

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<sup>131</sup> *Ibid.*, pp. 155-6.

<sup>132</sup> 'It Was the First Time we had the Chance to get even'.

<sup>133</sup> 'Plot by Riots Police is Denied', *Bristol Evening Post*, 10 February 1981.

<sup>134</sup> 'Father Tells of Fear for Child's Safety', *Bristol Evening Post*, 12 February 1981.

<sup>135</sup> 'Bill for Riot Damage £300,000 Court Told', *Bristol Evening Post*, 14 February 1981.

Rapier definitely believed, or at least attempted to convince the jury, that he was victim of a 'frame up' by the nineteen officers giving evidence against him.<sup>136</sup> Narayan claimed Rapier had been accused 'by at least 29,000 police officers of tearing down St Paul's single handedly on April 2'; this clearly hyperbolic figure apparently only a 'slight exaggeration'.<sup>137</sup> Reportedly wiping tears from his eyes during his testimony, Rapier stated: 'I knew nothing about a riot. I did not take part in it. I had no reason to riot against anybody.'<sup>138</sup> However this is directly contradicted by the recent memories of fellow defendant Clinton Brown who had been with Rapier that day and stated, after hearing of the raid, they 'stood outside the cafe with bottles and said nobody is getting out'. Brown laughed when remembering Rapier's emotional outburst during his testimony, describing them as 'crocodile tears'.<sup>139</sup> Whether Rapier honestly believed it was a 'frame up' or not is known only by him, but is also largely immaterial. The relevant point is that there was clearly the widespread belief amongst the St Pauls community that this was something that the police would do in order to defend themselves and persecute their vocal critics.

After six weeks and an estimated £500,000, incidentally the same cost as the riot damage, the trial collapsed after five defendants were acquitted and the jury was deadlocked on most of the remainder.<sup>140</sup> The main criticisms directed toward the trial were that it had been a waste of time and money, as well as preventing race relations from improving: 'Half a million pounds of taxpayers' money has gone down the drain without a single conviction'.<sup>141</sup> Defence counsel Edward Rees suggested that the cost of the trial could have been put to better use and partisan publication *Caribbean Times* claimed that more money was spent on this 'Trial of Vengeance' than had been invested in St Pauls over twenty-five years.<sup>142</sup> Peter Courtier described the trial as 'farcical', claimed several policemen believed it had been a mistake to prosecute, and reasoned that it had exacerbated poor relations between the police and black

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<sup>136</sup> 'A Frame-up, Says Riot Case Youth', *Bristol Evening Post*, 6 March 1981.

<sup>137</sup> 'Bristol Riot Accused Claims A Frame-up', *The Guardian*, 7 March 1981.

<sup>138</sup> 'A Frame-up, Says Riot Case Youth',.

<sup>139</sup> 'It Was the First Time we had the Chance to get even'.

<sup>140</sup> 'Judge Calls a Halt to £500,000 Riot Trial', *Daily Mail*, 21 March 1981.

<sup>141</sup> Words of defence lawyer Rudi Narayan, as cited in 'Lawyer Attacks "Farcical" Bristol Riot Trial', *The Guardian*, 21 March 1981.

<sup>142</sup> 'City Riot Trial "a Ridiculous Charade"', *Western Daily Press*, 12 March 1981; 'Babylon Routed Again', *Caribbean Times*, 2 April 1981.

youth in the St Pauls area.<sup>143</sup> He concluded that a 'golden opportunity' to improve St Pauls had been lost as any positive consequences had been hindered by unjustified trails as 'even the police admit they lost control'.<sup>144</sup> A BCRC Press Release immediately after the disturbances had supported demands that all charges be dropped and the police cease any further arrests relating to the event, labelling it 'yet another attempt to criminalize the Black Community'.<sup>145</sup> The continued focus upon law and order aspects of the disturbances at the seeming detriment of race relations was consistent with the state's broader response. Similarly Reid concluded that the words used to deny the local community a public inquiry, 'A great circus...which would have wasted time and probably not have clarified very much', was in fact an appropriate description of the trial.<sup>146</sup> Narayan claimed that there was a sufficient base for an investigation into how the 'shabby prosecution' had been mounted upon 'shabby evidence' and Joshua *et al.* later agreed that the trial was based upon 'what seems to be appallingly flawed evidence'.<sup>147</sup>

Weigh stated he was happy the case had been appropriately brought before the court and all evidence properly given.<sup>148</sup> There had been discussion prior to the commencement of the trials that charges of affray would have been less problematic and easier to prove due to evidence of direct involvement in fighting. An unnamed detective, present at the raid and gave evidence during the trial, later told the *Bristol Evening Post* that it had been 'a huge waste of money' that would have had more chance of succeeding if charges such as criminal damage or public disorder had been pursued rather than riotous assembly: 'I think they were too heavy, the charges. But hindsight is a wonderful thing.'<sup>149</sup> Similarly, Kettle and Hodges concluded that this had probably been the key factor in the collapse of the trial, as did some contemporary commentators with *The Daily Telegraph* asking: 'is not the idea of

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<sup>143</sup> 'Lawyer Attacks "Farcical" Bristol Riot Trial'.

<sup>144</sup> Julie Hendry, 'The Time Bomb That Burst in St Paul's', *Bristol Evening Post*, 21 March 1981.

<sup>145</sup> Bristol Council for Racial Equality, Press Release, BRO 43129 (Box 105).

<sup>146</sup> Reid, 'Comments on the Crown Court St. Paul's Trial'. This description used to argue against a public inquiry was employed by William Waldegrave MP: HC Deb 28 April 1980 vol. 983 cc. 973-4.

<sup>147</sup> 'Lawyer Attacks "Farcical" Bristol Riot Trial'; Joshua, Wallace and Booth, *To Ride the Storm*, p. 184.

<sup>148</sup> 'Lawyer Attacks "Farcical" Bristol Riot Trial'.

<sup>149</sup> 'We Should Have Tried St Paul's Riot Suspects on Lesser Charges, Says Ex-detective', *Bristol Evening Post*, 28 April 2011.

“riotous assembly”...a recipe for hung juries?’<sup>150</sup> The authorities’ belief that events were a ‘direct and deliberate challenge to police authority by a large number of people acting together’ resulted in the certainty that riot was the correct charge.<sup>151</sup>

Joshua *et al.* studied in detail the definitions of what constitutes a ‘riot’ in legal terms, highlighting defence lawyers who argued that, by these definitions, it had been the police who had ‘acted together’ and ‘shared a common purpose’, not the crowd – although this argument was inadmissible in a court environment ‘in which the dice are heavily loaded’ in the police’s favour.<sup>152</sup> The belief that the police were favoured in the court of law further built upon ideas that every part of the British law and order system would support the police over a member of the local black community. Hetherington argued: ‘...we thought that the evidence was good enough to get a conviction for riot and we thought it was in the public interest to prosecute as hard as we could those who in our view had been responsible’.<sup>153</sup> This unambiguously shows where the authorities wished blame to be attributed and that their belief that such trials were in the public interest did not extend to answering public calls for an independent inquiry.<sup>154</sup>

As previously mentioned, part of Rapier’s defence had been allegations that some police had been guilty of perjury in their submitted evidence. However the judge, Justice Stocker, refused to submit details of the case to Hetherington to examine this accusation as he made clear that ‘this has not been an investigation of police practice’, before commending the ‘perfectly plain’ fact that officers had acted ‘with great courage and gallantry in very difficult and dangerous circumstances’.<sup>155</sup> Police behaviour and broader racial issues were not part of the legal debate in the Bristol courts, regardless of sections of society wishing that they had been. This mirrors later examples, where inquiries that were carried out into subsequent events the following year largely ignored

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<sup>150</sup> Kettle and Hodges, *Uprising!*, p. 35; ‘Uncoloured Justice’, *The Daily Telegraph*, 7 April 1981.

<sup>151</sup> ‘How Judge’s Light Touch Kept Calm in Riot Trial’.

<sup>152</sup> Michael McConville and John Baldwin, *Courts, Prosecution, and Conviction* (Oxford, 1981) p.193, as cited in Joshua, Wallace and Booth, *To Ride the Storm*, p. 147; Joshua, Wallace and Booth, *To Ride the Storm*, pp. 143-8, 181-4.

<sup>153</sup> Interview with DPP, *The Times*, 11 May 1981.

<sup>154</sup> Joshua, Wallace and Booth, *To Ride the Storm*, p. 184.

<sup>155</sup> ‘Lawyer Attacks “Farcical” Bristol Riot Trial’.

the numerous accusations of police misconduct as they were deemed inappropriate arenas for investigation of such allegations.

Despite his refusal to advance such accusations, much praise was bestowed upon the way that Stocker handled and did not inflame the 'potentially volatile' situation. He approached the trial in a manner unbecoming the usual formalness of the legal system, tolerating accused individuals regularly arriving late at court, reading newspapers and completing crossword puzzles whilst in the dock, and one defendant even apparently fell asleep. As *The Guardian* highlighted, there appeared a conspicuous determined effort by the judge to avoid the repeat of any further disturbances similar to those seen at the committal proceedings.<sup>156</sup> This did not appear to transfer to other courts officials' attitudes towards members of the public attending the trials who regularly faced locked doors, discouraging comments, and a lack of space: 'It required no little determination to enter the public gallery'.<sup>157</sup> This was a very apt visual representation of how members of the local black community felt that they were being systematically excluded from the British legal system.

As the final verdicts were announced, Rapier allegedly sprung to his feet and thanked the jury, only to be told by Stocker to be quiet.<sup>158</sup> The jury foreman asked to say something, but was told by Stocker: 'It would be better if you didn't.'<sup>159</sup> What exactly was to be said is unclear, but what is obvious is the care Stocker took to prevent anything being vocalised which might further escalate tensions. A crowd of several hundred people stopped traffic as they gathered on the street outside the courtroom to celebrate.<sup>160</sup> Some jurors, both black and white, were seen shaking hands with the freshly acquitted defendants and *The Sun* reported that '*Three of the jurors joined in the celebrations*' in a clear accusation that jurors were too close with the defendants and clearly happy with the result they had themselves produced.<sup>161</sup> This accusation in fact may not have been far from the truth, as Clinton Brown later admitted that at least three of the four black jurors were known by some of the defendants, two lived in St

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<sup>156</sup> 'How Judge's Light Touch Kept Calm in Riot Trial'.

<sup>157</sup> Reid, 'Comments on the Crown Court St. Paul's Trial'; emphasis in original.

<sup>158</sup> 'Lawyer Attacks "Farcical" Bristol Riot Trial'; 'Judge Calls off St Paul's Riot Trial', *Bristol Evening Post*, 20 March 1981.

<sup>159</sup> 'Judge Calls a Halt to £500,000 Riot Trial'.

<sup>160</sup> Stephen McKenlay, 'Riot Trial', *Western Daily Press*, 21 March 1981.

<sup>161</sup> 'Carnival Time as Riot Case Caves in', *The Sun*, 21 March 1981; emphasis in original; 'Lawyer Attacks "Farcical" Bristol Riot Trial'.

Pauls at the time, and that himself and Rapier had even followed two female jurors from the court to discuss the case: 'Some of them we knew all right, but we never said...I was looking at between three and seven years in prison'.<sup>162</sup> One of the drug squad officers who gave evidence at the trial was 'not at all surprised' to later discover the two defendants had discussed the case with jurors: 'They weren't stupid people. I didn't suspect anything at the time though.'<sup>163</sup>

Those involved may argue that such measures were required to avoid a discriminatory trial, but it is just another example alongside the disturbances themselves how some in the black population felt it necessary to move outside of the British system of law and order to further their own situation. Following post-trial celebrations, the crowd soon relocated to the Black and White Café itself, where champagne revelries continued. This symbolic action showed again that the disturbance was centred around this small café that came to represent the struggle of a local black community against perceived oppression. A plan quickly emerged for a large street party to mark the anniversary of St Pauls, described by Rapier as a 'freedom day' and that 'Every decent citizen of any colour should be there'.<sup>164</sup> Clearly showing the sense of victory for the local community, defence barrister Sibghat Kadri noted that 'What happened here is something people should be proud of'.<sup>165</sup> Chairman of the Avon and Somerset Police Authority Ian Crawford however was 'appalled' at the suggestion, warning that racial hatred in Bristol could be incited by celebrations of 'an incident most Bristolians are ashamed of'.<sup>166</sup> It was clear that, despite the defendants being found not guilty during the trial, they had already been condemned by some in society. It was suggested the party's date should be changed to make it clear that it was a celebration of the acquittals not the riot, but this was rejected. Such specific actions show the pride of a successful local rebellion against a perceived oppressive police force. In the end a 'loud but

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<sup>162</sup> 'My 30-year Secret: Defendants Knew at Least Three Jurors in St Paul's Riot Trial of 1981', *Bristol Evening Post*, 27 April 2011.

<sup>163</sup> 'We Should Have Tried St Paul's Riot Suspects on Lesser Charges, Says Ex-detective'.

<sup>164</sup> Ian Williams, 'St Paul's Plan for Big Party', *Bristol Evening Post*, 21 March 1981.

<sup>165</sup> Kettle and Hodges, *Uprising!*, p. 38.

<sup>166</sup> Sarah Mitchell, 'Riot Party Plan Under Fire', *Western Daily Press*, 23 March 1981.

uneventful party', from which the police kept a low profile, on 2 April 1981 passed without incident.<sup>167</sup>

Following the Judge's ending of the trial, considerable pressure was exerted by the local community and MPs that remaining charges should be dropped on the four defendants. MPs Palmer and Waldegrave met with the Attorney-General to stress the benefits that such action would have on relations in St Pauls.<sup>168</sup> BCRE Senior Community Relations Officer Carmen Beckford agreed and informed the Attorney-General that the trials had made it more difficult to improve relations and 'it is now best to forget the past and work for a better future for all'.<sup>169</sup> Indeed that is the view Hetherington subscribed to as, when announcing that all remaining charges would be dropped, he cited an important factor in this decision was advice provided by Weigh that doing so would promote racial harmony in Bristol.<sup>170</sup>

This announcement was criticised by many who believed it was a worrying development that racial harmony had been cited as a reason to not proceed with re-trials. Right-leaning newspapers argued there 'cannot be a trade-off' between racial harmony and justice, and 'The law is there to protect the innocent. It is not there to promote other ideals, however desirable. For to do so is to dabble in politics.'<sup>171</sup> They argued that to create such a precedent would allow the situation where 'if a white man hits a police man you charge him; if a black man does the same you don't'.<sup>172</sup> Conservative MP John Carlisle added that this possibility, rather than promote racial harmony, may even 'antagonise some people against ethnic minorities' and that 'The coloured population may use this as a protection or shield'.<sup>173</sup> Just five days following Hetherington's declaration that all remaining charges would be dropped the Brixton area of London erupted into violence, causing many to return to this accusation that a lack of punishment had emboldened others to conduct similar disturbances.<sup>174</sup> It is difficult to argue wholly against such a suggestion,

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<sup>167</sup> 'Party Time', *Western Daily Press*, 23 March 1981; 'Party at Riot Cafe', *Western Daily Press*, 3 April 1981.

<sup>168</sup> Arthur Palmer to Carmen Beckford, 3 April 1981, BRO 43129 (Box 106).

<sup>169</sup> Carmen Beckford to Sir Michael Havers, 31 March 1981, BRO 43129 (Box 106).

<sup>170</sup> 'Race Plea Helped Stop Bristol Riot Retrial', *The Times*, 7 April 1981.

<sup>171</sup> 'The Law Must be Equal to All', *Western Daily Press*, 7 April 1981.

<sup>172</sup> 'Uncoloured Justice'.

<sup>173</sup> Julie Hendry, 'MP in Warning Over No Re-trial Verdict', *Bristol Evening Post*, 8 April 1981.

<sup>174</sup> Kettle and Hodges, *Uprising!*, p. 38.

especially considering the way that disturbances spread around England in 1981 as discussed later.

### **SPREAD OF IDEAS**

Relatedly, one aspect of the disturbances commonly not discussed in detail is how ideas and news of the disturbance spread throughout and beyond the St Pauls community. One of the most significant factors was the constant influence of American examples providing inspiration and stimuli:

Our history shows us that the dominant community will give us no concessions unless we fight. It happened some years ago in cities in the United States and seems to have done them some good. We have no jobs, no equality of opportunity and if burning a few banks pushes us along the road, then so be it.<sup>175</sup>

This is a clear sign that collective violence was seen as a method of 'bargaining by riot' to improve the situation of black people within society. St Pauls erupted during a period of high tension due to a planned trip by some locals to London the following day, proposing to protest police harassment in the wake of a local youth's court appearance after a London 'sus' arrest.<sup>176</sup> As Brain summarised, 'cross-current transmission of ideas between the Bristol and London Afro-Caribbean communities was possible, indeed likely'.<sup>177</sup> During the actual disturbance, Paul Stephenson noted that, as it was the beginning of the Easter half-term holiday, many black youths witnessed the raid and disseminated the situation quickly around the community.<sup>178</sup> Furthermore several people who had initially been inside the café were allowed to leave, also taking news of the police action with them.<sup>179</sup> This was significant in spreading news of the events quickly enough for more people to arrive whilst the police were still present and for tensions to increase with numbers.

The Avon and Somerset Constabulary log of events contain many references to how the disturbance spread to affect other areas of the country. Weigh recorded that the disorders placed a great deal of strain upon the Constabulary and consequently he had needed to reinforce the Trinity Road

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<sup>175</sup> Words of a man only identified as 'A university-educated black man', as cited in 'Pressure Mounting for Public Inquiry into Bristol Riot', *The Times*, 5 April 1980.

<sup>176</sup> *The Sunday Times*, 6 April 1980.

<sup>177</sup> Timothy Brain, *A History of Policing in England and Wales from 1974: A Turbulent Journey* (Oxford, 2010) p. 55.

<sup>178</sup> Paul Stephenson, 'Report of Bristol disturbances April 2nd, 1980', Fieldwork and Liaison Division, Commission for Racial Equality, 29 April 1980, BRO: 43129 (Box 105).

<sup>179</sup> Reicher, 'The St. Pauls riot', 6.

Sub-Division of the 'A' Division, which covered St Pauls, with a number of officers from other territorial Divisions.<sup>180</sup> He also thanked nearby Police Forces for their immediate response to appeals for numerical support, as personnel from other Forces either entered Bristol or remained on standby at Cheltenham, Leigh Delamare, and Exeter.<sup>181</sup> As discussed previously, the use of officers unfamiliar with the local community undoubtedly added to tensions in a way that local community officers likely would not. A telephone call from London even offered the assistance of a group of citizen volunteers to travel to Bristol and aid the police in regaining control of the area. Whilst this offer was acknowledged but declined, the caller promised he would try again later to see if they had changed their minds. The national importance of this disturbance was highlighted when a representative from the Home Office telephoned to request an update some six hours into events and requested to be kept up to date 'should any major developments take place before midnight'.<sup>182</sup>

It was not just the police that were recorded to be moving around the country in relation to the evening's disturbances. An emergency telephone call to the police after their return claimed that black people were threatening to get guns from Birmingham, Coventry, and London which would be at Bristol by 3am. Similarly a police confidential informant stated they had heard that coachloads of black people were coming from Birmingham, armed 'to kill the Policemen'. A request was thus sent for any coaches heading to Bristol on the M5 motorway to be stopped and searched. This was discontinued around 2am, but information received at approximately 3.30am that more than 25 vehicles had been 'commandeered' carrying over 100 black people 'heading for Bristol' resulted in the motorway stop checks being immediately reinstated.<sup>183</sup> Whilst high levels of rumour characterised all the disorders discussed it appeared, or at least it was believed, that events were quickly spreading nationwide.

Similarly reporters were quickly aware of the situation and telephone calls requesting information were logged from *The Times*, *BBC News London* and London's *Evening Standard*.<sup>184</sup> Councillor Bob Wall noted the prominence

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<sup>180</sup> Brian Weigh, 'General Police Duties', Avon and Somerset Constabulary, *Annual Report 1980* (March 1981), BRO Pol/R/3/46, p. 2.

<sup>181</sup> *Ibid*, p. 39.

<sup>182</sup> Avon and Somerset Constabulary, 'Riots St Pauls Area Bristol: Log of Events', BRO: POL/LG/1/9.

<sup>183</sup> *Ibid*.

<sup>184</sup> *Ibid*.

awarded to the events even in American news bulletins, the BCRE recorded that at least one day was taken up giving interviews to Dutch and Swedish television reporters, and Narayan concluded that 'Newspapers, television, the radio and politicians all descended, figuratively speaking, on St Paul's.'<sup>185</sup> Despite this often welcome press coverage, it was also blamed for misrepresenting Bristol. Councillor Trench criticised the distortion of the media reportage of the events and the damaging effect it could have upon the city's economy; further showing where priorities lay.<sup>186</sup> Certainly the satirical treatment of St Pauls by television comedy *Not the Nine O'Clock News* did not paint the city's police in a positive light.<sup>187</sup>

The media are often at the forefront of disseminating ideas, especially during such action as rebellion and protest, and their involvement was widely discussed throughout events in 1980-81. Modern-day 'Twitter Revolutions' of Moldova, Iran, Tunisia, and Egypt all show how influential social media has become, but that is not to say that such ideas of rebellion did not or could not spread before the age of updating social media at our fingertips.<sup>188</sup> Ruud Koopmans argued that instances of collective action are not independent and occur within broader protest cycles or waves.<sup>189</sup> Events in St Pauls can be placed within such a framework as American examples influenced the action and Bristol itself provoked an attempt from British authorities to quickly regain the apparent loss of power whilst simultaneously serving as an example around the country. Fryer argued that it taught black youth around the country that they could tactically defeat the police.<sup>190</sup> The police appeared aware; Diane Abbott, later Labour MP, suggested that, 'in a novel exercise in community relations', the Metropolitan Police had summoned 'key black activists' to warn them

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<sup>185</sup> 'Notes on Debate of Councillor John McLaren's Motion'; Paul Stephenson, 'Bristol Disturbances - April 2nd 1980', 6 May 1980, BRO: 43129 (Box 105); 'Riots police humiliated'.

<sup>186</sup> 'Notes on Debate of Councillor John McLaren's Motion'.

<sup>187</sup> 'A Funny Look at the Riots', *Western Daily Press*, 8 April 1980.

<sup>188</sup> For example, see: Christian Christensen, 'Twitter Revolutions? Addressing Social Media and Dissent', *The Communication Review*, 14 (2011), 155-7; Miryam Aouragh and Anne Alexander, 'The Egyptian Experience: Sense and Nonsense of the Internet Revolution', *International Journal of Communication*, 5 (2011), 1344-58; Alex Comninos, 'Twitter Revolutions and Cyber Crackdowns: User-Generated Content and Social Networking in the Arab Spring and Beyond', *Association for Progressive Communications* (2011), 1-18.

<sup>189</sup> Ruud Koopmans, 'Protest in Time and Space: The Evolution of Waves of Contention', in David A. Snow, Sarah A. Soule and Hanspeter Kriesi (eds.), *The Blackwell Companion to Social Movements* (Oxford, 2004) p. 40.

<sup>190</sup> Fryer, *Staying Power*, p. 399.

against replicating the Bristol example.<sup>191</sup> In Lewisham later in April black youths were heard to be chanting 'Bristol, Bristol, Bristol' at local police, and graffiti within South London correctly predicted 'Bristol now, Brixton next?' and later 'Bristol yesterday, Brixton today'.<sup>192</sup> Ideas were also spread simply by the movement of people; for example, as mentioned previously, coachloads of St Pauls' residents travelled to London en masse to lobby MPs for an inquiry.<sup>193</sup> Regardless of how the information was relayed, it is undeniable that events in St Pauls reverberated around the country. Before the disturbance only those involved at a local level expressed concerns about the issues faced in the area and were largely ignored; 'But after the violence the district's name was on everyone's lips.'<sup>194</sup>

Part of this discussion following St Pauls often concentrated on how such an occurrence may reappear in other similar areas around the country. Waldegrave immediately placed St Pauls into a wider context when stating the Metropolitan Police periodically faced similar issues in London.<sup>195</sup> Bill Nicks argued it would be a mistake to believe the violence of St Pauls would not be repeated elsewhere, clearly showing how local challenges were part of the broader perception of racial discrimination.<sup>196</sup> Ray Wardle, Liberal candidate for Bath County Council, clearly demonstrated this feeling: 'We too have a Black and White Café' with the potential for violence, as did 'every inner-city area where Black and White youths are trying to live peacefully together'.<sup>197</sup> Similar conditions in other English cities such as Liverpool, Manchester, and London – locations where disorder would spread the following year – were highlighted as possible locations for reappearances of violence and thus 'urgent action' was needed to avoid it.<sup>198</sup> Therefore organisations concerned with racial issues from other areas such as Scunthorpe and London supported Bristol's calls for a

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<sup>191</sup> Diane Abbott, *The Leveller*, 38 (March 1980).

<sup>192</sup> 'The "Riots"', *Race & Class*, 23 (October 1981) 223; David McNee, *McNee's Law* (London, 1983) p. 111; Kettle and Hodges, *Uprising!*, p. 38.

<sup>193</sup> 'Riot Probe Call - By Coachloads', *Bristol Evening Post*, 6 June 1980.

<sup>194</sup> Peter Courtier, 'Assistant Community Relations Officer Report', Bristol Council for Racial Equality, Annual Report (Bristol, 1980) p. 22.

<sup>195</sup> HC Deb 03 April 1980 vol. 982 c. 662.

<sup>196</sup> City Clerk, 'Notes of a Press Conference held at the Council House, 10 April 1980', BRO: 42974/1.

<sup>197</sup> Ray Wardle, 'Bristol Riots. The reasons why. A Time-bomb, Ticking over in Bath's Black Community', Speech given to Walcot Ward Liberals, 14 April 1980, BRO 43129 (Box 105).

<sup>198</sup> Words of Chairman of the Commission for Racial Equality David Lane, as cited in 'The Spark That Could "Set Britain Ablaze"', *Daily Mirror*, 11 April 1980; 'Never Again!', *The Sun*, 5 April 1980.

public inquiry so that reports and lessons could 'be acted upon in other parts of the country'.<sup>199</sup> However such an inquiry was not forthcoming and lessons were not learned by authorities. Violence would spread to numerous cities the following year due to rising tensions at another apparent failure from the state to respond appropriately to an obvious issue raised by members of the black population. As St Pauls defendant Clinton Brown later recollected: 'In court I told the police "if you don't stop this England will burn", and it did burn.'<sup>200</sup>

Despite this wide dissemination, the first similar disturbance after St Pauls occurred within a few miles when two days of disorder began in Southmead the following day. Roger Ball recently detailed this disturbance which went, in his words, 'unnoticed and, more significantly, *unheeded* into obscurity'.<sup>201</sup> After a relatively minor incident on 3 April, the following night saw an increased police presence reacting against the perceived police 'defeat' in St Pauls and, consequently, increased violence.<sup>202</sup> The subsequent police report detailed that around 200 youths smashed shop windows and threw stones at police who attended the scene, with 31 people being arrested. Several plastic bags were found containing 'milk bottles filled with petrol with rag fuses attached', which police believed to have been undoubtedly planned to be thrown at officers.<sup>203</sup>

Local MP Michael Colvin believed that such disorder the day after St Pauls 'was more than coincidence', and the later court trial of youths charged with disorderly conduct was told it had been 'an attempt to imitate the St Paul's riots'.<sup>204</sup> Colvin requested that Whitelaw should ensure that the Southmead disturbance did not get overlooked by inquiries which he feared may focus purely on St Pauls. Whitelaw responded it was down to the inquiries themselves to determine what to include, so Colvin therefore requested that the City Council include his constituency in their joint venture with the County Council.<sup>205</sup> The

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<sup>199</sup> Sheila Delaney to Carmen Beckford, 21 May 1980, BRO 43129 (Box 106); John Tanner to William Whitelaw, 22 May 1980, BRO 43129 (Box 106); HC Deb 28 April 1980 vol. 983 c. 973.

<sup>200</sup> 'It Was the First Time we had the Chance to get even'.

<sup>201</sup> Roger Ball, 'The "Bristol Riot" and Its "Other": St Paul's and Southmead in April 1980', *The Regional Historian: Journal of the Regional History Centre*, 22 (2010), 33.

<sup>202</sup> Ball, 'The "Bristol Riot" and Its "Other"', 36.

<sup>203</sup> Weigh, 'General Police Duties', p. 40.

<sup>204</sup> Michael Colvin MP to Peter Courtier, 25 April 1980, BRO 43129 (Box 105); Words of prosecuting lawyer Ian Dixey, as cited in 'Mob on Rampage "Copied St Paul's"', *Bristol Evening Post*, 21 May 1980.

<sup>205</sup> HC Deb 28 April 1980 vol. 983 c. 975; Michael Colvin MP to John Brown, 6 May 1980, BRO 42974/1.

City Clerk assured him that representatives of both City and County Councils acknowledged that 'their considerations could not exclusively be focussed upon St. Pauls' and other areas needed to be considered.<sup>206</sup>

Events in Southmead did appear to be overlooked to a great extent, despite Ball explaining that it contained the 'classic' disturbance elements of growth, peak, and decline which characterised most of the subsequent disturbances the following year.<sup>207</sup> Ball suggested that the 'potent brew' of word of mouth combined with mass media reports of the 'successful uprising' in St Pauls imbued the youth of Southmead with sufficient confidence to undertake such actions.<sup>208</sup> He also highlighted the Avon County Council's controversial late 1970s policy of transporting youths from St Pauls to secondary schools throughout other areas of Bristol, including two schools in Southmead, with the 'inadvertent consequence' of being the creation of direct social links between youth of St Pauls and Southmead.<sup>209</sup> Utilising J. Przybysz and D. Myers' definitions of 'copycat' and 'contagion' ideas in the spread of disorder, he argued that Southmead was not purely the 'copycat' result of an unconscious reaction to media coverage, instead a rational and evaluative decision-making process which had been influenced by 'contagions' spread from St Pauls to Southmead via a social network of peer relationships, education, family links, and others.<sup>210</sup> They believed in the possibility of a similarly positive outcome for conducting their own versions of the collective violence against police persecution in St Pauls. This would be the pattern for disorder to spread around the country the following year as other black communities in Britain attempted to obtain increased resources and attention as well as furthering levels of political participation.

## **CONCLUSION**

Following the events of 2 April, the reaction from the government was not sufficient to appease those calling for a public inquiry and Whitelaw's 'three-pronged response' was not what the local community envisioned as a response. As the CRE-backed inquiry into employment and inequality summarised: 'Five

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<sup>206</sup> Brown to Colvin, 12 May 1980.

<sup>207</sup> Ball, 'The "Bristol Riot" and Its "Other"', 38.

<sup>208</sup> *Ibid.*, 36.

<sup>209</sup> *Ibid.*

<sup>210</sup> J. Przybysz and D. Myers, 'The Diffusion of Contentious Gatherings in the Captain Swing Uprising' (University of Notre Dame, 2009) pp. 3-4, as cited in *ibid.*, 39-40.

months on from 'riots' that supposedly shook the nation, those who most need shaking, those responsible for and empowered with providing social resources for black people, have managed to avoid significant commitment to the expressed wishes of the people themselves.<sup>211</sup> Therefore local interested organisations took it upon themselves to conduct such inquiries, clearly attempting to participate in a democratic process which had been denied to the local black community. These had differing levels of support and success, but ultimately could not alter the views of the government that a public inquiry was unnecessary and who instead focussed upon the criminality aspects of the disturbances.

Despite the perceived lack of a meaningful response from central government and related intense criticism, local authorities and police appeared to learn some lessons. The St Pauls annual festival in July 1980 passed without incident, attributed by some to the deliberate police tactic to not appear prominently. Those police that were present were praised for their attempts to 'go out of their way to join in the festive spirit'.<sup>212</sup> This tactic was repeated in 1981 as, whilst violence spread around the country, more than 15,000 people attended the festival climax and witnessed local constables joining in with the dancing, being similarly praised for their 'superb' efforts to enter into the spirit of the festival.<sup>213</sup> This altered police approach could go some way to explaining why Bristol, this time, remained peaceful. However St Pauls had provided an example to many black youths around the country that the police could be combatted, and the lack of effective response and inquiry into the disorder further increased the discontentment of sections of the black community who were increasingly willing to engage in collective violence. This would result in violent outbursts spreading around the country in 1981, beginning with Brixton almost exactly one year after St Pauls.

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<sup>211</sup> Bristol Resource Centre, 'Race, Employment and Inequality in the Bristol Area', p. 29.

<sup>212</sup> Lucy Hodges, 'Riot Issues Remain as an Uneasy Bristol Sees Races Mixing in a Carnival Spirit', *The Times*, 7 July 1980.

<sup>213</sup> Words of BCRE Senior Community Relations Officer Carmen Beckford, as cited in Julie Hendry, 'Police Triumph at St Paul's Parade', *Bristol Evening Post*, 6 July 1981.

## CHAPTER FOUR

### ESCALATION: BRIXTON, 10-12 APRIL 1981

Despite the various warnings of growing tensions and frustration, the police and government did little to change their tactics and attitudes. Repeatedly ignoring calls for a public inquiry into events in Bristol, it appeared the general feeling was that the worst was over and, as John Benyon and John Solomos stated, the establishment appeared to view the violent disturbance as 'a strange aberration in social behaviour' that would not be repeated. In Brixton in April 1981, almost exactly one year after the similar shock of St Pauls, such 'complacent interpretations were rudely shattered'.<sup>1</sup> As Home Secretary William Whitelaw later summarised in his autobiography, 'The St Paul's district of Bristol was known to be a difficult area from a policing point of view. But this very fact meant that we in the Home Office, and indeed in the police service as a whole, failed to recognize this disturbance for the warning signal of danger which it turned out to be.'<sup>2</sup> This view had not been shared by all. A poll in Brixton a few days after the Bristol disturbances showed that 70 percent of respondents had little or no confidence in the police, with two-thirds deeming it likely such violence would be repeated.<sup>3</sup>

Utilising recently released government records, this chapter and the next addresses some of the gaps and discrepancies between what was submitted as evidence to the Scarman Inquiry, and what was published in his final report. These include transcripts of police radio messages, police statements, and individual contributions submitted to the inquiry. These documents were closed to public view until at least 2005, with the majority inaccessible until 2012.<sup>4</sup> As such, they have not undergone rigorous examination by historians. The radio messages potentially offer an exciting insight into immediate police strategies and attitudes, but, as is shown, it was not forgotten by police that such messages would be recorded. The numerous interviews with officers present

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<sup>1</sup> John Benyon and John Solomos, 'British Urban Unrest in the 1980s', in John Benyon and John Solomos (eds.), *The Roots of Urban Unrest* (Oxford, 1987) p. 3.

<sup>2</sup> William Whitelaw, *The Whitelaw Memoirs* (London, 1989) p. 242.

<sup>3</sup> Polls carried out for Granada Television on 4-5 April, as cited in Peter Evans, 'Polls Show Low Black Confidence in Police', *The Times*, 10 April 1980.

<sup>4</sup> Despite their public release, upon the authors' reading many records have been redacted in order to remove personal information. Where this is the case and an author is not attributed, 'unknown' is used.

during the disturbances were supplied to Lord Scarman in order to reconstruct a picture of events for his inquiry and, as such, most likely contain self-censored versions of events in order for officers to not incriminate themselves. However, careful study of them also allows an insight into the personal views of the police on the street and their beliefs regarding their role and responsibilities. In the same vein, individual contributions and witness reports sent to the inquiry must also be treated with a similar healthy scepticism, acknowledging the possible personal or political motives of submitting such testimony.

### **NEW CROSS FIRE**

In the period between the St Pauls and Brixton disturbances another event occurred which furthered the belief of many within the black community that the police and government simply did not care about them; a house fire in New Cross, south-east London on 18 January 1981 claimed the lives of thirteen black youths. The police were accused of not treating the event with the same response that would have greeted deaths of white youths or seriously investigating claims that it had been an act of arson. Other black homes had been attacked in the area, a black community centre had been burnt down, and 'the entire community, not just the anguished parents, were convinced that the fire had been started by fascists'.<sup>5</sup> The event had initially been reported as having been a fire-bomb and, although subsequent forensic evidence did not support such a theory, this belief permeated the local community.<sup>6</sup>

David J. Smith and Jeremy Gray observed the police investigation and, whilst concluding the police were 'probably right' that the fire had been started by a house guest rather than a racist attack, they criticised the poorly handled police investigation. These criticisms included the unfounded police belief that black people would not cooperate with their investigation subsequently affecting their inquiries, failure to convince the local community they were investigating the possibility it was a racist attack, and failure to alleviate the community's fears that they were under attack.<sup>7</sup> Whilst the police firmly denied accusations of a cover-up or neglecting their duty to investigate thoroughly, the *Sunday Times* detailed that this no longer mattered:

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<sup>5</sup> Peter Fryer, *Staying Power: The History of Black People in Britain* (London, 1984) p. 398; Martin Kettle and Lucy Hodges, *Uprising!: The Police, the People and the Riots in Britain's Cities* (London, 1982) p. 62.

<sup>6</sup> David McNee, *McNee's Law* (London, 1983) p. 126.

<sup>7</sup> David J. Smith and Jeremy Gray, *Police and People in London, Vol. iv: The Police in Action* (London, 1983) pp. 158-62.

Even if the cause of the Deptford fire in which 13 young blacks died last January is finally established, the proof will almost certainly come too late. Mutual suspicion between blacks and police is now so great that many people in the area will simply not believe the outcome of the investigation.<sup>8</sup>

The perceived police indifference to the event led to the organisation, by the New Cross Massacre Action Committee as well as others such as Darcus Howe, of the Black People's Day of Action on 2 March 1981 which saw a protest march attended by an estimated 6-15,000 people.<sup>9</sup> Howe had been a prominent member of the British Black Panthers, first coming to national attention in 1970 as one of the 'Mangrove Nine'. Starting in 1982, Howe was to become a well-known broadcaster investigating issues of race and it is likely that events in 1981 allowed such a media career to flourish.<sup>10</sup> His transformation from being viewed as a Black Power terrorist in the 1970s to a respected commentator by the mid-1980s suggests that the events discussed in this thesis allowed him a platform in a way black people had been previously denied; however it also led people such as Kalbir Shukra to claim that radical black politics in Britain perished when former black radicals themselves drew closer to, and became representatives of, the state.<sup>11</sup>

Further demonstrating a movement towards self-organisation and desire for political participation, the response to the house fire also demonstrated a collective consciousness from many within the black community:

...a sense of solidarity with all other people belonging to the same ethnic group and a collective perception of threats to themselves from various forces in society, symbolised most strongly by the threat that they feel is posed to them by the police...it was a collective political response to events which were remote from the personal lives of many of the people taking part. People came from as far afield as Manchester and Leeds to take part in the Black People's Day of Action about an event about which there was very little information as to what had really occurred.<sup>12</sup>

Martin Kettle and Lucy Hodges argued that this response confirmed the fact that black people had become willing to protest their situation and perceived neglect from the British authorities: 'This and the Bristol riot of 1980 were clear signs

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<sup>8</sup> *Sunday Times*, as cited in McNee, *McNee's Law*, pp. 126-7.

<sup>9</sup> Zig Layton-Henry, *The Politics of Race in Britain* (London, 1984) p. 114; Mike Phillips and Trevor Phillips, *Windrush: The Irresistible Rise of Multi-Racial Britain* (London, 1998) p. 361; Fryer, *Staying Power*, p. 398.

<sup>10</sup> See Robin Bunce and Paul Field, *Darcus Howe: A Political Biography* (London, 2014).

<sup>11</sup> Kalbir Shukra, *The Changing Pattern of Black Politics in Britain* (London, 1998) p. 110.

<sup>12</sup> David J. Smith, 'Policing and Urban Unrest', in John Benyon and John Solomos (eds.), *The Roots of Urban Unrest* (Oxford, 1987) p. 72.

that new levels of black resistance had at long last emerged.<sup>13</sup> Playwright and actor Kwame Kwei-Armah described the action as a 'formative moment', and even Commissioner of Police of the Metropolis, Sir David McNee, concluded that the event 'brought about a change of mood and a sense of unity within the black community not previously seen'.<sup>14</sup> Increasing desires for improved political participation and willingness and ability to organise and participate in protest and collective violence towards a common goal would be seen throughout the resulting disturbances and can be viewed within a broader political strategy.

## **BRIXTON**

When examining the situation in Brixton prior to 1981, it is little wonder that it became the epicentre of the next violent outburst. As Scarman stated, Brixton exhibited 'many of the features of other decaying inner city areas' including poor local facilities, particularly in housing, leisure, and recreation facilities.<sup>15</sup> A disproportionately high number of young people faced a lack of employment opportunities, and the unemployment rate for black males under nineteen was fifty-five percent.<sup>16</sup> Scarman noted how this, combined with prevalent racial discrimination, resulted in widespread discontentment in Brixton.<sup>17</sup> Discrimination within education was blamed for many of the problems, seemingly not sufficiently preparing and educating local black youths to an acceptable level for gainful employment. Scarman quoted the House of Commons Select Committee on Home Affairs report on Racial Disadvantage, conducted following events in St Pauls, which stated that 'it has long been evident that we have not got ethnic minority education right'.<sup>18</sup> This thus raises the question, if Brixton was in many ways typical in its conditions, why did it become the epicentre for disorder in 1981? As examined below, provocative police tactics and actions specific to Brixton were to spark unrest.

Scarman also highlighted it was 'regrettably also true' that conditions within Brixton attracted some to a life of crime, particularly robbery, car theft,

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<sup>13</sup> Kettle and Hodges, *Uprising!*, pp. 62-3.

<sup>14</sup> Alexis Akwagyiram, 'Did the New Cross Fire Create a Black British Identity?' *BBC News*, 18 January 2011, <http://www.bbc.co.uk/news/uk-12182927> (last accessed 4 March 2014); McNee, *McNee's Law*, p. 126.

<sup>15</sup> Lord Leslie Scarman, *The Scarman Report: The Brixton Disorders, 10-12 April 1981* (Harmondsworth, 1981) p. 194.

<sup>16</sup> *Ibid.*, pp. 18-29.

<sup>17</sup> *Ibid.*

<sup>18</sup> *5th Report from the Home Affairs Committee*, Session 1980/81, HC 424-I, paragraph 130, as cited in *ibid.*, p. 26.

and pick-pocketing offences.<sup>19</sup> Not all observers agreed that unemployment and other social issues were linked with rising crime figures; perhaps unsurprisingly, those on the right did not accept such a link. Prime Minister Margaret Thatcher particularly rejected this argument because, not least undermining the economic policies of her Government, it would also 'suggest that individuals do not possess ultimate responsibility for their behaviour', contrary to the individualism that was a main tenant of Thatcherism.<sup>20</sup> However, as Timothy Brain pointed out, it appeared that Thatcher accepted that there was a link between crime, disorder, and unemployment when she appointed Michael Heseltine as 'Minister for Liverpool' with the job of restoring the city's prosperity following its own disturbances in July 1981.<sup>21</sup>

As discussed previously violent crime and robberies had increased by 138 percent in recent years within Brixton, with police figures suggesting that black people 'were disproportionately involved'.<sup>22</sup> This led to an increased use of tactics such as 'sus' and stop and searches, often targeted against black people. Peter Bleksley, a Metropolitan police officer aged twenty-one in 1981, claimed that the 'sus' law was used by the police 'to our ends to basically "fit up" and brutalise people that we didn't like'.<sup>23</sup> Whether such accusations are accurate, many have noted the detrimental effect of 'sus' on police and community relations; but it was not the only policy causing discontentment.<sup>24</sup> 1,469 people, both black and white, were arrested under the 'sus' law throughout London in 1980, equivalent to only one third of the police stops of black people in the Brixton division alone.<sup>25</sup> As Zig Layton-Henry summarised, 'The police had to cope with a rising level of crime in Brixton and to retain the confidence of all sections of the community.'<sup>26</sup> This, as will be seen, was an extremely difficult task made more difficult by inherent prejudices and racial

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<sup>19</sup> Scarman, *The Scarman Report*, pp. 35-6.

<sup>20</sup> Timothy Brain, *A History of Policing in England and Wales from 1974: A Turbulent Journey* (Oxford, 2010), p. 76.

<sup>21</sup> Brain continued however that it appeared subsequently that this was more a move motivated to neutralise internal political threat from more economically liberal side of Conservatives than a 'straightforward intention to use interventionist economics to deliver social amelioration': *ibid.*

<sup>22</sup> Scarman, *The Scarman Report*, pp. 83-4.

<sup>23</sup> Peter Bleksley, *BBC London News*, 11 April 2011, <http://www.bbc.co.uk/news/uk-england-13041004> (last accessed 25 February 2014).

<sup>24</sup> For example see: Kettle and Hodges, *Uprising!*, p. 92; George Greaves, 'The Brixton Disorders', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) pp. 66-67.

<sup>25</sup> Kettle and Hodges, *Uprising!*, p. 92.

<sup>26</sup> Layton-Henry, *The Politics of Race*, p. 162.

discrimination. Bleksley stated that: 'Racism was compulsory in the police. It wasn't institutionalised, if you weren't a racist, you weren't going to get on.'<sup>27</sup> Whilst there is no evidence to support the claim that racist attitudes were a requirement for a police career, it is certainly true that racism permeated all areas of British society at some level and this appeared to be no different within the police.

### **POLICE/COMMUNITY RELATIONS**

Further to increased and disproportionate use of 'sus' and stop and search, there were also circumstances specific to Brixton which caused discontentment. Brixton had a history of troubled relations between police and the black community, with Fryer detailing how Brixton police allegedly termed various operations 'nigger-hunting', and a report to the West Indian Standing Conference on Police Brutality subsequently concluded: 'it has been confirmed from reliable sources that sergeants and constables do leave stations with the express purpose of going nigger hunting'<sup>28</sup> Whether or not this was an actual term used by the police, the widespread belief that it was being used obviously had negative effects on relations between black people and the police.

In response to the police's description of black people being disproportionately involved in crime, Kettle and Hodges stated that figures supplied to the Scarman Inquiry regarding Lambeth suggested that black people were stopped disproportionately to their overall numbers and, once stopped, were more likely to be arrested than whites.<sup>29</sup> They continued that it was 'strange' that Scarman's inquiry subsequently 'failed to investigate the matter further when it had the opportunity of doing so'.<sup>30</sup> Mike and Trevor Phillips quoted Wayne Haynes, a survivor of the 1981 New Cross Fire, when describing his experience with the police:

At that time, you had the sus law going on, and they could do whatever they want, basically, and they did...And if they didn't like your face, if your face didn't fit, or you was a bit too lippy, as most black kids are, you'd get a little kicking. Maybe then you'd get taken down the cell and

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<sup>27</sup> Bleksley, *BBC London News*.

<sup>28</sup> Joseph A. Hunte, *Nigger-hunting in England?* (London, 1966) p. 12; Fryer, *Staying Power*, p. 391.

<sup>29</sup> Kettle and Hodges, *Uprising!*, p. 89. This is consistent with other studies, see also: Trevor Carter, *Shattering Illusions: West Indians in British Politics* (London, 1986) p. 104; Greaves, 'The Brixton Disorders', p. 66.

<sup>30</sup> Kettle and Hodges, *Uprising!*, p. 89.

get a good kicking, which quite a few of us did as well, for nothing. And that's just how it was.<sup>31</sup>

Conversely it was argued that the reaction that the police received in Brixton on a daily basis led to a hardening of their opinion: 'I have seen the most liberal and left wing people come down here and within months completely change their attitudes. The hatred on the streets is so awful that you have to conform to the views of the rest of the group to survive.'<sup>32</sup> A worsening cycle of animosity between the police and local community was constantly growing and, within this context, it was likely only a matter of time until tensions erupted into violent confrontation.

#### COMMUNITY ORGANISATIONS

Running parallel to issues of relations with the police, there was a history of community organisations attempting to improve the situation for black people in Brixton. Devon Thomas, local activist and Lambeth Council worker, in a view mirrored by many commentators, detailed that it was second generation immigrants who formed such organisations to help support and defend themselves against the racist pressures they were being put under.<sup>33</sup> Materials submitted to the Scarman Inquiry from the Council for Community Relations in Lambeth (CCRL) outlined various issues since its formation in 1970 which caused tensions to increase in Lambeth.<sup>34</sup> One particularly illuminating example was a meeting of the National Front (NF) in Loughborough School in Brixton. Police figures reported that 1,500 police were present at a cost of £115,000, and their actions were perceived as defending and supporting the NF. Exacerbating the situation, the police arrested 6 black youths leaving the counter demonstration under 'sus' laws.<sup>35</sup>

Another case in point was detailed that in 1976 the police had knocked a young pregnant woman to the ground whilst questioning a middle-aged black man about groceries he was carrying home. As George Greaves, Principal

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<sup>31</sup> Interview with Wayne Haynes, as cited in Phillips and Phillips, *Windrush*, p. 301.

<sup>32</sup> Words of PC Peter Lawrence, as cited in Michael Keith, *Race, Riots and Policing: Lore and Disorder in a Multi-Racist Society* (London, 1993) p. 130.

<sup>33</sup> Devon Thomas, 'Black Initiatives in Brixton', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 185.

<sup>34</sup> Council for Community Relations in Lambeth, 'Constitution', The National Archives (TNA): HO 266/90.

<sup>35</sup> Council for Community Relations in Lambeth, Materials submitted to Scarman Inquiry, TNA: HO 266/90.

Community Relations Officer for the CCRL detailed: 'So intense was the anger generated in those who witnessed the incident that they marched as a body to Brixton Police Station to complain, and it was a spontaneous demonstration without any prompting from community leaders or community activists.'<sup>36</sup> He stated the significance of this, that black youths were 'no longer prepared to rely on intermediaries to win for them the justice which they felt was being denied to them', was not lost on those familiar with the area.<sup>37</sup> It did appear lost on those in positions of authority.

Black youths were more willing to personally organise and protest perceived prejudices, an observation of obvious importance amongst discussion regarding disorders. The CCRL was just one of many organisations which had emerged in the area due to poor relations between the police and black community. Another organisation, established to defend respected and devout churchman Joshua Francis imprisoned for assaulting police when in fact he had been badly beaten by officers, was described by Harry Gouldbourne as a 'watershed moment' which showed it was not just black youths who could suffer such a fate: 'If a person such as he was not safe from the police, then who in the black community was safe from the long arm of injustice, which had the sanction of the state's legal instruments.'<sup>38</sup>

As for the police, Brain detailed how successive police commanders undertook many of the methods outlined by Chief Constable of Devon and Cornwall, John Alderson.<sup>39</sup> Alderson was a strong proponent of community policing, including using home beat officers and forging strong links with the local community. Chief Constable of Merseyside Kenneth Oxford argued that community policing had received multiple definitions and should not be seen as 'the panacea for all problems with which we are faced', and that similar approaches had been employed in all British police forces over many years.<sup>40</sup> Similarly Paul Gilroy reasoned that evidence which showed Devon and Cornwall police also utilised the same 'fire-brigade' policing tactics as elsewhere, 'makes nonsense of the view of community policing as a miraculous

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<sup>36</sup> Greaves, 'The Brixton Disorders', p. 64.

<sup>37</sup> *Ibid.*

<sup>38</sup> Harry Goulbourne, *Caribbean Transnational Experience* (London, 2002) pp. 108-9; Harry Goulbourne, *Race Relations in Britain since 1945* (Basingstoke, 1998) pp. 67-8.

<sup>39</sup> Brain, *A History of Policing*, p. 65.

<sup>40</sup> Kenneth Oxford, 'Policing by Consent', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) pp. 114-7.

cure-all for urban ailments'.<sup>41</sup> Despite this, a study by S. Jones and M. Levi in 1983 of two opposing police forces, Devon and Cornwall together with Manchester, showed that Alderson's community policing approach resulted in a high public approval and more accurate police perception of their public standing, suggesting a closer relationship.<sup>42</sup> Many countered that policing Devon and Cornwall, or 'tranquil rural counties' as described by Robert Reiner, was much different and in many ways easier than large cities such as Manchester or London.<sup>43</sup> Jones and Levi's study did suggest however that relatively large city Plymouth saw better results than relatively small town Wigan, suggesting that it was not purely a matter of size.<sup>44</sup>

Regardless, such community policing efforts were hamstrung by a general lack of manpower in the Metropolitan Police. In an attempt to bolster low police numbers, the increasingly unpopular Special Patrol Group (SPG) was sporadically drafted into the area to conduct saturation policing which included increased use of stop and search methods. W. H. Gibson, Assistant Commissioner of New Scotland Yard, suggested that the SPG existed to solve such manpower shortages.<sup>45</sup> The negative effect of such actions was later noted by Scarman:

They provoked the hostility of young black people, who felt they were being hunted irrespective of their innocence or guilt. And their hostility infected older members of the community, who, hearing the stories of many innocent young black people who had been stopped and searched, began themselves to lose confidence in, and respect for, the police.<sup>46</sup>

#### LIAISON COMMITTEE

As part of the community policing strategy of forging strong links with the local community, attempts were made to improve relations between the police and black community, or at least be seen to be attempting to. Due in large part to the socioeconomic situation in Brixton, Scarman concluded that, whilst spending most of their time on the streets, black youths' contact with the police was framed around viewing them as 'visible symbols of the authority of a

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<sup>41</sup> Paul Gilroy, 'The Myth of Black Criminality', in Phil Scraton (ed.), *Law, Order and the Authoritarian State* (Milton Keynes, 1987) p. 111.

<sup>42</sup> S. Jones and M. Levi, 'The Police and the Majority: the Neglect of the Obvious', *The Police Journal*, 41, (1983), 351-64, as cited in Robert Reiner, *The Politics of the Police*, Fourth edition (Oxford, 2010) pp. 135-6.

<sup>43</sup> Reiner, *Politics of the Police*, p. 136.

<sup>44</sup> Jones and Levi, 'The Police and the Majority'.

<sup>45</sup> W. H. Gibson to John Timmey MP, 26 April 1979, TNA: HO 266/90.

<sup>46</sup> Scarman, *The Scarman Report*, p. 87.

society which has failed to bring them its benefits or do them justice'.<sup>47</sup> In such a volatile and potentially explosive environment, good relations between the police and local community are vital. In recognition of such a fact, proposals for a formal liaison committee between the police and local community organisations, fronted by the CCRL, were established.

The initial meeting of this Committee took place on 30 October 1978 where, amongst other topics, the policing of NF demonstrations arose in discussions. The police declined to discuss such topics and stated that it was the sole responsibility of Leonard Adams, Commander of 'L' District within which Brixton was situated, to decide upon policing levels.<sup>48</sup> Alan Goodson, President of the Association of Chief Police Officers 1979-1980, later argued that, whilst chief constables consulted the community more than ever before, 'he and he alone has [the] responsibility' of deciding upon operational enforcement of the law.<sup>49</sup> Citing arguments regarding police independence from politics, he used an example of industrial disputes to argue the possible detrimental situation of policing situations 'in accordance with the dictates of any politician'.<sup>50</sup> Whilst a valid point, the apparent convergence of police and Conservative Party somewhat undermined such argument. Despite this dispute regarding specific police operations, which was suggested could be addressed further at subsequent meetings, there appeared to be optimism that the Liaison Committee could improve the situation.

Three days following this meeting a saturation operation involving the SPG commenced in Brixton. Commander Adams had not informed community leaders beforehand because he believed that 'any resultant publicity would alert the criminal factions in Lambeth'.<sup>51</sup> This omission angered local community leaders as they did not believe the police saw the Committee as a two-way process: 'The police appear to want help (and therefore agreement) from the community but only on their own terms and within their own conception of policing.'<sup>52</sup> Community leaders argued that this relied upon trust between the

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<sup>47</sup> *Ibid*, p. 29.

<sup>48</sup> Council for Community Relations in Lambeth/Police Liaison Committee, Minutes of meeting held on Monday 30 October 1978, TNA: HO 266/90.

<sup>49</sup> Alan Goodson, 'Police and the Public', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 144.

<sup>50</sup> Goodson, 'Police and the Public', p. 144.

<sup>51</sup> Commander Leonard Adams, 'Events', Police Submissions (P.S.) 19A, TNA: HO 266/96.

<sup>52</sup> Scarman, *The Scarman Report*, p. 88; Council for Community Relations in Lambeth, Materials submitted to Scarman Inquiry, TNA: HO 266/90.

police and community, but that such trust and, by extension, consent had deteriorated.<sup>53</sup> Adding to this dissatisfaction, three CCRL members were arrested and questioned in relation to an assault on two plain-clothes officers in a Clapham pub. The incident was dubbed the 'Sheepskin Saga' locally, due to the only apparent connection between the suspects and those arrested being that they were black and wore sheepskin coats.<sup>54</sup>

Ted Knight, leader of Lambeth Council, claimed that entering CCRL offices to make arrests was a 'calculated decision' which demonstrated the 'state of police minds when dealing with sensitive issues'.<sup>55</sup> However the state of Knight's own mind must also be noted. Widely known as 'Red Ted', he had been expelled aged 21 from the Labour Party due to his links with the newspaper *Socialist Outlook* where some contributors were 'known for their previous association with the Trotskyist Revolutionary Communist Party'.<sup>56</sup> A member of the 'London left', he had gained a national reputation for his left-wing views and criticism of the police and his general opposition to Thatcher and the Conservatives would later be seen in his 1984 efforts to oppose government limiting council budgets by simply refusing to set a budget, leading to his being banned from office for five years.<sup>57</sup> Regardless of their intentions, the involvement of such figures in debates regarding policing issues undoubtedly furthered, and in some cases legitimised, the claims of senior police officials that there was a concerted effort to undermine the government and police force. Indeed Knight complained following the disturbances that his descriptions of Brixton as 'a time-bomb' were dismissed by the government as 'pure political jargon', and he had even reportedly received an abusive telephone call blaming him for the Brixton disturbances before even becoming aware of them.<sup>58</sup>

Following the 'Sheepskin Saga' the CCRL were contacted by dismayed members of the community who believed that such an organisation would be immune from police harassment, but this event had demonstrated otherwise.<sup>59</sup>

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<sup>53</sup> Council for Community Relations in Lambeth, Materials submitted to Scarman Inquiry, TNA: HO 266/90.

<sup>54</sup> Scarman, *The Scarman Report*, pp. 88-9.

<sup>55</sup> 'Notes of meeting at Brixton Police Station on 21 March 1979', TNA: HO 266/90.

<sup>56</sup> Michael Crick, *The March of Militant* (London, 1986) p. 15.

<sup>57</sup> Anne Sofer, *The London Left Takeover* (London, 1987) p. 45; Patrick Seyd, *The Rise and Fall of the Labour Left* (New York, 1987) p. 140.

<sup>58</sup> Transcript: *PM Programme, BBC Radio Four*, 14 Apr 1981, TNA: HO 266/72; Unknown, Other Submissions (O.S.) 124, 29 May 1981, TNA: HO 266/103.

<sup>59</sup> Greaves, 'The Brixton Disorders', p. 65.

The following day the CCRL withdrew from the Liaison Committee, citing the police's 'flagrant disregard for people's rights and dignity and their utter contempt for black people'.<sup>60</sup> They condemned the lack of a formal mechanism for voicing criticism of policing policies and argued that institutional racism affected the police's strategies and tactics, but that police were unwilling to accept this.<sup>61</sup> They also urged Knight to establish an inquiry into the state of Police/Community relations in Lambeth, which he agreed to; although given his political views discussed previously, this is hardly surprising.<sup>62</sup>

The CCRL's withdrawal from the Liaison Committee initiated an escalating correspondence between them and Adams, blaming each other for the breakdown of consultation. Adams decried the decision 'not to support' the Committee, to which the CCRL responded that it was their suggestion to establish it in the first place and their subsequent decision to withdraw was 'not taken lightly or recklessly'.<sup>63</sup> A subsequent police operation again utilising the SPG was once more met with criticism and objection from the CCRL.<sup>64</sup> Adams curtly replied that the majority of the population welcomed their presence to uphold law and order and this was worth the negative effect upon some sections of the community, describing objections as frequently 'subjective rather than objective'.<sup>65</sup> This dismissal of criticisms from people who felt that they had genuine complaints of harassment and discrimination, further added to feelings of discontent and marginalisation from full participation in British society.

It is true that the police received multiple letters from residents who welcomed and thanked them for use of SPG in the area, notably most often from businesses and elderly people appreciating the added security.<sup>66</sup> For example, a letter welcomed the enterprise to protect the lawful citizens 'against the forces of evil' in 'this disgrace to civilised society called Lambeth'.<sup>67</sup> As might be expected some of the letters, purportedly purely expressing support for the police, were thinly veiled criticisms of the black population. One such letter, from

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<sup>60</sup> Gerlin Bean to Councillor Ted Knight, 15 February 1979, TNA: HO 266/90.

<sup>61</sup> Council for Community Relations in Lambeth, Materials submitted to Scarman Inquiry, TNA: HO 266/90.

<sup>62</sup> Bean to Knight, 15 February 1979.

<sup>63</sup> Leonard Adams to George Greaves, 5 March 1979, TNA: HO 266/90; George Greaves to Leonard Adams, 8 March 1979, TNA: HO 266/90.

<sup>64</sup> George Greaves to Leonard Adams, 19 November 1979, TNA: HO 266/90.

<sup>65</sup> Leonard Adams to George Greaves, 22 November 1979, TNA: HO 266/90.

<sup>66</sup> R. C. D. Honey, to Leonard Adams, 11 December 1978, TNA: HO 266/90.

<sup>67</sup> Letter from unknown, 24 July 1980, TNA: HO 266/90.

a Brixton resident for the previous 50 years, stated that problems were caused by the influx of 'youths who do not really belong here'. It ended with a plea for the increased use of the SPG in order 'to help make this once again a pleasant place to live in for God knows what they are doing to the Country of ours – so please help the true residents of Brixton'.<sup>68</sup> This accusation of not belonging or being the 'true' residents is one that can be seen throughout, and has endured to present day. A further writer claimed to be speaking for the opinions of the general public, which should be passed on to the 'nut case left wingers and do gooders' who were ruining the country and should 'piss off to Russia'. It continued to claim that, as police were very well paid, they should protect the white population 'and teach these animals a lesson' by prosecuting them for their crimes.<sup>69</sup> In a similar vein, it was alleged that those complaining about the 'very sensible decision' to bring the SPG into the area were seeking 'special privileges for various racial and ethnic minorities'.<sup>70</sup> Similar letters were sent to Knight attacking his criticism of the police. For instance, one such letter stated how the police had an extremely difficult task to carry out in the area and that 'Nobody with respect for law and order would regard police questioning as "harassment"'.<sup>71</sup> This theme that those unduly complaining did not wish for law and order to be maintained was often repeated; with the argument being that those campaigning for less intrusive police actions would alter their views if it was them who had been mugged.<sup>72</sup> An obvious retort is to suggest that perhaps people with such views might have altered their opinions if they were the ones being continuously stopped and searched to the same level that black residents were.

Adams concluded his letter to the CCRL defending use of the SPG by stating that if police actions were continuously questioned or opposed, this would hearten criminal factions and the public would 'lose faith where officers appear to be required to fight crime with one arm tied behind their backs'.<sup>73</sup> The CCRL admitted to being 'a little surprised at the vehemence' of his letter, countering that subjective objections are to be expected when a group believes they are being discriminated against: 'It does not make these objections

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<sup>68</sup> Letter signed 'O.A.P.', 24 July 1980, TNA: HO 266/90.

<sup>69</sup> Letter from unknown, 13 August 1980, TNA: HO 266/90.

<sup>70</sup> P. A. Lindsay to Leonard Adams, 30 July 1980, TNA: HO 266/90.

<sup>71</sup> Unknown to Ted Knight, 6 December 1978, TNA: HO 266/90.

<sup>72</sup> Police note, 23 July 1980, TNA: HO 266/90.

<sup>73</sup> Adams to Greaves, 22 November 1979.

invalid.<sup>74</sup> Rejecting the view that they unthinkingly criticised the police, they responded that the police had generally ignored any suggested policing improvements which was one of the reasons for their withdrawal from the Liaison Committee.<sup>75</sup> Communication between the CCRL and Adams deteriorated into addressing each other via the theatre of local newspaper the *South London Press*, likely further damaging the relationship between police and black community.<sup>76</sup> The CCRL foreshadowed later events when they warned:

The long term consequences of your policy are that you will increasingly have to rely on coercion rather than consent. This could ultimately degenerate into open and physical conflict between the police and some sections of the community in which people, both from the community and the police will be injured.<sup>77</sup>

This warning did not change police strategies to the extent desired. A further occasion where the SPG were drafted into Brixton saw Adams writing to inform the CCRL of such action before its implementation, even offering to meet and discuss it – which was seemingly a step towards healthier collaboration. However the tone of the letter was that, regardless of any concerns raised at the meeting, the deployment would still go ahead as planned.<sup>78</sup> Unsurprisingly the CCRL's response was that, whilst they remained opposed to the use of the SPG, as the decision had already been made there seemed 'little point' in meeting to discuss it.<sup>79</sup> On this occasion, three of the four local MPs also wrote to Adams opposing the use of the SPG, concluding that, if they had to be repeatedly called in to help tackle normal crime levels, surely that was a sign of a lack of police manpower.<sup>80</sup> It should be noted that all three of these authors were Labour, the one local MP remaining silent and refusing to question the police's tactics being a Conservative.

As mentioned previously and in part due to the noticeable rising hostilities after the CCRL's withdrawal from the Liaison Committee, the London Borough of Lambeth Council passed a resolution on 21 March 1979 to establish

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<sup>74</sup> George Greaves to Leonard Adams, 7 December 1979, TNA: HO 266/90.

<sup>75</sup> Greaves to Adams, 7 December 1979.

<sup>76</sup> Leonard Adams, "'Specials' Were Backbone of Lambeth Police Action', *South London Press*, 1 February 1980.

<sup>77</sup> George Greaves to Leonard Adams, 7 February 1980, TNA: HO 266/90.

<sup>78</sup> Leonard Adams to George Greaves, 10 July 1980, TNA: HO 266/90.

<sup>79</sup> George Greaves to Leonard Adams, 17 July 1980, TNA: HO 266/90.

<sup>80</sup> John Fraser MP, John Tilley MP and Stuart Holland MP to Commander Adams, 17 July 1980, TNA: HO 266/90.

an inquiry into police/community relations in Lambeth. This was established largely in a response to calls from the CCRL and a report entitled 'Inquiry into Police Conduct in Lambeth', which proposed such an inquiry due to the repeated refusal of the Home Office to accept requests for a public inquiry.<sup>81</sup> Knight further stated that the Council's Advice Bureaux had stated that evidence and documentation were needed of the considerable allegations regarding police harassment.<sup>82</sup>

The inquiry's task was made immediately more difficult when Adams withdrew police cooperation citing an alleged anti-police bias.<sup>83</sup> He stated that he was being asked 'to participate in an inquiry when I am the accused person to be judged by my accusers, without the rights and protection you are saying the police are denying the public. Clearly that would be a totally unfair system.'<sup>84</sup> He acknowledged that he would be duty-bound to participate in a Home Office inquiry but, as was painfully obvious to those requesting it for years, such an inquiry was not forthcoming.<sup>85</sup> This refusal to acknowledge or cooperate with investigations is consistent with the police's attitude at this time, as shown by the frequent previous refusals discussed in the preceding chapters. The investigation was also criticised by some members of the local community, who believed it would bring undeserved criticism upon the police: 'Just as one swallow does not make a summer, so isolated incidents of unfairness or prejudices on the part of individual policemen do not warrant wholesale condemnation of our overworked, courageous and often good humoured police.'<sup>86</sup> This response was typical of many, believing that the police deserved and needed the community's trust. Such attitudes were almost certainly held mostly by residents who did not face discrimination or the constant intrusion of being stopped and searched, and that the police had to earn such trust from the community through fairness and professionalism.

The Report of the Working Party on Community/Police Relations in Lambeth was published in January 1981, describing SPG excursions into Brixton as an 'Army of Occupation' and concluding that the situation was 'extremely grave' with unrest a possible outcome. It made a number of

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<sup>81</sup> Working Party on Police and Community Relations in Lambeth, TNA: HO 266/90.

<sup>82</sup> 'Notes of meeting at Brixton Police Station on 21 March 1979'.

<sup>83</sup> Bunce and Field, *Darcus Howe*, p. 210.

<sup>84</sup> 'Notes of meeting at Brixton Police Station on 21 March 1979'.

<sup>85</sup> *Ibid.*

<sup>86</sup> Unknown to C. Beer, 18 March 1980, TNA: HO 266/90.

recommendations to improve the relationship between the police and black community, including the immediate repeal of 'sus' laws and ceasing any further deployment of SPG in Lambeth.<sup>87</sup> Robin Bunce and Paul Field summarised how these 'devastating conclusions' were ignored by the police and politicians.<sup>88</sup> However, the report's conclusions were not ignored by the local community, adding further weight to feelings of discontent at, and alienation from, the political process. William Shelton, Conservative MP for Streatham, would later highlight this when he cited the report as having greatly increased hostility against the police.<sup>89</sup> It is therefore not surprising that, just three months after the authorities' blatant disregard for the inquiry's findings, violent outbursts occurred against the police.

There did nonetheless appear to be some police recognition that relations had become particularly poor. Commander Brian Fairbairn had been transferred to 'L' District to replace Adams, and stated his desire to increase liaison between senior officers and the elected representatives of Lambeth Council.<sup>90</sup> In an attempt to do so he wrote to various parties including Knight who responded with criticism of a recent police operation, forcing themselves into CCRL offices again after Fairbairn had assumed office. Knight stated that, regardless of Fairbairn's professed desire to improve relations between the police and community, such actions would invariably mean he would 'follow in Commander Adam's footsteps of leaving such relationships in tatters'.<sup>91</sup> Fairbairn replied that an investigation was ongoing regarding that incident and he was thus unable to comment, but he did passive-aggressively inform Knight that he was 'sorry that you are, apparently, unable to discuss the matters mentioned in my letter to you'.<sup>92</sup> A subsequent letter from Knight informed Fairbairn that he was 'constantly reassured by local community organisations' that use of the SPG was preventing good relations between police and local community and, as such, suggested the reuniting of the Liaison Committee, to which Fairbairn agreed and wrote to the CCRL expressing such.<sup>93</sup> After additional letters and meetings, in which Fairbairn declared a willingness to

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<sup>87</sup> Bunce and Field, *Darcus Howe*, p. 209.

<sup>88</sup> *Ibid.*, p. 210.

<sup>89</sup> HC Deb 13 April 1981 vol. 3 c. 24.

<sup>90</sup> Brian Kenneth Fairbairn to Ted Knight, 20 November 1980, TNA: HO 266/96.

<sup>91</sup> Ted Knight to Brian Kenneth Fairbairn, 26 November 1980, TNA: HO 266/96.

<sup>92</sup> Brian Kenneth Fairbairn to Ted Knight, 9 December 1980, TNA: HO 266/96.

<sup>93</sup> Ted Knight to Brian Kenneth Fairbairn, 7 January 1981; Brian Kenneth Fairbairn to George Greaves, 19 January 1981, TNA: HO 266/96.

discuss any facet of policing with the CCRL, the situation appeared to be gradually improving.<sup>94</sup>

### SWAMP 81

With this background of cautious developments the police launched 'Operation Swamp 81', a plain-clothed saturation police operation beginning Monday 6 April 1981. Chief Superintendent Sidney Nicholson described the operation as 'an experiment' in reducing crime; due to the difficult relationship between the police and community, perhaps a less volatile area should have been used for such experimentations.<sup>95</sup> Michael Keith highlighted an additional intention of the operation as a morale-boost for officers working in the difficult climate of Brixton; Detective Chief Superintendent Plowman deemed the operation a success because 'It motivated officers.'<sup>96</sup>

Regarding the naming of the operation, and referencing Thatcher's 1978 statement that 'people are really rather afraid that this country might be rather swamped by people with a different culture', Fryer described how this action saw Brixton 'well and truly swamped'.<sup>97</sup> This connection was also drawn by Paul Gilroy, who described the police operation as a 'revenge swamping'.<sup>98</sup> Many within the local community, already feeling that the British authorities were not addressing their situation to any extent, saw this as a movement towards actively targeting them. Detective Chief Superintendent Jeremy Plowman, taking responsibility for the official naming of the operation, stated that it was named thus after an earlier operation which had occurred some three years previously; however this therefore potentially aligned even more closely with Thatcher's comments.<sup>99</sup> Many black people viewed Swamp 81 as a direct police reply to the Black People's Day of Action on 2 March, demonstrating a police desire to regain control of the streets.<sup>100</sup> Brixton residents, even those deemed 'respectable', commented on the increased police presence and believed the operation to simply be a display of police authority; 'a boast (after the New

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<sup>94</sup> Knight to Fairbairn, 7 January 1981; Brian Kenneth Fairbairn to George Greaves, 24 April 1981, TNA: HO 266/96.

<sup>95</sup> Chief Superintendent Sidney Thompson Nicholson, P.S. 8, TNA: HO 266/97.

<sup>96</sup> Keith, *Race, Riots and Policing*, p. 132.

<sup>97</sup> Granada Television, *World in Action*, 30 January 1978, as cited in Layton-Henry, *The Politics of Race*, pp. 103-4; Fryer, *Staying Power*, p. 398.

<sup>98</sup> Interview with Paul Gilroy, in Phillips and Phillips, *Windrush*, p. 358.

<sup>99</sup> Detective Chief Superintendent Jeremy John Plowman, P.S. 11, TNA: HO 266/97.

<sup>100</sup> Fryer, *Staying Power*, p. 398.

Cross march) that no one but the Met would rule the streets'.<sup>101</sup> To some in the local black community, it appeared that their peaceful attempts to protest previous police misconduct or seemingly indifferent treatment of tragedies involving local black youths were greeted with nothing more than a show of police force, suggesting to some that responding in kind with collective violence was the only method to effect any real change.

The police defended Swamp 81 as a necessary response to the high rate of crime in Brixton. However Fairbairn, seemingly willing to address previous complaints and learn some lessons, deliberately chose to not include the SPG in the operation due to previous concerns raised by the community. In the same vein he had not utilised the SPG since he became Commander of L District; the first time in fact that he did so was in response to the 1981 disturbances, at which point he acknowledged that he 'was very glad to have them'.<sup>102</sup> Despite this seeming willingness to acquiesce to the community's wishes, once again the local community and leaders were not informed of the operation beforehand, seemingly a continuation of the belief verbalised previously by Commander Adams: 'No good general ever declares his forces in a prelude to any kind of attack'.<sup>103</sup> This use of military language and invoking war-like comparisons suggests that police amalgamated the population of Brixton into an enemy that needed to be conquered, rather than as constituents requiring their protection. The failure to consult local community leaders beforehand was condemned by Scarman and, as Kettle and Hodges agreed, Adams' statement and the police's subsequent actions 'spoke volumes on senior police attitudes'.<sup>104</sup> Various described as 'unwise', 'a serious mistake', and an operation 'poured' on to an existing 'combustible mixture', contemporary and lasting opinion has condemned Swamp 81 as at best mistimed, and at worst wilfully irresponsible.<sup>105</sup> Despite the operation's significance in the ensuing violence and contemporary reaction, and showing the mind-set of many police officials, a few days after the disturbances the head of the local CID quoted reduced crime figures (prior to its termination due to the disturbances) and thus

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<sup>101</sup> Mike Phillips, *New Statesman*, 17 April 1981, as cited in Phillips and Phillips, *Windrush*, p. 362.

<sup>102</sup> Commander Brian Kenneth Fairbairn, P.S. 5A, TNA: HO 266/96.

<sup>103</sup> This statement has occasionally been incorrectly referenced as referring specifically to Swamp 81, for example Kettle and Hodges, *Uprising!*, pp. 94-5. However it was actually Adams' response to a previous operation involving the SPG: Bunce and Field, *Darcus Howe*, p. 209.

<sup>104</sup> Scarman, *The Scarman Report*, pp. 109-10; Kettle and Hodges, *Uprising!*, pp. 94-5.

<sup>105</sup> Scarman, *The Scarman Report*, p. 46; Brain, *A History of Policing*, p. 76.

considered Swamp 81 'a resounding success'.<sup>106</sup> It is hard to see how an operation widely cited as being an immediate cause for violent uprisings could be viewed as such. In addition Michael Rowe later contested that, although police claimed that street robberies and burglaries declined by half during the operation, there was little apparent consideration paid to the possibility that such crimes may have just been displaced to a different locality.<sup>107</sup>

Such a police response is symbolic of their broader response to relations between the police and local black community. The success of Swamp 81 was measured purely on its statistical reduction in crime, and the fact that it had increased black people's feelings of discontent towards the police and led to such violent protests spreading around the country was seemingly deemed an acceptable consequence. The desire for the police to be seen to be the ones in control of the streets of Brixton was deemed representative of the semi-covert racism which characterised many of the police's actions, leading to the collective violence against the police.

### **DISTURBANCES**

Since the beginning of the week when Swamp 81 commenced, tensions in the area were described by various observers as having dramatically increased.<sup>108</sup> Considering the noticeably increased numbers of police on the streets, additional instances of stops and searches, and police raids on properties, this is hardly surprising.<sup>109</sup> Police described uneasy feelings in their dealings with local people and an unwillingness to be seen having 'normal' conversations with officers.<sup>110</sup> The first few days of the operation resulted in local organisations being 'overwhelmed' by black youths protesting against their treatment by the police.<sup>111</sup> Howe argued on the Monday night that 'the place was going to explode', having observed multiple scuffles between black youth and the so-called 'sneaker squad' plain-clothed police.<sup>112</sup> During the course of the operation 120 officers within Brixton made 943 'stops', of which over two-thirds were under 21 and over half were black; disproportionate in a community

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<sup>106</sup> Words of Detective Chief Superintendent Plowman, *New Standard*, 13 April 1981, p.2, as cited in Fryer, *Staying Power*, p. 398.

<sup>107</sup> Michael Rowe, *Policing, Race and Racism*, (Devon, 2004) pp. 82-3.

<sup>108</sup> Scarman, *The Scarman Report*, p. 96.

<sup>109</sup> Unknown, O.S. 258, TNA: HO 266/103.

<sup>110</sup> PC Robert Jones, P.S. 12, TNA: HO 266/96.

<sup>111</sup> Bunce and Field, *Darcus Howe*, p. 211.

<sup>112</sup> *Ibid.*, p. 212.

described as 36 percent 'non-white'. 118 persons were arrested and just 75 charges followed.<sup>113</sup> Benyon summarised the view of critics who highlighted that, if the operation was judged by its own aims of arresting burglars and robbers, the operation was not a success and led to 868 law-abiding people suffering the inconvenience and indignity of being searched.<sup>114</sup> More than one observer commented that, 'as a white person safe in a position of some authority', their negative reaction to the increased police numbers and stops showed how much more threatened and resentful many black people must have felt.<sup>115</sup>

#### THURSDAY 9 APRIL

With this growing tension, the first event which threatened to cause tensions to boil over was a minor incident on Thursday afternoon. A group of black youths were playing football in the road outside the S&M car hire office, causing issues for passing traffic. Officers reported that their suggestion to move the game to a quieter location was largely accepted, apart from one youth who allegedly challenged an officer to fight, but that the general atmosphere was extremely tense.<sup>116</sup> Many officers noted they did not recognise any of the youths present and believed that they had come into the area from elsewhere, an observation supported by Edward Dove of youth organisation the Melting Pot Foundation.<sup>117</sup> This accusation that those who were the troublemakers had come into the area from elsewhere is one seen repeatedly throughout the disturbances. Whilst in some cases there seems to be evidence to support the theory of agitators, it is also likely this was used as a scapegoat and a simple explanation for how violence spread around the country. Courtney Laws, Director of the Brixton Neighbourhood Community Association, informed officers that he had attempted to contact Community Liaison Officer Superintendent MacLennan to discuss the situation, but had been unable to do so.<sup>118</sup> MacLennan stated that he attempted to telephone Laws back on Friday morning, but that he could not reach him and was then on leave over the

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<sup>113</sup> John Benyon, 'The Policing Issues', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 24; Scarman, *The Scarman Report*, pp. 95-6; Ben Bowling and Coretta Phillips, *Racism, Crime and Justice* (Harlow, 2002) pp. 139-40.

<sup>114</sup> Benyon, 'The Policing Issues', p. 101.

<sup>115</sup> June Bean to Treasury Solicitor, 21 May 1981, O.S. 77, TNA: HO 266/103.

<sup>116</sup> Jones, P.S. 12; PC John Anthony Brown, P.S. 43, TNA: HO 266/96; Inspector Peter Harry, P.S. 6, TNA: HO 266/98; PC John Brown, P.S. 360, TNA: HO 266/99.

<sup>117</sup> Brown, P.S. 43; Brown, P.S. 360; PC Dennis Thorning, P.S. 358, TNA: HO 266/99.

<sup>118</sup> Brown, P.S. 360; Thorning, P.S. 358; Brown, P.S. 43.

weekend.<sup>119</sup> As mentioned elsewhere, perhaps if an officer with knowledge and understanding who was familiar to the local community had been present tensions may have been eased. This was not the case, and violence ensued.

#### FRIDAY 10 APRIL

The incident which lit the touch-paper in Brixton, described by Brain as 'an innocent action intended well', shows the extent of distrust and cynicism which existed toward the police.<sup>120</sup> Friday 10 April was described as the first warm day of the year and, as such, many more people were out on the streets than usual.<sup>121</sup> Around 6pm an officer stopped a black youth called Michael Bailey who was running through the streets. PC Stephen Margiotta, despite his own admission of being in Brixton for a short time, stated he had experienced many crimes 'involving mostly black youths', so decided to stop Bailey as he was acting suspiciously.<sup>122</sup> After a short struggle and assistance from another officer, Margiotta discovered that Bailey had been stabbed in the back. Witness statements later suggested that Bailey had been stabbed during a confrontation with two other youths and a subsequent hospital examination recorded that he had a one and a half inch wound in his back.<sup>123</sup> Bailey later denied knowing who had stabbed him and, even if he did, would not identify or give evidence against them.<sup>124</sup> This again shows the level of distrust towards the police as even a stabbed victim refused to cooperate with them; albeit there may have been other reasons why Bailey did not want to disclose information of his attackers to law enforcers.

A crowd gathered around Bailey and the officers which, believing the police were attempting an arrest, become hostile and Bailey again ran from the police. He approached the house of a local white family begging for help who, after applying a rudimentary dressing to his wound and being informed by Bailey that 'blacks' had stabbed him, called him a minicab bound for the hospital.<sup>125</sup> This cab only made it a short way before police again stopped it,

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<sup>119</sup> Commander Malcolm Ferguson, P.S. 1, WS 50, TNA: HO 266/96; Scarman, *The Scarman Report*, p. 96.

<sup>120</sup> Brain, *A History of Policing*, p. 66.

<sup>121</sup> John Fraser MP, 19 May 1981, O.S. 97, TNA: HO 266/103.

<sup>122</sup> PC Stephen Peter Margiotta, P.S. 13, TNA: HO 266/97.

<sup>123</sup> Unknown, 19 May 1981, O.S. 161, TNA: HO 266/103; Doctor who treated Michael Bailey, O.S. 854, TNA: HO 266/98; Roy Francis, 29 May 1981, O.S. 136, TNA: HO 266/103.

<sup>124</sup> Michael Bailey, O.S. 17, TNA: HO 266/98.

<sup>125</sup> Unknown, O.S. 18, TNA: HO 266/98; 'Rubbish Clearance Contractor', O.S. 31, TNA: HO 266/98.

examined his wound, and called for an ambulance. Scarman noted that the call for the ambulance was made at 6.24.<sup>126</sup> The published Report did not record the language that the officer used, in which he concluded 'We think we might have a dead 'n' here'.<sup>127</sup> Officers on the scene attempted to dress the wound more substantially as it was recorded that he was 'bleeding like a good 'n''.<sup>128</sup> Shortly a crowd of black youths, estimated by officers at the time as 100 but subsequently as 30-40, surrounded the scene and, variously believing that the officer applying a dressing was attacking Bailey or that the police were not obtaining medical help because he was black, they seized Bailey away from the officers.<sup>129</sup> A later witness statement estimated that Bailey had been kept in the car for 'about half an hour' before 'he was rescued'.<sup>130</sup> Whilst all other evidence suggests Bailey was in the stationary cab for only a matter of minutes, the use of the word 'rescued' clearly shows the view this observer had towards the police's treatment of Baily and, by extension, black youths in general. A Detective Inspector later suggested that, as the officer applying direct pressure to the wound to prevent serious bleeding had to be above Bailey, those entering the scene may have assumed the police were attacking him.<sup>131</sup>

The officers present reportedly attempted to tell the crowd that an ambulance was being called and they were administering first aid, but the crowd paid no attention and believed Bailey was being left to die.<sup>132</sup> As the Deputy Community Liaison Officer for L District later explained, it was police procedure for injured persons not to be transported in police cars as it may be dangerous to move them in their wounded state.<sup>133</sup> Indeed, PC Simon Lock reported that he had shouted at the crowd to leave Bailey, as moving him could be fatal. The crowd nonetheless responded that 'they could look after their own'.<sup>134</sup> The effort taken to prevent an injured boy from being left with the police visibly shows the levels of distrust and belief it was more dangerous for him to be left with the police. This is further supported by PC Michael Bullen, one of the officers

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<sup>126</sup> Scarman, *The Scarman Report*, p. 40.

<sup>127</sup> My interpretation of this 'n' is as a colloquialism for 'one', rather than the more inflammatory word which 'n' may refer to relating to black people. Police Tape Transcripts, Friday 10 April 1981, TNA: HO 266/73.

<sup>128</sup> *Ibid.*

<sup>129</sup> *Ibid.*; Jones, P.S. 12.

<sup>130</sup> Unknown, O.S. 185, TNA: HO 266/103.

<sup>131</sup> Detective Inspector Michael Edwin Shorter, P.S. 29, TNA: HO 266/98.

<sup>132</sup> Jones, P.S. 12; PC Robin Timperley, P.S. 85(1), TNA: HO 266/98.

<sup>133</sup> Inspector Cyril James Oliver, P.S. 15, TNA: HO 266/97.

<sup>134</sup> PC Simon Timothy Lock, P.S. 223(2), TNA: HO 266/98; Timperley, P.S. 85(1).

treating Bailey in the minicab, who stated the crowd were shouting 'You white pigs, leave him alone' and that 'the mob did not want police to take any part in assisting the stabbed youth'.<sup>135</sup> The use of Black Panther language, here with the term 'pig' referring to the police, is telling and revealing of the increased militancy of black youth and the possible influences of such tendencies.<sup>136</sup> Once he had been removed from the officers Bailey was bundled into a passing car which, amid shouts of 'drive, drive', took him to a nearby hospital.<sup>137</sup>

Such an event, far from being unique or particularly unusual on the streets of Brixton, could feasibly have ended at this point with the only wider consequence being a further example to add to the resentment between local black youth and the police. However on this occasion, in Scarman's words, 'unfortunately the incident ended with a sinister twist'.<sup>138</sup> A large crowd of black youths and numerous police, due to calls for assistance and high levels already in the area, had become involved in hostilities. 'Inevitably', in Brain's view, an arrest was made for threatening behaviour towards the police, causing youths to begin throwing stones and the police attempting to clear the area and disperse the crowd.<sup>139</sup> Due to the increased level of tensions already described by numerous officers throughout the week due to Swamp 81, and the reaction seen during the events with Bailey, it would likely have been more prudent for the police to withdraw from the area in order to allow anger towards the police to calm. This was however not in keeping with a police force which saw the answer to the problems of the area being high levels of invasive policing, and it is not difficult to see why many black people argued that police tactics were attempted shows of force rather than a proportional response to the situation.

For example, a subsequent event described by various parties was the departure of a police van transporting some arrested youths to the police station. Scarman summarised the police account of events that a black youth had jumped onto the roof of the van and the driver, in Scarman's words,

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<sup>135</sup> PC Michael Patrick Bullen, P.S. 66, TNA: HO 266/96.

<sup>136</sup> The Black Panther Party defined 'pig' as: 'A pig is an ill-natured beast who has no respect for law and order, a foul traducer who's usually found masquerading as a victim of an unprovoked attack.' Printed in the second issue of the Black Panther Party's newspaper in May 1967, as cited in Bobby Seale, *Seize the Time: The Story of the Black Panther Party and Huey P. Newton* (London, 1970) p. 404.

<sup>137</sup> Police Tape Transcripts, Friday 10 April 1981, TNA: HO 266/73; Jones, P.S. 12; Unknown, O.S. 852, TNA: HO 266/98.

<sup>138</sup> Scarman, *The Scarman Report*, p. 46.

<sup>139</sup> Brain, *A History of Policing*, p. 66.

'perhaps afraid it was about to be overtaken by the crowd', drove away at speed causing the youth to fall to the ground where he was arrested.<sup>140</sup> In an example of numerous such incidents where Scarman did not record the opposing view of events, various witness statements record the event slightly differently. Such accounts claim that when the youth stood in front of the van, it simply ran into him and, once he had climbed onto and subsequently fallen off the moving van, several policemen kicked and beat him with truncheons whilst on the ground.<sup>141</sup> This aggravated other youths in the area that then attacked the police and threw bricks at the vans. Similarly accusations that the arrival of a police van had intentionally driven quickly at a crowd of people and caused one youth to collide with the windscreen, incensing the crowd, did not appear in Scarman's report.<sup>142</sup>

#### *COMMUNITY MEETING*

After the Friday disturbances died down, a meeting was requested by Chief Superintendent Sidney Nicholson with local community leaders in an attempt to defuse the situation and correct some rumours which had been spreading about the day's events. Also joined by Commander Malcolm Ferguson, Head of the Community Relations Branch of the Metropolitan Police, numerous members of local community organisations attended between 9pm and 1am.<sup>143</sup> As well as offering the police view of events they informed the meeting of the intention to increase police numbers in the area in response to the incident.<sup>144</sup> Chief Superintendent Nicholson, deputy and acting Commander in Fairbairn's absence, and Detective Chief Superintendent Jeremy Plowman, who was overseeing Swamp 81, both agreed that the operation should continue.<sup>145</sup> Although in a response to the increased tension, it was settled that 'no unnecessary covert actions' would occur on the Front Line, with the situation to be re-evaluated on Monday 13 April.<sup>146</sup> Ferguson and Nicholson both claimed that representatives of the community accepted what was said and did not attempt to blame the police for the situation or their actions.<sup>147</sup> Community

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<sup>140</sup> Scarman, *The Scarman Report*, p. 42.

<sup>141</sup> Unknown, O.S. 178, TNA: HO 266/103; John David Lewis, 1 June 1981, O.S. 153, TNA: HO 266/104.

<sup>142</sup> Unknown, O.S. 185, TNA: HO 266/103.

<sup>143</sup> Scarman, *The Scarman Report*, pp. 43-4; Ferguson, P.S. 1.

<sup>144</sup> Scarman, *The Scarman Report*, p. 44.

<sup>145</sup> Plowman, P.S. 11.

<sup>146</sup> Nicholson, P.S. 8.

<sup>147</sup> Ferguson, P.S. 1; Nicholson, P.S. 8.

leaders did express their concern at police tactics and recommended that police numbers in the area should be reduced in order to defuse tensions.<sup>148</sup>

Courtney Laws, Director of the Brixton Neighbourhood Community Association, stated that the police firmly indicated a determination to uphold law and order in Brixton, referencing preventing 'No Go' areas.<sup>149</sup> This was likely a robust response to previous criticism directed towards Chief Constable Brian Weigh after his decision to withdraw from the St Pauls area, seen by many as an admittance that there were 'no go' areas in Britain. Therefore, and despite warnings, the police declined to discontinue the invasive Swamp 81 operation. Scarman would later describe its continuation as 'unwise' and, according to Howe, in maintaining the operation the police 'refused to take the only action that could have averted serious disorder'.<sup>150</sup> This meeting can be seen as the police attempting to inform the community leaders of their actions in a way not done so previously; however they were not yet willing to implement the suggestions and requests of the community representatives themselves. Similarly the meeting highlights the desire from many within the community to remain part of the political process but, as Paul Boateng later concluded, it was wrong to characterise this meeting as community policing in the style championed by Alderson: 'If the community is to be consulted and then have its advice rejected by the police, then community policing is a nonsense.'<sup>151</sup>

Additional to growing tensions regarding police presence there were numerous rumours which proliferated, especially regarding how Bailey received his injuries and if the police attempted to acquire medical assistance, which this meeting was attempting to address. Many have highlighted such rumours as a factor which increased tensions in the area over the weekend.<sup>152</sup> Police statements claimed that 'many members of the population had misunderstood the situation' and numerous witness statements reference being aware of widely-believed rumours that police had been questioning an injured Bailey

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<sup>148</sup> Scarman, *The Scarman Report*, p. 44.

<sup>149</sup> Courtney A. Laws, 29 May 1981, O.S. 167, TNA: HO 266/104.

<sup>150</sup> Scarman, *The Scarman Report*, p. 46; Bunce and Field, *Darcus Howe*, p. 212.

<sup>151</sup> Paul Boateng, 'The Police, the Community and Accountability', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 158.

<sup>152</sup> Scarman, *The Scarman Report*, p. 47; L. Lloyd Augustus Leon, 11 May 1981, O.S. 28, TNA: HO 266/104.

rather than helping him, or that he had subsequently died from his injuries.<sup>153</sup> Michael Rowbottom, a reporter for *Independent Radio News*, claimed he had spoken to both police and black youths that Friday night who independently agreed it had been 'a big confusion'.<sup>154</sup> The persistence of these rumours was shown by reports of children maintaining such stories the following Monday, seemingly 'not eager to believe' rebuttals of such allegations.<sup>155</sup> If the police truly believed that such rumours could be quashed simply by those same police members informing a meeting of community representatives that they were incorrect, then they were mistaken.

These were not the only rumours circulating around Brixton that weekend. More improbable rumours, which seemed plausible to the community that weekend, included that the police themselves had stabbed Bailey, that Bailey was actually an old man who had been beaten up by the police, that St. Thomas' Hospital had previously been warned by the police to expect many civilian casualties on Saturday 11 April, and that Brixton's home beat policemen were specifically told to avoid Brixton from the 10-12 April.<sup>156</sup> The last example especially shows how widely it was believed that officers who were familiar to the area could positively reduce tensions between the police and local community. The rumour being spread was that home beat officers, known to the community and familiar with the situation, had been wilfully removed by senior officers in order to use 'specialist' units, as the SPG had a reputation for being. It was noted by some observers that not a single 'L' Division badge had been seen on any police uniform during the disturbances, causing a 'feeling of invasion and oppression'.<sup>157</sup> This suggests that local officers had in fact managed to build some kind of relationship with parts of the local black community in a style of the community policing spearheaded by Alderson, but that it was the noticeable use of unfamiliar units within the locale which persuaded some of the local black youths to escalate violence against officers that were to them faceless representations of the authorities. Again debating the actual truth of these rumours is not the most significant aspect; if the police had

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<sup>153</sup> Oliver, P.S. 15; Unknown, TNA: HO 266/103; Francis, O.S. 136; Fraser, O.S. 97; Leon, O.S. 28; Unnamed copyright controller, C 33, TNA: HO 266/100.

<sup>154</sup> Michael Rowbottom, Reporter, *Independent Radio News*, TNA: HO 266/103.

<sup>155</sup> Francis, O.S. 136.

<sup>156</sup> Reverend Robert W. N. Nind, 'The Events of the Weekend', 15 June 1981, O.S. 96A, TNA: HO 266/104; Unknown, O.S. 124, 29 May 1981, TNA: HO 266/103.

<sup>157</sup> Nind, 'The Events of the Weekend', O.S. 96A.

positively responded to suggestions regarding local recognisable police then the anger displayed over the following days may not have been as fierce.

Despite the Friday night meeting appealing to local community leaders to dispel such rumours, they clearly endured and proliferated throughout the area. The manager of a local pub later summed up the opinion of many observers when stating, had such rumours been dispelled, the tensions may have decreased and 'the mood of the people who became involved in the outburst late on Saturday would have been very different'.<sup>158</sup> Whether or not this would have been the case of course will never be known, but the fact that the police did not deem the situation worthy of such a response is telling of their attitudes.

#### SATURDAY 11 APRIL

On Saturday, due to the police's decision to continue Swamp 81 and even bolster police numbers following Friday's events, a substantial police presence was present within Brixton. As one officer told an enquiring observer; 'Because of the previous night it was their duty to be on the street.'<sup>159</sup> Police officials had disregarded warnings from local community organisations that this would increase tensions in the area, but numerous observers made reference to such an outcome. Many officers mentioned such in their evidence to Scarman, with reports of hostile comments being made about the police and an atmosphere 'so tense you could cut it with a knife'.<sup>160</sup> Similarly, many statements made by members of the public cite the sheer police numbers in the area as a 'very provocative gesture', that they were 'out for revenge', and was seemingly an attempt at 're-establishing [their] rule of the streets'.<sup>161</sup> Rather than attempting reconciliation with the local community, or realising that invasive tactics of Swamp 81 were increasing pre-existing tensions and thus scaling down the operation to remove the antagonism of an extremely visible police presence, the police instead met the low-level disturbance of Friday night with a swelling of police numbers. Officers poured into Brixton as the proverbial gasoline is poured onto the fire. Instead of intimidating the youth into maintaining peace, the amount of police prompted a swelling in the population on the streets 'as if to meet the challenge': 'It was the feeling as if it was war

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<sup>158</sup> Leon, O.S. 28.

<sup>159</sup> Lewis, O.S. 153.

<sup>160</sup> PC Steven Ellison, P.S 432, TNA: HO 266/99; WPC Jayne Susan Adele Rolfe, A 306, TNA: HO 266/100.

<sup>161</sup> Unknown to Lord Scarman, 14 May 1981, O.S. 46, TNA: HO 266/103; Unknown, 29 June 1981, O.S. 237, TNA: HO 266/103; Unknown, O.S. 178, TNA: HO 266/103.

and thus, if the police wanted to kill anyone, then the people would defend themselves.’<sup>162</sup> As one observer recognised, ‘Brixton is not the sort of area where large numbers of police can be poured into the streets without creating a mood of high tension and expectation.’<sup>163</sup> It is highly unlikely that the police, at some level, were not aware of that. This was accompanied by the fact that, similarly to Community Liaison Officer Superintendent MacLennan, the two local beat officers who were familiar to the area and residents were both off duty from early Saturday afternoon and did not return until Monday morning.<sup>164</sup> This situation mirrored St Pauls the previous year where violence occurred on the local policeman’s weekly day off. Officers known to the community who seemingly enjoyed decent relations with the community were absent on both occasions, when they could have potentially alleviated some of the tensions. Moreover Derek McGhee highlighted that these officers had not even been consulted on the continuation of Swamp 81.<sup>165</sup> This, alongside other police actions, led Courtney Laws to claim that ‘a child would have handled the situation better’.<sup>166</sup>

It is difficult to argue that the police felt accountable to the local community when they so unwisely did not utilise those officers most familiar with the situation. However Scarman would later reject arguments that police should not have maintained their heavy presence in the area. He stated that, despite the fact that police numbers ‘must have heightened tension to some degree...The risk had to be taken, if the precarious tranquillity achieved on Friday evening was to be preserved.’<sup>167</sup> This shows the mind-set of the authorities at the time, which could not consider that a partial or strategic withdrawal would calm the crowd by removing the obvious target for their anger, despite this occurring in St Pauls. And, as the events of Saturday evening demonstrated, it was a risk taken which certainly did not pay off.

After a morning of increased tensions, a further seemingly minor incident in the afternoon erupted, beginning violent scenes ‘the like of which had not

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<sup>162</sup> Unknown, O.S. 178, TNA: HO 266/103; Unknown to Scarman, 14 May 1981, O.S. 46; Unknown, O.S. 46A, TNA: HO 266/103.

<sup>163</sup> Stewart Lansley, 1 June 1981, O.S. 147, TNA: HO 266/104.

<sup>164</sup> Lansley, O.S. 147.

<sup>165</sup> Derek McGhee, *Intolerant Britain?: Hate, Citizenship and Difference* (Maidenhead, 2005) pp. 19-20.

<sup>166</sup> Laws, O.S. 167.

<sup>167</sup> Scarman, *The Scarman Report*, p. 46.

previously been seen in this century in Britain'.<sup>168</sup> Around 4.40pm two plain-clothed Swamp 81 officers, both young and white, stopped and searched a minicab driver claiming to have seen him hiding marijuana in his socks.<sup>169</sup> Despite it being established that this was actually where he kept his money, officers decided to search his vehicle during which time a crowd gathered to protest the perceived harassment. The PCs later defended this search of the minicab as routine practice and Sergeant Donald Mackenzie, Commander of the Swamp 81 Squad of which the two officers were members, stated that it 'seemed reasonable' for the officers to inquire what the minicab driver had placed in his sock.<sup>170</sup> Mackenzie offered no judgement of the decision to extend the search to the minicab, commenting that officers are trained to make thorough searches in response to reasonable suspicion, but that such a decision 'must be his and his alone'.<sup>171</sup> This lack of vocal support for the officers' decision suggests that Mackenzie may have privately believed it was an unwise course of action; considering the circumstances, it may well have been wiser to have foregone routine practice in such a situation as there is arguably little suspicious about a taxi driver attempting to conceal his money. Indeed Mike and Trevor Phillips criticised the decision to search the car, claiming the ensuing hostile reaction from an assembled black crowd was 'inevitable'.<sup>172</sup> Scarman concluded that, although the two officers' actions were not unlawful, they had 'failed to recognise real danger signals or to strike the correct balance between enforcing the law and keeping the peace'.<sup>173</sup> This description might be used to describe the police's general response to the situation; the police's priorities were more focussed upon enforcing the law and being seen not to have 'lost the streets' to some black youths. Scarman's report stated that the 'important question' was not whether the officers had acted foolishly or even unlawfully, but why it initiated a riot.<sup>174</sup> By focussing on the public disorder aspect, and seemingly overlooking the day-to-day heavy-handed

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<sup>168</sup> *Ibid.*, p. 13.

<sup>169</sup> John Benyon, 'The Riots: Perceptions and Distortions', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 38.

<sup>170</sup> Police Constable Michael John Cameron, P.S. 2, TNA: HO 266/96; PC Paul Francis Thornton, P.S. 3, TNA: HO 266/98; Sergeant Donald Mackenzie, P.S. 21, TNA: HO 266/97.

<sup>171</sup> Mackenzie, P.S. 21.

<sup>172</sup> Phillips and Phillips, *Windrush*, p. 360.

<sup>173</sup> Scarman, *The Scarman Report*, p. 67.

<sup>174</sup> *Ibid.*

police tactics against innocent residents, he may well have unknowingly answered his own question.

There are differing accounts of the police search of the vehicle and how the subsequent disturbance began, referenced by Scarman when he stated that exact events were disputed.<sup>175</sup> Both officers maintained that the minicab driver was happy for himself and his vehicle to be searched, and PC Paul Thornton even recorded the driver seemed amused by the incident.<sup>176</sup> The driver later explicitly stated that no such permission to search his vehicle was granted or even sought, and the police simply initiated the search themselves.<sup>177</sup> Although he did not immediately halt the search, he told Thornton to leave a plastic bag he was carrying outside of the vehicle in case the police planted evidence – a telling reaction from a member of a community clearly distrusting the apparent enforcers of law and order.<sup>178</sup> The officers suggested that the driver subsequently demanded a stop to the search, implying this was due to a growing crowd of black males who surrounded the car and pressured him into doing so.<sup>179</sup> The crowd purportedly accused the police of attempting to provoke them into a response; some reacted in kind, shouting at the officers: ‘Fuck off Babylon, come on we’ll fight you...there is going to be trouble now Babylon’.<sup>180</sup> Thornton documented that he told the crowd: ‘Calm down we’re going now.’<sup>181</sup> This would have been a sensible course of action which likely would have quietened the growing discontent.

The driver conversely stated that the police actually attempted to arrest a young man who was simply telling officers to leave the driver alone.<sup>182</sup> Other witnesses claimed officers hit the arrested man in the face and threw him into a police van, angering the previously ‘reasonably friendly’ crowd and causing them to start throwing missiles.<sup>183</sup> Conversely the police’s account recorded that the man had obstructed officers, despite Thornton advising him to ‘be sensible

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<sup>175</sup> *Ibid.*, p. 48.

<sup>176</sup> Cameron, P.S. 2; Thornton, P.S. 3.

<sup>177</sup> Minicab driver, O.S. 40, TNA: HO 266/103.

<sup>178</sup> *Ibid.*

<sup>179</sup> Cameron, P.S. 2; Thornton, P.S. 3.

<sup>180</sup> Derived from the Rastafari movement, ‘Babylon’ in this context is used to refer to the police and relies upon an interpretation of Babylon from the *Book of Revelation* symbolising corruption and evil-doing in general. Police Sergeant Terence Ronald Wisbey, P.S. 367, TNA: HO 266/99; Cameron, P.S. 2.

<sup>181</sup> Thornton, P.S. 3.

<sup>182</sup> Minicab driver, O.S. 40, TNA: HO 266/103.

<sup>183</sup> *Ibid.*; Unknown, 19 May 1981, O.S. 161, TNA: HO 266/103.

and move away', to which he allegedly replied 'Fuck off man, fucking harassment' and pushed Thornton in the chest.<sup>184</sup> Upon this action Thornton attempted to arrest the man, causing him and others in the crowd to become violent.<sup>185</sup> Again a more serene response than attempting to arrest this man in front of an angry crowd may have been advisable. The sense that the police were attempting to be seen to be asserting their authority was not helped when uniformed officers arrived to help control the crowd, with Sergeant Terence Wisbey asking Thornton: 'Are you going to nick him or muck about with him?'<sup>186</sup>

Howe recalled that a few days prior, a local black youth had asked him what he was going to do regarding the police's behaviour and actions, to which Howe simply replied: 'What can I do?' He later discovered that this youth was supposedly the same one arrested on Saturday after remonstrating with the police about their searching tactics.<sup>187</sup> This is a clear example of one of the main arguments of this thesis; a local black youth had spoken to a famed civil liberties campaigner in an attempt to effect change and, after being told there was nothing that could be done, decided this was not good enough and took action into his own hands. George Greaves similarly argued that this minicab search was 'the straw that broke the camel's back' and that the youths who had witnessed it reacted in the only way they felt that they could: 'Their complaints in the past, formal and informal, about police misconduct had gone unheeded, and as no one was helping them solve the problem of continued police harassment they therefore felt that they had to seek their own solution.'<sup>188</sup>

Upon the arrest, the crowd began throwing bricks and bottles, smashing the back window of a police van and causing an officer to fall to the ground holding his stomach.<sup>189</sup> It was believed that the officer had been stabbed and, mirroring the rumours surrounding Bailey's stabbing, stories thus spread through word of mouth and radio amongst the police of such an injury.<sup>190</sup> As discussed in detail later, such rumours and actual injuries undoubtedly created

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<sup>184</sup> Thornton, P.S. 3; Cameron, P.S. 2.

<sup>185</sup> Cameron, P.S. 2.

<sup>186</sup> Wisbey, P.S. 367.

<sup>187</sup> Bunce and Field, *Darcus Howe*, pp. 211-2.

<sup>188</sup> Greaves, 'The Brixton Disorders', p. 68.

<sup>189</sup> Cameron, P.S. 2.

<sup>190</sup> *Ibid.*; Thornton, P.S. 3; Police Sergeant Graham Clarke, P.S. 290, TNA: HO 266/99; Harry, P.S. 6.

a police desire for 'revenge' comparable to the sentiment leading some Brixton residents to the collective violence in the first place.

This seemingly routine police search of a black male, far from uncommon on the streets of Brixton, led to major disorder and 'An orgy of burning and looting took place that night.'<sup>191</sup> Despite not being shocked at the disorders themselves, local community leaders did confess surprise at their scale and ferocity.<sup>192</sup> Brain noted that the speed that reinforcements, including senior officers, arrived at the scene was a sign of the gravity awarded the events by the police.<sup>193</sup> The events were certainly severe and by the end of the night's violence on 'Bloody Saturday' 82 people had been arrested, 279 officers and 45 members of the public reported injured, 117 vehicles including 56 police vehicles had been damaged or destroyed, and 145 premises had been damaged.<sup>194</sup> Specific examples of police actions and allegations of misconduct during the disorder is discussed in detail in the following chapter but the general outcome was, as Scarman later summarised, 'that the scars of what had happened would linger in Brixton, and particularly in the relationship between the police and the public, for a long time to come.'<sup>195</sup>

#### SUNDAY 12 APRIL

By Sunday disturbances had largely died down, but few sporadic outbursts of violence occurred throughout the day as an uneasy tension remained in the area. Commander Ferguson chaired an additional meeting with community leaders on Sunday afternoon, during which serious disorder again erupted around Brixton.<sup>196</sup> The timing might have been a coincidence, but it also may have been a reaction against community leaders meeting with the police – although no evidence specifically supports this theory. Many other meetings occurred on Sunday, such as a man with a loud hailer informing anyone within hearing range that a gathering was being held for 'witnesses to the rioting by the Metropolitan Police'.<sup>197</sup> Around the same time a police coach was attacked by a large crowd of black youths. Some twenty officers were injured and the

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<sup>191</sup> Phillips and Phillips, *Windrush*, p. 360.

<sup>192</sup> Greaves, 'The Brixton Disorders', p. 67.

<sup>193</sup> Brain, *A History of Policing*, pp. 66-7.

<sup>194</sup> 'Britain: Bloody Saturday', *Time*, 20 April 1981; Scarman, *The Scarman Report*, p. 65.

<sup>195</sup> Scarman, *The Scarman Report*, p. 65.

<sup>196</sup> *Ibid.*, p. 69.

<sup>197</sup> Chief Superintendent David Phillip Vaughan Nicholl, P.S. 22, TNA: HO 266/97; Chief Superintendent W.G. Phillips, 'Lord Scarman's Inquiry into Disorders at Brixton on 11/12 April, 1981', British Transport Police report, TNA: HO 266/89.

coach badly damaged, with all the windows being smashed by thrown bricks.<sup>198</sup> Chief Inspector Ralph Wilkinson stated his belief that, if backup had not arrived, this situation may have seen fatalities.<sup>199</sup> Again this action, attacking an easily identifiable coach carrying a large number of officers into the area, fits within the broader theme of violence directed towards a perceived 'army of occupation'.

Adding to the list of rumours seeming to continuously exacerbate tensions, a widespread belief on Sunday was that the National Front were planning to hold a march in Brixton in response to the previous night's events. Continuing the anti-colonial rhetoric of occupation, many references were made in witness statements to the NF 'invading' Brixton.<sup>200</sup> Radio messages report that two hundred NF supporters had assembled in the area just after midnight Saturday night, 'going to do what ever they normally do'; the response being a (presumably) sarcastic: 'How lovely'.<sup>201</sup> Other officers on Sunday repeatedly asked to be informed of the location of their march but police radio controllers were not aware of any such action. A District Commander informed that between fifty to sixty NF members were meeting at Brick Lane some five miles away, but they did not appear to have any plans to travel to Brixton.<sup>202</sup> Even without such a nearby NF meeting, the fact that rumour spread is not particularly surprising; partly due to the infamous xenophobic nature of the NF, previous issues with the NF in the area, and the prevalent belief that many officers were members of, or at least sympathetic towards, the NF. Police statements make reference to black youths over the weekend accusing plain-clothed officers of wearing NF badges and telling another officer to 'Fuck off you National Front Pig'.<sup>203</sup> Further mentions in individuals' statements make the point that, with the way plain-clothed officers were conducting themselves over the weekend, 'you could easily mistake them for members of the National Front'.<sup>204</sup> The fact that police, due to past situations of legitimately defending NF from protests and their general behaviour that weekend, had become synonymous in the minds of many with a group actively opposed to black

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<sup>198</sup> Chief Superintendent Sydney James Skinner, P.S. 48, TNA: HO 266/98.

<sup>199</sup> Police Chief Inspector Ralph Wilkinson, A 436, TNA: HO 266/99.

<sup>200</sup> Unknown, O.S. 160, TNA: HO 266/103; Unknown, O.S. 185, TNA: HO 266/103.

<sup>201</sup> Police Tape Transcripts, Sunday 12 April 1981, TNA: HO 266/78.

<sup>202</sup> *Ibid.*

<sup>203</sup> Chief Superintendent Ronald Boyling, P.S. 9, TNA: HO 266/96; PC Colin Leonard Whitby, P.S. 218, TNA: HO 266/99.

<sup>204</sup> Unknown, O.S. 185, TNA: HO 266/103.

immigration and supporting forced repatriation is extremely telling of the opinion awarded to police in Brixton.

Scarman described Sunday's events as widespread serious disorders, but ones which lacked the intensity of the previous day.<sup>205</sup> Again the police's response to events had been to maintain high levels of police, even to the extent of drafting a helicopter to patrol the area. It was reportedly the first occasion in which a 'Nightsun' helicopter, equipped with a powerful searchlight and infra-red cameras, had been used by the police.<sup>206</sup> The police, in what would become a growing trend, seemed to believe that use of new equipment and technology was what was needed to tackle such disturbances, whereas many within the local community saw it as simply mounting police occupation. Certainly numerous references and criticisms were made of the police's use of such technology, described as preventing the decrease of tensions and, particularly for innocent residents, 'an unprovoked scare tactic'.<sup>207</sup> Some officers allegedly even refused to admit it was a police helicopter when specific complaints were made to them.<sup>208</sup> A meeting of St Matthew's congregation claimed that the combination of the 'unnerving' constant presence of the helicopter and lack of public transport over the weekend resulted in feeling that they were 'living in occupied territory'.<sup>209</sup> This comparison was made numerous times, with accusations of police insensitivity and arrogance in the way that they were handling the situation.<sup>210</sup> Even when violence had subsided, the police's reaction appeared as heavy-handed as previously. Relatedly, the Right Reverend Ronald Bowlby, Bishop of Southwark, asked a senior police liaison officer if they would remove their presence as the violence had seemingly concluded. He was told firmly that 'On no account will we withdraw' and, when Bowlby clarified that he'd meant whether traffic through Brixton could return to normal, the officer curtly replied that it was 'a matter for the Commander to decide'.<sup>211</sup>

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<sup>205</sup> Scarman, *The Scarman Report*, p. 72.

<sup>206</sup> *The Socialist*, 6 April 2011, <http://www.socialistparty.org.uk/issue/665/11721> (last accessed 2 February 2014).

<sup>207</sup> Unknown, 29 June 1981, O.S. 237, TNA: HO 266/103; Robert Anthony Leach, 19 May 1981, O.S. 300, TNA: HO 266/104; Unknown, 19 May 1981, O.S. 98, TNA: HO 266/103.

<sup>208</sup> Unknown, 29 June 1981, O.S. 237, TNA: HO 266/103.

<sup>209</sup> Nind, 'The Events of the Weekend', O.S. 96A.

<sup>210</sup> Bean to Treasury Solicitor, 21 May 1981.

<sup>211</sup> Reverend Robert W. N. Nind, 20 May 1981, O.S. 96, TNA: HO 266/104.

Thus after a weekend of violence, directed largely as a response to insensitive and discriminatory police tactics, the police continued a heavy-handed response which the local community likened to an armed occupation, refused to discuss operational tactics with respected members of the community, and equated suggestions for improvement with thinly-veiled attacks upon the institution of the police. It appeared that the collective violence had not resulted in the police implementing any changes that would prevent other discontented people to violently protest and, during July 1981, this is exactly what happened around the country.

### **CONCLUSION**

Almost exactly one year after St Pauls, and just five days after all charges had been dropped against those involved, Brixton witnessed an escalated reappearance of violence.<sup>212</sup> The local police had identified that the relationship between themselves and large sections of the local black community was poor, and thus established a formal liaison committee with representatives of the local community in attempts to improve relations. Whilst such efforts must be commended, the other policies and attitudes of police undermined this measure and led to the committee being disbanded. Mirroring similar situations in St Pauls and later Manchester, this undoubtedly increased discontent as local community representatives could be seen by the wider population to have attempted reconciliation with the police, only to end such efforts due to the belief the police were not paying attention to what they were advising or requesting. Attempts at increased political participation were rebuffed, leading some to conclude collective violence was the only strategy which could achieve positive results. The resulting disturbances led to the establishment of the Scarman Inquiry, a full independent public inquiry precisely which many had been calling for after St Pauls. This, along with other responses to the events, police radio messages and statements, and witness statements is examined in the following chapter.

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<sup>212</sup> Kettle and Hodges, *Uprising!*, p.38.

## **CHAPTER FIVE**

### **DEVELOPMENT OR DETERIORATION?:**

#### **INQUIRIES AFTER BRIXTON**

The scale of the Brixton disturbances, coupled with the influence of its media coverage, provoked a particularly strong response. This was largely one of shock, and Lord Scarman summarised in his resulting report that 'the British people watched with horror and incredulity'.<sup>1</sup> This chapter addresses initial response to the disturbances, which once more was focussed by the media and authorities upon the criminality of events leading to repeated calls for the police to be further equipped to respond to such violent unrest. Unlike St Pauls, due to the ferocity of events and also possibility its proximity to Westminster, an independent inquiry was established by Home Secretary William Whitelaw into events and its establishment and reaction will be examined below. Furthermore, radio messages sent between the police during the disturbances and police and witness statements recorded after events are examined in detail to shed new light on events. As with St Pauls, and as will be seen in Liverpool and Manchester, a great number of allegations of police misconduct emerged from investigations, most of which went unexamined and did not appear in Scarman's published report. His reasoning for this was that his inquiry was not able to examine such accusations appropriately but, to the local black community, it appeared yet a further denial of participation in the political process.

#### **HOME SECRETARY VISIT**

In order to assess the situation, Sunday 12 April saw a visit to Brixton from Whitelaw and Commissioner of Police of the Metropolis, Sir David McNee.<sup>2</sup> Whilst many in St Pauls decried that Brixton saw such a visit whilst Bristol had not, Whitelaw had a particular responsibility for events within London. As Home Secretary he was ultimately in charge of London's Metropolitan Police Service as the Metropolitan Commissioner was directly accountable to him. Whitelaw likened the scenes to the London blitz and was

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<sup>1</sup> Lord Leslie Scarman, *The Scarman Report: The Brixton Disorders, 10-12 April 1981* (Harmondsworth, 1981) p. 13; John Benyon and John Solomos, 'British Urban Unrest in the 1980s', in John Benyon and John Solomos (eds.), *The Roots of Urban Unrest* (Oxford, 1987) p. 3.

<sup>2</sup> Scarman, *The Scarman Report*, p. 68.

described as being 'tense and shaken', reportedly remarking: 'how completely and utterly senseless this is'.<sup>3</sup> The fact that Whitelaw could not make any sense of the reasons behind the disturbances seems in itself to be a possible reason for why they occurred, not being aware of the level of discontent which had led to such action. Somewhat predictably, the reception the establishment delegation received was not particularly favourable; crowds chanted 'Sieg Heil Fascist Pigs' with clenched fist salutes, occasionally threw missiles, and generally shouted abuse at the visiting officials.<sup>4</sup> Demonstrating the apparent mood of the crowd, one protestor loudly questioned 'Why haven't you been here before?'<sup>5</sup> Whitelaw himself acknowledged that their presence had increased tensions, but that 'it was essential that we were there personally'.<sup>6</sup> For people who had grown disillusioned with the British state, it appeared that their collective violence had made authorities pay attention to their situation, quite literally overnight. Thus many stated that they would continue such actions until their specific problems were actually addressed 'This will go on until they listen to us', and, as Alex Wheatle summarised in a 2011 *BBC London News* interview: 'For the first time, we were actually taken notice of by the wider world.'<sup>7</sup>

## **RESPONSE**

The immediate political response was to condemn the violence and reaffirm support for the police, who were widely praised for displaying great bravery in the face of such criminality.<sup>8</sup> Whitelaw visited many of the officers in hospital on the Sunday afternoon, 'to express our disappointment and sadness about their injuries and our thanks for what they had done'.<sup>9</sup> This visual support from the state for injured police officers, when many believed that the authorities did not care enough about members of their community who were injured by

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<sup>3</sup> William Whitelaw, *The Whitelaw Memoirs* (London, 1989) p. 243; *Sunday Mirror*, 31 October 1982, as cited in John Benyon, 'The Riots, Lord Scarman and the Political Agenda', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 3.

<sup>4</sup> Inspector Roger Hoskins, Police Submissions (P.S.) 40, The National Archives (TNA): HO 266/96; Chief Inspector David Richards, P.S. 23, TNA: HO 266/97.

<sup>5</sup> Elizabeth Balsom to Lord Scarman, 23 April 1981, TNA: HO 266/138.

<sup>6</sup> Whitelaw, *The Whitelaw Memoirs*, p. 243.

<sup>7</sup> The view of one participant in the Brixton disturbances, as quoted in Pat Roberts and Christina Drury, *Police out of Brixton!*, Revolutionary Communist Pamphlets No. 10 (London, 1981) p. 1; Alex Wheatle, *BBC London News*, 11 April 2011, <http://www.bbc.co.uk/news/uk-england-13041004> (last accessed 15 March 2014).

<sup>8</sup> Zig Layton-Henry, *The Politics of Race in Britain* (London, 1984) p. 160.

<sup>9</sup> HC Deb 13 April 1981 vol. 3 c. 22.

police misconduct before and during the disturbances to even adequately investigate accusations of such, simply further added to widespread discontent. Moreover, in his speech regarding the disturbances in the Commons, Whitelaw stated that 'Whatever grievances individuals or communities feel they suffer, such violence – from whatever quarter it comes – cannot and will not be condoned.'<sup>10</sup> David Mellor, Conservative MP for Putney, summarised the response of many when he deemed it 'grossly wrong and unfair to talk about social protest' when events should be viewed as 'sheer criminality'.<sup>11</sup> This was consistent with a government which favoured the conservative portrayal of the disturbances as a rejection of law and order, rather than a more liberal or radical reading which stressed the 'basic flaws' within society that were being addressed by the violence.<sup>12</sup> This is discussed in greater detail in Chapter Seven, focussing on general reactions to the broader events of 1981. Whilst conceding that many of those involved in disorders were British-born, and further demonstrating the prevalent Conservative principle of combining racial harmony with immigration control, Whitelaw also argued that many participants 'came here between 1957 and 1962, and all of us who were in the House at that time bear a similar share of the responsibility'; the cause was thus immigration, not racial discrimination.<sup>13</sup>

In his later report Scarman concluded that the disorders originated spontaneously in reaction to police action and quickly became a riot, the purpose of which was to attack the police: 'The riots were essentially an outburst of anger and resentment by young black people against the police.'<sup>14</sup> This was later clearly supported by Brixton participant Alex Wheatle, who argued that black youth in the area had reached a point of despair and no hope, 'and when you have got no hope you're just going to react and you're not going to care about the consequences. Because we felt we're going to get arrested and beaten up anyway, so we might as well try and get our revenge in first.'<sup>15</sup> Obviously this was not the reaction of everyone in the local area otherwise the proportion of Brixton which violently clashed with the police would have been

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<sup>10</sup> *Ibid.*, c. 21.

<sup>11</sup> *Ibid.*, c. 26.

<sup>12</sup> John Benyon, 'Interpretations of Civil Disorder', in John Benyon and John Solomos (eds.), *The Roots of Urban Unrest* (Oxford, 1987) pp. 23-41.

<sup>13</sup> HC Deb 13 April 1981 vol. 3 c. 30.

<sup>14</sup> Scarman, *The Scarman Report*, pp. 77-8.

<sup>15</sup> Wheatle, *BBC London News*.

higher than the one percent cited; however it was the case for the small proportion who believed that there was no other recourse available to them. Parallel to similar testimonies during the St Pauls disturbances, the focus of violence being purely directed towards the police is supported by various mentions in statements provided to Scarman.<sup>16</sup> An unnamed freelance photographer recounted a story of being attacked by some black youths, only for two slightly older black men to command 'Leave him alone, he's not a pig' and advise the photographer to leave the area.<sup>17</sup> Similarly, a youth who threw a missile at a passing ambulance was chastised and reminded to focus such attacks on police vehicles.<sup>18</sup>

These actions exhibit traits of what S. D. Reicher expressed in his study of the previous St Pauls riots. His social identity model suggested that people are able to act as one in crowd events due to sharing a common social identity; in this case the residents of Brixton attempting to defend their community against the perceived 'attack' of the specifically targeted police and their desire for them to leave the area.<sup>19</sup> This is further supported and reminiscent of Bristol with the reasoning that, prior to the widespread looting, businesses locally known to be hostile to the black community were singled out for attack.<sup>20</sup> As Reverend Nind summarised after spending time with those involved, '...there was no one who seemed to be their leader, no one was directing what they should do. There was plainly at work a common mind to stake out a territory and prevent the police from invading it.'<sup>21</sup> Scarman concluded that, despite containing a 'strong racial element', whites as well as black participated and they were not race riots as some had described them.<sup>22</sup> Prior to initiating his inquiry, he claimed that 'black is merely an accident, as perhaps religion is an accident in Northern Ireland'.<sup>23</sup> This, as well as clearly negating arguments that violence had occurred due to a predisposition of black people for violence, again shows the level of influence and examples drawn from Northern Ireland experiences.

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<sup>16</sup> Anthony Morgan, Other Submissions (O.S.) 194, TNA: HO 266/104.

<sup>17</sup> Unnamed Photographer (Freelance), A 180, TNA: HO 266/100.

<sup>18</sup> Unknown, O.S. 124, 29 May 1981, TNA: HO 266/103.

<sup>19</sup> S. D. Reicher, 'The St. Pauls Riot: An Explanation of the Limits of Crowd Action in Terms of a Social Identity Model', *European Journal of Social Psychology*, 14 (1984), 18.

<sup>20</sup> George Greaves, 'The Brixton Disorders', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) pp. 67-8.

<sup>21</sup> Reverend Robert W. N. Nind, 20 May 1981, O.S. 96, TNA: HO 266/104.

<sup>22</sup> Scarman, *The Scarman Report*, pp. 77-8.

<sup>23</sup> Transcript of interview with Lord Scarman, *World At One*, 14 April 1981, TNA: HO 266/72.

Police statements and observations are also useful in further illuminating the views and actions of those involved in the disturbances themselves, although obviously it must be remembered that these are police descriptions of events. Many make reference to some residents, especially elder generations, expressing 'shame and embarrassment' of the actions of the youth with the fear that such actions would produce severe repercussions against the community.<sup>24</sup> This is both representative of the increased willingness on the part of the younger generations to violently protest perceived discrimination and suggests that such repercussions had previously been experienced following earlier protests from the black population. Accounts emerged of older black people being angrily condemned by younger generations for talking to the police.<sup>25</sup> This generational divide between younger and older black people was evident on numerous occasions; for example, whilst some community leaders such as Tony Morgan did appear to have some level of influence upon the crowd, there were multiple reports of older black males complaining they could not stop the situation or were observed shouting at the youths to stop what they were doing and to go home, but reportedly none paid any attention.<sup>26</sup> This was challenged by *The Guardian* who claimed the reaction of the black community was 'four square behind the youths'.<sup>27</sup> Youths who had grown up seeing their parents suffering largely unchallenged discrimination, and experiencing much themselves especially within education, employment, and from the local police, were now willing to violently oppose this situation.

### **FOCUS ON CRIMINALITY AND LAW AND ORDER**

The focus by some purely on the criminality of the events, especially the largely unconnected looting, threatened to suppress feelings of discontent at the heart of the initial disorder. As many, including Scarman, have noted, such looting was generally conducted by people not involved in disturbances with the police and often by whites arriving in cars after the Saturday evening television news.<sup>28</sup> Michael Keith analysed those arrested during events in Brixton, concluding that there was in fact two riots; firstly a localised confrontation with

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<sup>24</sup> Detective Chief Inspector Wilfred Victor Knight, P.S. 44, TNA: HO 266/96; PC Colin Leonard Whitby, P.S. 218, TNA: HO 266/99.

<sup>25</sup> Whitby, P.S. 218.

<sup>26</sup> Unnamed Journalist, O.S. 16, TNA: HO 266/100; Unnamed Housewife, O.S. 129, TNA: HO 266/100.

<sup>27</sup> *The Guardian*, 18 April 1981, as cited in 'The "Riots"', *Race & Class*, 23 (October 1981) 225.

<sup>28</sup> Martin Kettle and Lucy Hodges, *Uprising!: The Police, the People and the Riots in Britain's Cities* (London, 1982) p. 112; Scarman, *The Scarman Report*, p. 59.

the police involving local people, and secondly the looting and criminality some distance away from the first.<sup>29</sup> A submission to Scarman from Professor Ralf Dahrendorf, Director of the London School of Economics, made the point that many such disturbances followed the same basic pattern.<sup>30</sup> Using examples of the 'waves of violence' which had swept through Europe the previous year, he highlighted many similarities between them. These included: being largely committed by young people who were not students; beginning with specific incidents but turning into conflict between youths and police; and that 'Demonstrations which turned violent provide a cover for looting, though quite often stealing goods is not the primary purpose of most.'<sup>31</sup>

Notably from the reaction to events, many comparisons were drawn between the situation and environment in Brixton with warfare. Numerous police and public recorded that the scene was reminiscent of a battlefield, comparable with Northern Ireland and like a war.<sup>32</sup> The Northern Ireland influence was seen throughout these disturbances in both police tactics and the actions of the participants, undoubtedly an influence in Brixton becoming the first ever use of petrol bombs within mainland Britain. Even Scarman in his official report made repeated reference to the association between the Brixton events and warfare.<sup>33</sup> It is not difficult to see why such a comparison kept appearing, not least as many from the local community had already been describing a situation where they were under siege from the police; add to that the street violence and to many the warfare comparison appeared to be apt. Such comparisons led to suggestions that the army should have been brought in to control the streets and that police required improved training and equipment in order to better respond to such violence. Rumours of the army being mobilised were apparent during the weekend and, although Scarman referred to this as an 'awful requirement', he believed it was one that was close to being required on the

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<sup>29</sup> Michael Keith, 'Que s'est-il passé? les émeutes de 1980 et 1981 dans les cités britanniques. Un essai d'analyse', *Revue Européenne de Migrations Internationales*, 6, (1990), 21-44, as cited in David Waddington, Fabien Jobard and Mike King (eds.), *Rioting in the U.K. And France: A Comparative Analysis* (Cullompton, Devon, 2009) p. 164.

<sup>30</sup> Professor Ralf Dahrendorf to Lord Scarman, 14 April 1981, TNA: HO 266/138.

<sup>31</sup> *Ibid.*

<sup>32</sup> Police Tape Transcripts, Saturday 11 April 1981, TNA: HO 266/76; Unknown, O.S. 186, TNA: HO 266/103; Unknown, O.S. 178, TNA: HO 266/103; Unknown, O.S. 185, TNA: HO 266/103.

<sup>33</sup> Scarman, *The Scarman Report*, pp. 13-4.

Saturday night when 'that thin blue line' was almost overwhelmed.<sup>34</sup> As previously discussed and is later in relation to other disturbances, the possible use of the army was indeed deliberated by the highest levels of government, who decided that such a measure 'could not be contemplated'.<sup>35</sup>

Due almost certainly in part to the framing of unrest in terms of criminality and evoking war-like imagery, a large focus was upon how to improve the police's equipment in controlling future violent outbreaks of mass protest. This is clear in the police stating at one point that they had neither the equipment nor manpower to go on the offensive against the numbers present.<sup>36</sup> Also many subsequent witness statements and accounts comment on a need to reinforce police equipment in order to deal with such outbreaks. Numerous remarks from members of the public stated the lack of help from police and firefighters to prevent arson, questioning their role and capability in maintaining law and order.<sup>37</sup> This aspect is discussed in further detail in subsequent chapters following the July outbreaks of similar violence, which saw an increased and more forceful police response including the first use of CS gas within mainland Britain.

However it is important to note here the immediate problem and effect of focussing on criminality following the Brixton disturbances. John Clare, a BBC reporter who witnessed the Brixton riots, concluded that such warfare comparisons led to the supremacy of the 'wrong' lessons; that the police needed to be given enhanced weaponry and that black people are 'an alien, potentially revolutionary wedge'.<sup>38</sup> Clare further criticised Scarman for helping proliferate such views by heavily exaggerating the relative seriousness of the disturbances:

Horror and incredulity might well have been the feelings of a policeman cowering behind his riot shield as he watched the bricks and petrol bombs rain down upon him, and the police, many of whom gave

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<sup>34</sup> Unknown, O.S. 186, TNA: HO 266/103; House of Lords Official Report, Parliamentary Debates (*Hansard*), Session 1981-82, Fifth Series, Vol. 428, 24 March 1982, cols 1005-1006, as cited in Benyon, 'Interpretations of Civil Disorder', p. 24.

<sup>35</sup> Willie Rickett to Colin Walters, 13 July 1981, TNA: PREM 19/484.

<sup>36</sup> Police Tape Transcripts, Saturday 11 April 1981, TNA: HO 266/77.

<sup>37</sup> Police Sergeant Jonathan Hague, P.S. 523, TNA: HO 266/99; Unknown to Lord Scarman, W.S. 31, TNA: HO 266/103.

<sup>38</sup> John Clare, 'Eyewitness in Brixton', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) pp. 51-2.

evidence to the inquiry, were right to emphasise it. However, that is not the vantage point from which the Report is supposedly written.<sup>39</sup>

As discussed later, this reaction and focus potentially played a role in the violence around the country some three months later. John Benyon also noted that many commentators tended to exaggerate the scale of the disorders for 'sometimes nefarious' reasons.<sup>40</sup> Emphasising that the disturbances comprised of less than one percent of the Brixton population, he stated: 'This is not to seek to minimise the significance of the disorders, rather to place them in perspective.'<sup>41</sup> Despite the relatively small numbers involved, the main significance of the Brixton disorder was the further dissemination of the belief that collective violence was a strategy which would achieve for the black community the attention and resources they were otherwise denied.

### **SPREAD OF EVENTS**

As elsewhere the events quickly spread within the area and then further, partly fostered by the media attention on events as, just as they had undoubtedly played a part in spreading consciousness of St Pauls, they were even more involved at the forefront in Brixton. Timothy Brain stated how television coverage 'imprint[ed] it in the collective consciousness of the nation', and Benyon and John Solomos concluded that millions of people 'saw for themselves the fury that had been unleashed'.<sup>42</sup> The media were keen to document events and police logged queries from organisations such as the BBC questioning whether there had been outbreaks of violence on Saturday morning, with reporters appearing to be surprised when the answer was no.<sup>43</sup> Numerous reports were also made of similar telephone calls to local residents to ask if they knew of any violence in the area.<sup>44</sup> Similarly, many commented on the speed that photographers and media arrived on the scene once the

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<sup>39</sup> Clare, 'Eyewitness in Brixton', p. 50.

<sup>40</sup> John Benyon, 'Going through the Motions, the Political Agenda, the 1981 Riots and the Scarman Report', *Parliamentary Affairs*, 38 (1985), 409.

<sup>41</sup> Benyon, 'Going Through the Motions', 409.

<sup>42</sup> Timothy Brain, *A History of Policing in England and Wales from 1974: A Turbulent Journey* (Oxford, 2010) p. 68; Benyon and Solomos, 'British Urban Unrest', p. 3. See also Graham Murdock, 'Reporting the Riots: Images and Impact', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) pp. 73-95.

<sup>43</sup> Inspector Peter Harry, P.S. 6, TNA: HO 266/98; Unnamed Sales Assistant, O.S. 122, TNA: HO 266/100.

<sup>44</sup> Unnamed Housewife, O.S. 129, TNA: HO 266/100; Unnamed Barmaid, C 294, TNA: HO 266/100.

disruption had begun, almost 'as if they were expecting things to happen'.<sup>45</sup> Their presence was even suggested to have increased tensions in the area as it suggested an air of inevitability that some form of trouble would erupt.<sup>46</sup>

The power of the media was clear to all involved, and there were multiple accusations from the police of local people attempting to provoke officers and, once they reacted, document their retaliation to use against them in independent publications.<sup>47</sup> Whilst it could be a case that the police were simply inventing such accusations, the underlying tone of these suggest that such actions were seen as foreign to British ideals of 'fair play'; something that Conservative MP Norman Tebbit would likely term 'just not cricket'.<sup>48</sup> As the argument of this thesis is that collective violence aimed to achieve greater political participation and resources for the local black community, the use of media to further this message was potentially a useful instrument. This was a tactic possibly influenced by the American Civil Rights Movement which often provoked arrests in order to gain publicity. In a tactic highly controversial within the Movement in Birmingham, Alabama in 1963, a lack of local volunteers forced the Southern Christian Leadership Conference to enlist children for their demonstrations; resulting in children fighting on front lines and attracting attention and sympathy when answered with forceful responses from authorities.<sup>49</sup> Certainly utilising the power and influence of the media appeared to be a tactic from many of those involved in the disturbances, as one participant explained to Reverend Nind: 'We must reach the world Press, everybody's got to know the oppression we've been under.'<sup>50</sup> This is further supported by reports of Councillor John Boyle informing that participants he had

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<sup>45</sup> PC Bradley Blake, A 433, TNA: HO 266/100.

<sup>46</sup> Chief Inspector Phillip James Gaisford, P.S. 18, TNA: HO 266/96.

<sup>47</sup> Officer Andrew Kitson, P.S. 212, TNA: HO 266/99; Police Constable Michael John Cameron, P.S. 2, TNA: HO 266/96; Harry, P.S. 6; PC Paul Francis Thorton, P.S. 3, TNA: HO 266/98; PC Raymond Gale, P.S. 104, TNA: HO 266/99; Police Sergeant Graham Clarke, P.S. 290, TNA: HO 266/99; Chief Superintendent W. G. Phillips, 'Lord Scarman's Inquiry into Disorders at Brixton on 11/12 April, 1981', British Transport Police report, TNA: HO 266/89.

<sup>48</sup> In April 1980 in an interview with the *Los Angeles Times*, Tebbit suggested that immigrants within Britain who would support native teams rather than England in a cricket match were not sufficiently integrated into British society.

<sup>49</sup> Diane McWhorter, *Carry Me Home: Birmingham, Alabama, the Climactic Battle of the Civil Rights Revolution* (New York, 2001) p. 368; Mark Newman, *The Civil Rights Movement* (Edinburgh, 2004) p. 87; Kevern Verney, *Black Civil Rights in America* (London, 2000) pp. 55-6; Glenn T. Eskew, *But for Birmingham: Local and National Movements in the Civil Rights Struggle* (London, 1997) pp. 259-98.

<sup>50</sup> Nind, O.S. 96.

spoken with wanted a televised interview.<sup>51</sup> The majority of mainstream media focussed rather on the violence against the police and depicted images of sympathetic police being attacked, so any attempts to provoke and document a hostile police response seemingly did not sway public opinion in their favour.

The spread of events through the media and word of mouth resulted in a number of people travelling into the area to either observe or participate in the violence, especially on the Saturday night. One officer stated he had heard from numerous sources that, within half an hour of the initial outbreak of violence, 'a white furniture lorry pulled up and about thirty blacks jumped out'.<sup>52</sup> Numerous witness reports state how the youths involved in the violence were not recognised and that they must have come in from other areas.<sup>53</sup> One statement provided the insightful comment that they believed that the travelling youths had viewed it as an opportunity of 'getting their own back' on the police.<sup>54</sup> Whilst this likely occurred to some extent, it also led to the widespread accusation that outside agitators had initially planned the violence; which, as Benyon highlighted, 'appears to have been advanced to explain almost all the disorders that have occurred in Britain since the Gordon Riots of 1780'.<sup>55</sup> Sir David McNee, Commissioner of the Metropolitan Police, was quoted on 12 April as suggesting that outside troublemakers might be behind the events.<sup>56</sup> McNee later conceded that there was no evidence to support that theory, claiming that such a suggestion was due to being 'caught...on the wrong foot' by the media: 'Act in haste, repent at leisure.'<sup>57</sup>

As discussed previously, it is likely true that people travelled from elsewhere to the scene as evidence does support this. However blaming all of the events on outsiders or political agitators further angered many as it removed the agency for events from those within the local community who had violently responded to perceived police misconduct: 'As if we couldn't have put on a riot without a white outsider to show us how. It's typical.'<sup>58</sup>

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<sup>51</sup> Clare, 'Eyewitness in Brixton', p. 49.

<sup>52</sup> PC Brian Elliot, P.S. 359, TNA: HO 266/99.

<sup>53</sup> Anne Edith Margaret Collyer, C 250, TNA: HO 266/100; Gale, P.S. 104.

<sup>54</sup> Unknown, O.S. 186, TNA: HO 266/103.

<sup>55</sup> Benyon, 'Interpretations of Civil Disorder', p. 31.

<sup>56</sup> Benyon, 'The Riots, Lord Scarman and the Political Agenda', p. 4.

<sup>57</sup> David McNee, *McNee's Law* (London, 1983) p. 115.

<sup>58</sup> Mike Phillips, *New Statesman*, 17 April 1981, as cited in Mike Phillips and Trevor Phillips, *Windrush: The Irresistible Rise of Multi-Racial Britain* (London, 1998) p. 361.

Additionally the antecedent of Bristol did not appear to be far from many people's minds, supporting the theory that this played a role in the ensuing disorders. More than one reference was made to members of the Brixton crowd shouting 'Remember Bristol' as they charged against police.<sup>59</sup> Those criticising the disturbances claimed this was a result of no prosecutions arising from the St Pauls disturbances which had fostered 'The belief that since Bristol "got away with it", they can'.<sup>60</sup> MP John Fraser recalled a conversation with Ted Knight on the Friday night which discussed the possibility of the situation becoming a 'mini Bristol'.<sup>61</sup> After the ensuing violence, it turned out that 'mini' was more than a slight understatement.

### **SCARMAN INQUIRY**

As well as vociferously supporting the police, Whitelaw also quickly announced the establishment of an inquiry to be headed by Lord Scarman. Scarman was widely respected and had previously resided over inquiries into the Northern Ireland riots of August 1969 and the Red Lion Square inquiry into the 1974 death of Kevin Gately.<sup>62</sup> Whitelaw later recorded that, in a sentiment often visible during the disturbances, his Northern Ireland experience was influential in deciding to appoint Scarman who himself had experience of 'similar circumstances'.<sup>63</sup> Scarman himself noted his 'considerable experience of the administrative and organisational problems of enquiries of this sort'.<sup>64</sup> It certainly appeared that to many he was the obvious choice, although this was not the view of all. Some believed that Scarman had absolved the police of responsibility for Gately's death and that he had also backed the use of the Special Patrol Group (SPG); he stated at the time he was: 'not prepared to make any recommendations which would have the effect of reducing the ability of the most lightly equipped urban police force in the world to deal swiftly and decisively with disorder'.<sup>65</sup> Also the use of the same judge suggested to many a sense that this inquiry symbolised 'business as usual' from Westminster and

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<sup>59</sup> Police Officer Geoffrey Baldwin, A 599, TNA: HO 266/101; PC Gary Otter, A 526, TNA: HO 266/101.

<sup>60</sup> Letter signed 'Former army Corporal 1940-1946' to Lord Scarman, 25 April 1981, TNA: HO 266/138.

<sup>61</sup> John Fraser MP, 19 May 1981, O.S. 97, TNA: HO 266/103.

<sup>62</sup> Brain, *A History of Policing*, p. 68.

<sup>63</sup> Whitelaw, *The Whitelaw Memoirs*, p. 245.

<sup>64</sup> Transcript of interview with Lord Scarman, *World At One*, 14 April 1981, TNA: HO 266/72.

<sup>65</sup> Lord Leslie Scarman, *The Red Lion Square Disorders of 15 June 1974: Report of Inquiry* (London, 1975); Peter Niesewand, 'Marxists Blamed for "Riot" Death', *The Guardian*, 28 February 1975.

that there would be no differing outcome. Conversely Conservatives and right-wing commentators believed Scarman was too left-wing, notably seen by disagreement with his 1977 inquiry into the Grunwick dispute, a two-year strike regarding union recognition at a small film processing plant in North London.<sup>66</sup> Thus Scarman was in the strange position of being criticised from multiple sides; simultaneously being too left-wing for some, and not radical enough for others. As well as personal criticisms of Scarman, the fact of an inquiry itself was criticised for example by Conservative MP William Benyon who stated that, regardless of who ran it, any inquiry appeared to be legitimising the violence.<sup>67</sup> However there appeared to be little acknowledgement awarded to the idea that this violence had been the last recourse from people who believed all other avenues of protest had been forcibly closed to them and, as such, an inquiry was indeed necessary.

The inquiry was established under Section 32 of the Police Act 1964. This, as McNee later commented, meant it would concentrate upon policing rather than the broader social, political, and economic situation:

I was, to say the least, unhappy...Some faults certainly lay at our door but there were faults elsewhere too...after the battering which the force had received over the last two days, morale was hardly likely to be improved by an announcement that there was to be an inquiry into the conduct of the police.<sup>68</sup>

Labour Shadow Home Secretary Roy Hattersley similarly criticised the circumstances under which the inquiry was established, arguing that 'at the very best that allows him to have an oblique look at the social conditions'.<sup>69</sup> As Brain highlighted, it 'certainly suited the Conservative government, already under fire for rising unemployment and cuts in unemployment benefit, to have the main focus on the police'.<sup>70</sup> McNee shared this view and suggested it was an effort to

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<sup>66</sup> Scarman recommended both union recognition and the re-instatement of workers dismissed for supporting strike action, but this was rejected by both the Conservative Party and right-wing groups. The eventual resolution, which eventually ended the strike, has been seen as a major political and ideological victory for the Conservatives, paving the way for their 1979 general election success and subsequent curbing of the power of the unions throughout the 1980s. Jack McGowan, "Dispute", "Battle", "Siege", "Farce"? - Grunwick 30 Years On', *Contemporary British History*, 22 (2008), 383-406; Whitelaw, *The Whitelaw Memoirs*, p. 245; Ambalavaner Sivanandan, *A Different Hunger: Writings on Black Resistance* (London, 1982) pp. 126-31.

<sup>67</sup> HC Deb 13 April 1981 vol. 3 c. 28.

<sup>68</sup> McNee, *McNee's Law*, p. 117.

<sup>69</sup> Transcript: *PM Programme*, BBC Radio Four, 14 Apr 1981, TNA: HO 266/72.

<sup>70</sup> Brain, *A History of Policing*, p. 68.

protect the Home Office and government at the expense of the police; not surprising from the head of that organisation:

All this, set in the much wider context of successive governments' dealings with unemployment, housing, welfare and social services in inner city areas and of the major cuts imposed on local authority and welfare services. An inquiry covering these matters could lead to an embarrassing outcome at a time when the Government's fortunes were low. Was it for these reasons that the police were put into the dock?<sup>71</sup>

Scarman himself stated upon launching the inquiry that it would 'undoubtedly' examine the underlying causes of the disturbances, and he did not feel inhibited by the nature of the inquiry as he believed that Section 32 was very wide in any matter connected with the policing of the area.<sup>72</sup> McNee labelled such descriptions as 'moonshine', believing that 'the police were to be the political scapegoats' and Scarman would himself later acknowledge that this inquiry into policing required further study within its broader social setting.<sup>73</sup>

After years of appeals and demands for a Home Office initiated public inquiry, campaigners were eventually granted their wish. Arthur Palmer, Labour MP for Bristol North-East, reminded Whitelaw that he and others had appealed for a similar public inquiry after St Pauls, but Whitelaw refused to admit the Brixton disturbances showed it was 'a mistake' not to hold such an inquiry as Brixton 'was far wider and of far more depth than was the case in Bristol'.<sup>74</sup> Rather than being seen to be admitting a connection between events and that it was a mistake not to have held an inquiry, Whitelaw appeared to claim that this had been such a different situation that no lessons could have been learned or situations improved from an inquiry into St Pauls. Many would argue differently. Nevertheless there still existed some reluctance to hold this Brixton inquiry. A note of a meeting between Prime Minister Margaret Thatcher and senior Ministers agreed that 'there would have to be an inquiry'.<sup>75</sup> The language of such a hesitant statement suggests that it was still not something actively wanted, rather something which could no longer be avoided given the scale and perception of the Brixton disturbances.

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<sup>71</sup> McNee, *McNee's Law*, pp. 118-9, 121.

<sup>72</sup> Transcript of interview with Lord Scarman, *World At One*, 14 April 1981, TNA: HO 266/72.

<sup>73</sup> McNee, *McNee's Law*, p. 118; Lord Leslie Scarman, 'Prejudice: the Stain Remains', *The Times*, 25 November 1982.

<sup>74</sup> HC Deb 13 April 1981 vol. 3 c. 29.

<sup>75</sup> Clive Whitmore to John Halliday, 13 April 1981, TNA: PREM 19/484.

The same meeting concluded that it would be ideal for the inquiry to be conducted in private, although Whitelaw pointed out that Scarman himself might disagree.<sup>76</sup> Indeed he did and in a meeting the day after being appointed head of the inquiry, Scarman stated that virtually all of the inquiry would be held in public as he 'deprecate[d] enquiries of this sort in private'.<sup>77</sup> It is unclear whether Scarman discussed this with Whitelaw prior to announcing it, but it is something that subsequently Scarman had the final word on. If this was the case, that Whitelaw did not authorise such a move but subsequently could not oppose that once Scarman had announced it, it is possible that this created private feelings of animosity between Scarman and the government, affecting their view of his eventual report. Without evidence of such, this remains merely a possibility. The conclusions, recommendations, and legacy of Scarman's Inquiry are discussed in Chapter Seven.

### **POLICE RADIO MESSAGES AND STATEMENTS**

Despite the main facts and movements of the weekend having been relatively well addressed in the literature, transcripts of police radio messages sent during the disturbances and police statements taken subsequently have not received much, if any, attention due to their previous inaccessibility. These are discussed below with a view to further illuminate police opinions and actions, and their study can reveal aspects of the disturbances which did not appear in Scarman's published report. Examples cited here have been chosen to best illustrate wider patterns appearing throughout the sources. A large proportion of the radio messages were regarding tactical locations, procedures or, understandably, from hungry and tired police officers requesting refreshment breaks. Whilst useful in suggesting attitudes and providing another view on events, it is clear that officers were aware of the need to maintain a level of professionalism. For example, one officer who complained after a struggle with the crowd that: 'I've lost my fucking blasted watch now', was quickly reminded to 'watch your elocution'.<sup>78</sup> Similarly statements and interviews with police after events can suggest their attitudes, although it must be remembered that such accounts occurred at a time after Scarman's inquiry had been announced and, as such, officers were unlikely to record anything that would incriminate

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<sup>76</sup> Whitmore to Halliday, 13 April 1981.

<sup>77</sup> Transcript of interview with Lord Scarman, *World At One*, 14 April 1981, TNA: HO 266/72.

<sup>78</sup> Police Tape Transcripts, Saturday 11 April 1981, TNA: HO 266/75.

themselves or colleagues. Nonetheless it appears that some were more careful about potentially inflammatory remarks than others; one particularly memorable police statement complained about 'a fat ugly white woman' taking numerous photographs of the police.<sup>79</sup>

### CONFUSION

It is immediately clear from the radio messages sent during the disorder that there was a great deal of confusion amongst officers and often no real knowledge of who, if anyone, was in charge on the ground. The documents also reveal the confusion inherent in deploying police officers to an area with which they were unfamiliar; one example complaining that he was 'a stranger here'.<sup>80</sup> Whilst intended as purely geographical, such language highlights the deeper issue of how a lack of familiarity with the area and community was problematic before and during the disorder. Confusion and a lack of clear leadership were especially obvious during the initial outbreak of violence, for example complaints that 'It's going barmy', and 'Never mind what the Governors say Shields please, shields'. Another unit complained that they were 'going round and round in circles trying to find something to do'.<sup>81</sup> This was also apparent in the police's statements following events, with many references being made to a lack of instruction and officers not being aware of their orders.<sup>82</sup> Even during the Home Secretary's visit on the Sunday, an event which surely demanded increased security, officers complained of not being specifically briefed or aware of an overall policy.<sup>83</sup>

This lack of specific instruction and general strategy undoubtedly led some officers to undertake actions not sanctioned by senior officers. Police Sergeant Stephen Bush, perhaps demonstrating frustration at the confusion regarding tactics and eagerness to fight the rioters, recorded the moment that the police 'eventually' charged.<sup>84</sup> There were some reports of officers telling observers that senior police did not know what they were doing and even some examples of officers refusing the orders that they had been given.<sup>85</sup> Scarman

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<sup>79</sup> PC Patrick Dunne, A 377, TNA: HO 266/100.

<sup>80</sup> Police Tape Transcripts, Saturday 11 April 1981, TNA: HO 266/76.

<sup>81</sup> *Ibid.*

<sup>82</sup> Dunne, A 377.

<sup>83</sup> Hoskins, P.S. 40.

<sup>84</sup> Police Sergeant Stephen Bush, P.S. 261, TNA: HO 266/99.

<sup>85</sup> Unknown, O.S. 124, 29 May 1981, TNA: HO 266/103; John David Lewis, 1 June 1981, O.S. 153, TNA: HO 266/104.

himself, when collecting evidence from Commander Fairbairn, described some accounts of police activities during the riots as seeming 'awfully haphazard'.<sup>86</sup> It is not hard to see why so many accusations of police misconduct emerged following the disturbances when many officers were confused, probably fearful, and growing frustrated at a lack of coherent instruction from their superiors.

#### BACKUP AND FEAR OF SERIOUS INJURY

A recurring theme in police radio messages and statements, again not surprising under the circumstances, were demands for backup and relaying violence against them. One message early into the disorder from Commander Fairbairn noted that police were 'seriously slipping into a bit of bother here we're going to get totally overrun'. A later message from a Chief Inspector declared 'we are getting a good hiding and we can't hold out for long', adding that 'if we don't get some assistance soon we're going to have the biggest...you've ever seen.'<sup>87</sup> Unfortunately the missing word was not recorded, either through communication issues or a sensitive transcriber, but the possible omission can be imagined to be warning of possible dire consequences without reinforcements. However the police control room allegedly postponed the deployment of removal units to take away burned vehicles because they 'saw no point in bringing them into the area to have a few more casualties to what we've already got'.<sup>88</sup>

In addition, multiple police statements make reference to the fear of being overwhelmed, thus leading to a serious injury or death.<sup>89</sup> Crowds were described as cheering and laughing when striking police or when officers were visibly injured, with shouts of 'He's dead' triggering increased celebrations.<sup>90</sup> Those officers on the receiving end of such attacks recorded hearing shouts such as 'Come on, kill the fucker', truly believing that it was meant.<sup>91</sup> An example of such sentiments was even recorded in the transcripts of police radio message as someone, presumably a member of the crowd who had obtained a

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<sup>86</sup> Lord Scarman, 'Transcripts of Public Hearings, Twelfth Day', TNA: 266/14.

<sup>87</sup> Police Tape Transcripts, Saturday 11 April 1981, TNA: HO 266/77.

<sup>88</sup> Copy of police radio messages overheard by Edward Knight on Saturday 11 April, TNA: PRO HO 266/89.

<sup>89</sup> Inspector Richard Monk, P.S. 522, TNA: HO 266/99; PC Steven Ellison, P.S. 432, TNA: HO 266/99; PC Roger Stephen Fuller, P.S. 39, TNA: HO 266/96; Chief Superintendent John Peter Robinson, P.S. 7, TNA: HO 266/97; PC Kalle Gerard Leo, A 224, TNA: HO 266/100.

<sup>90</sup> Clarke, P.S. 290; PC Dainis Ozols, A 118, TNA: HO 266/100; PC Timothy David Grace, A 226, TNA: HO 266/101.

<sup>91</sup> Leo, A 224.

police radio, shouted 'I am going to kill the damn copper man' before being abruptly cut off.<sup>92</sup> Whether it was the rioters intention to actually kill any officers is difficult to know, but phrases such as 'That's one to us' clearly illustrated the battle mind-set of the crowd and feeling that the violence was an attempted retribution.<sup>93</sup> Whilst police later congratulated their colleagues for their bravery and behaviour whilst being 'victims of sustained and sickening violence', many of the protesters might have argued facing the same conditions is what led them to participate in the collective violence. Injuries that were obtained likely led to the police, particularly younger officers, attempting to seek their own form of vengeance against the crowds. One observer claimed that, as soon as fresh officers arrived on the scene, they were immediately taken to view an injured officer before being ordered to clear the streets.<sup>94</sup> The unspoken implication was that this was in order to enrage and motivate officers into seeking retaliation upon the crowds who had injured their colleagues, which was an accusation often repeated.

#### POLICE RETALIATION AND UNPOPULAR TACTICS

A recurring criticism of the police was that some officers were throwing bricks and bottles back at crowds, having an antagonistic effect.<sup>95</sup> There are many examples of officers admitting they had thrown items back at rioters in order to 'keep them at a distance'.<sup>96</sup> 'Particularly worrying', according to Scarman, were allegations of police use of unlawful weapons.<sup>97</sup> For example, Inspector Richard Monk recorded putting away his police truncheon in favour of picking up an iron bar and dustbin lid. He shouted encouragement to fellow officers whilst banging on the dustbin lid in an attempt to intimidate the crowd; others followed suit, banging truncheons against their own shields and objects such as cars.<sup>98</sup> Scarman stated that such actions, whilst understandable in the circumstances, undoubtedly caused fear in some peaceful spectators, were not the actions of a disciplined force, and should not have occurred.<sup>99</sup> Despite this criticism of the police's tactics of using unlawful weapons, attempting to intimidate the crowd, and returning bottles and bricks in kind, no officer

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<sup>92</sup> Police Tape Transcripts, Saturday 11 April 1981, TNA: HO 266/77.

<sup>93</sup> Grace, A 226.

<sup>94</sup> Unknown, 5 June 1981, TNA: HO 266/103.

<sup>95</sup> Scarman, *The Scarman Report*, pp. 112-3.

<sup>96</sup> PC Robert Michael Saunders, P.S. 31, TNA: HO 266/98.

<sup>97</sup> Scarman, *The Scarman Report*, p. 112.

<sup>98</sup> Monk, P.S. 522.

<sup>99</sup> Scarman, *The Scarman Report*, pp. 112-3.

subsequently received any form of punishment for such actions. In comparison with the authorities' focus on the criminality of events and related court proceedings, it again appeared that the police were not being held accountable for their actions to the same extent. Furthermore officers reported that such a tactic was ultimately unsuccessful as, rather than frighten the crowd, it appeared to provoke them.<sup>100</sup>

Another controversial tactic employed by the police was the use of fire hoses to spray crowds with water. Brain described this as an improvised copying of tactics officially used only in Northern Ireland and Europe.<sup>101</sup> Scarman's report detailed how, during the disturbances, Chief Superintendent John Robinson believed 'extraordinary measures' were required to prevent firefighters retreating from the area leaving fires raging. Commandeering a hose from a firefighter, he ordered other officers to do the same and water was directed at the crowd forcing them to fall back.<sup>102</sup> Upon being told by a senior fire officer that hoses should not be used for crowd control, Robinson replied that it was necessary to prevent the police and firefighters from being overrun.<sup>103</sup> This again highlights the priorities of the police as, even as trained professionals were advising against their use, officers at the scene decided that it was more important to repel crowds and allow firefighters to tackle the fires.

Despite this Scarman did not reach any judgements on hoses being used in such way or criticise Robinson's actions; in fact McNee singled Robinson out for praise as a 'brave and outstanding police officer' who had 'prevented disaster', again generating displeasure from those who believed the police could effectively get away with anything they wanted to do.<sup>104</sup> Despite the characterisation of Robinson's actions being as a unique reaction to a particularly calamitous situation, police statements show that hoses were used on more than one occasion and for much longer than was suggested in Scarman's Report. Inspector Richard Monk similarly advocated the use of hoses against the crowd as he believed a withdrawal of firefighters would encourage the mob to charge police lines.<sup>105</sup> Whilst the crowd was far enough away to not be reached by the water, Monk stated that the use of hoses as a

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<sup>100</sup> Hague, P.S. 523.

<sup>101</sup> Brain, *A History of Policing*, pp. 66-7.

<sup>102</sup> Scarman, *The Scarman Report*, pp. 63-4; Robinson, P.S. 7.

<sup>103</sup> Scarman, *The Scarman Report*, pp. 63-4.

<sup>104</sup> McNee, *McNee's Law*, pp. 113-4.

<sup>105</sup> Monk, P.S. 522.

deterrent was 'directly responsible' for a decrease in missile throwing.<sup>106</sup> Other members of the police and fire brigade recorded multiple use of hoses against the crowd; although firefighters notably differentiate that they were used only to protect imminently vulnerable persons, such as a police officer on the floor being kicked by a crowd yelling 'Kill him'.<sup>107</sup> Also, as opposed to the three minutes claimed by a senior officer, one officer claimed that a hose was used against the crowd for 'about half an hour', and only stopped once his arm grew tired.<sup>108</sup> Whether or not in the circumstances fire hoses should have been used in such a way, the fact that they were again shows the influence of Northern Ireland examples infiltrating the British mainland and Scarman's later refusal to criticise or question the police's actions further antagonised many.

Similarly a tactic noted for its negative reaction from many within the local community was the police use of dogs against the crowd. Scarman summarised that there was an overall agreement from police in their evidence that dogs should not be used to disperse crowds in such delicate situations.<sup>109</sup> However numerous references were made in individual submissions to the inquiry that the police had used dogs, despite a 'widely known' dislike of dogs by the black population and that such use undoubtedly aggravated the crowd.<sup>110</sup> The use and subsequent criticism of dogs during the St Pauls disturbances the previous year alone makes it difficult to believe that officers in Brixton were unaware of the provocative nature of such actions and that it would likely foster a hostile reaction. Indeed if Chief Constable of Avon and Somerset Brian Weigh had admitted 'very careful consideration' should be undertaken before using dogs in a multi-racial area and this lesson should be learned from the St Pauls disorder, it was clear that either by accident or design police in Brixton had not learnt this lesson.<sup>111</sup> One anecdote from the disturbances suggests that it was the latter and police were aware of the potential negative consequences. Teresa Nind, wife of local Reverend Robert Nind, recorded that her warning to

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<sup>106</sup> *Ibid.*

<sup>107</sup> Unnamed fireman, O.S. 378, TNA: HO 266/100; Police Inspector David Christopher Peaty, P.S. 229, TNA: HO 266/99.

<sup>108</sup> PC Peter David Oakley, A 117, TNA: HO 266/100.

<sup>109</sup> Scarman, *The Scarman Report*, p. 113.

<sup>110</sup> Unknown, O.S. 178, TNA: HO 266/103; Unknown, O.S. 159, TNA: HO 266/103.

<sup>111</sup> Kettle and Hodges, *Uprising!*, p. 28.

an officer with a dog about further damaging race relations was greeted with the response: 'I don't care about race relations. Fucking old bitch, piss off.'<sup>112</sup>

Scarman suggested that the reason dogs had been at the scene in the first place was that dog handlers had responded to general calls for urgent assistance without a full understanding of the situation or that dogs would not be appropriate; and as such he recommended the introduction of arrangements to prevent such confusion.<sup>113</sup> However police transcripts of radio messages state that, a short time after disturbances began on Saturday, a specific request was made for 'more assistance and in particular dog units'.<sup>114</sup> Clearly it was believed at the time they were necessary and would effectively control the growing hostility from the crowds, regardless of attempts to subsequently claim otherwise.

#### WITHDRAWAL?

Various suggestions were made that a police withdrawal may have decreased tensions and ended the violence, such as ITN reporter Michael Oliver who described police cordons 'as a red rag to a bull to all the young people'.<sup>115</sup> Whether amplified through megaphone, shouted at senior officers, or calmly relayed by those claiming to represent the protesters, the message appeared constant from the crowd that they wanted the police out and such action would lead to a ceasefire.<sup>116</sup> On the Saturday evening local Councillors John Boyle and Stewart Lansley, together with black community worker Tony Morgan and journalist John Clare, all passed behind the barricades to discuss with the crowd their grievances and desires. It was clear from subsequent discussions that these men considered that if the police made even a limited withdrawal the tensions would have decreased and subsequent disorder prevented.<sup>117</sup> Clare recorded how Boyle brought him to the rioters as they wanted their plight televised and that their demands, further to releasing all prisoners relating to the riots, clearly specified a principal desire for the police to

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<sup>112</sup> Teresa S. Nind, 1 May 1981, O.S., TNA: HO 266/104.

<sup>113</sup> Scarman, *The Scarman Report*, p. 113.

<sup>114</sup> Police Tape Transcripts, Saturday 11 April 1981, TNA: HO 266/74.

<sup>115</sup> Michael Oliver, 18 May 1981, O.S. 127, TNA: HO 266/104.

<sup>116</sup> PC Peter Frederick Preedy, A 119, TNA: HO 266/100; PC Thomas Rolph, A 86, TNA: HO 266/101; Chief Superintendent Sidney Thompson Nicholson, P.S. 8, TNA: HO 266/97; Unknown, O.S. 160, TNA: HO 266/103; Stewart Lansley, 1 June 1981, O.S. 147, TNA: HO 266/104.

<sup>117</sup> Lansley, O.S. 147.

leave the area.<sup>118</sup> One observer succinctly summed up the situation: 'The trouble seemed to continue merely because there was something to fight against.'<sup>119</sup> It is clear that the prevailing message being expressed to the police was that a strategic withdrawal would be their best option; the police however refused to do so and see their authority undermined as it was in St Pauls.

There were some isolated attempts to withdraw or serious consideration being given to it; such as, after the initial outburst of violence on Friday evening, police radio messages record controllers advising officers to withdraw from the area if the numbers surrounding them were too high and even to abandon attempts at arresting prisoners.<sup>120</sup> Senior officers at the scene then withdrew some of the police numbers, viewed and praised by some commentators as an attempt to calm the situation.<sup>121</sup> Likewise, after the incident involving the search of the taxi on Saturday afternoon, Chief Superintendent Ronald Boyling sensibly took the advice of Tony Morgan and removed the officer who had initially arrested the man who, as such, was the focus of the assembled crowd's anger.<sup>122</sup> Similarly a temporary mini-withdrawal of some officers, plainclothes officers being ordered to return to the station as their presence was stimulating anger, and all conspicuously marked police road traffic cars were removed from the area in apparent attempts to calm the situation.<sup>123</sup> Some police radio messages suggest that units being withdrawn was rather actually a reaction to decreasing violence, rather than a specific tactic to diffuse tensions: for example 'I'm thinking of withdrawing units, because it's got relatively calm down here now' was greeted with the response 'I think we're beating it then'.<sup>124</sup>

Yet senior police officials were adamantly against mass police withdrawal. As summarised by Chief Superintendent Sidney Nicholson, the main argument appeared to be that the situation would deteriorate further if the police withdrew: 'it would give [protestors] the impression they've got a victory and of course it'll give them more ground in which to set cars up on their sides

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<sup>118</sup> Clare, 'Eyewitness in Brixton', p. 49.

<sup>119</sup> Unknown, 29 June 1981, O.S. 237, TNA: HO 266/103.

<sup>120</sup> Police Tape Transcripts, Friday 10 April 1981, TNA: HO 266/73.

<sup>121</sup> Courtney A. Laws, 29 May 1981, O.S. 167, TNA: HO 266/104; Brain, *A History of Policing*, p. 66.

<sup>122</sup> Morgan, O.S. 194.

<sup>123</sup> Police Tape Transcripts, Saturday 11 April 1981, TNA: HO 266/74; Chief Superintendent Ronald Boyling, P.S. 9, TNA: HO 266/96; Police Tape Transcripts, Saturday 11 April 1981, TNA: HO 266/76.

<sup>124</sup> Police Tape Transcripts, Friday 10 April 1981, TNA: HO 266/73.

on fire'.<sup>125</sup> This view that a police withdrawal would allow law-breakers free roam, as well as characterising the collective violence as mindless criminality as opposed to specific action against the police, was countered by accusations that the police seemingly ignored the vast majority of looting occurring during the Saturday's early evening. Police radio messages record that they were receiving continuous telephone calls regarding looting and, on the Saturday, whilst 92 burglary and robbery crimes were reported to the police only twelve related arrests were made.<sup>126</sup> Councillor Stewart Lansley concluded that 'the police apparently chose to ignore this in order to concentrate their numbers in an area of relative calm where there seemed little danger of damage to shops or property'.<sup>127</sup> Scarman rejected this criticism, stating that the police could not have left the disorder unattended and that concentrating on the disturbances was an issue of limited police resources rather than a reluctance to address the looting.<sup>128</sup>

Thus the prevalent order from senior police officers was 'do not consider withdrawing', leading to situations where deployed police were only permitted to leave an area if immediately replaced, despite it being acknowledged that it wasn't clear how many men were deployed or where they actually were.<sup>129</sup> Consequently when faced with the delegation of Councillors, community worker, and journalist who relayed information received from the participants behind the barricade advising a police withdrawal, Commander Fairbairn steadfastly refused. He argued that it was his decision alone what to do, that his primary duty was to clear streets, and he refused to accept 'no-go' areas.<sup>130</sup> It seemed obvious that refusal to withdraw was influenced by the withdrawal and subsequent criticism during the St Pauls disturbances of the previous year. Reverend Robert Nind even claimed Fairbairn openly told him as much: 'We will not do what they did in Bristol. We are not going to withdraw at all.'<sup>131</sup> As Mike Phillips stated a few days after events in Brixton, the Bristol police had been viewed as 'ninnies for their withdrawal, inefficient for their failure to bring in

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<sup>125</sup> Nicholson, P.S. 8; Police Tape Transcripts, Saturday 11 April 1981, TNA: HO 266/77.

<sup>126</sup> Metropolitan Police, 'Appendix A.2: Total Number of Crimes Reported to Police: Saturday 11th April, 1981', and 'Appendix B: Arrests For All Crimes', *The Brixton Disorders: Friday 10th to Monday 13th April 1981*, TNA: HO 266/92.

<sup>127</sup> Police Tape Transcripts, Saturday 11 April 1981, TNA: HO 266/76; Lansley, O.S. 147.

<sup>128</sup> Scarman, *The Scarman Report*, p. 118.

<sup>129</sup> Police Tape Transcripts, Saturday 11 April 1981, TNA: HO 266/77.

<sup>130</sup> Edward Robert Knight, O.S. 175, TNA: HO 266/104; Lansley, O.S. 147; Morgan, O.S. 194.

<sup>131</sup> Nind, O.S. 96.

reinforcements, and undermined by their concern about community relations. The Met wouldn't let it happen.<sup>132</sup> This refusal to see their authority undermined was summed up by a police spokesman: 'The police will not withdraw. The only people who control the streets of London are the Met.'<sup>133</sup>

Despite the argument that the police withdrawal had actually limited the scale of the St Pauls disturbances, police in Brixton firmly placed being seen combating the rioters ahead of a tactical withdrawal to reduce tensions and 'winning by appearing to lose'. As Peter Squires and Peter Kennison would later conclude, this altered style of 'aggressive and confrontational policing may well be losing, even as it appears to win'.<sup>134</sup>

Fairbairn's action was praised by both sides of the House, as Home Secretary William Whitelaw and Shadow Home Secretary Roy Hattersley claimed that recommendations for the police to withdraw and desert the law-abiding residents were 'wholly misplaced' and Fairbairn was 'entirely and absolutely right' to reject such suggestions.<sup>135</sup> These responses are not surprising from two with potentially a lot to lose politically. Whitelaw, seen as the 'acceptable face' of Thatcherism who did not agree with all of her policies, needed to remain free from Thatcher's wrath as she attempted to remove the 'wets' from her government.<sup>136</sup> Similarly Hattersley represented the moderate side of the Labour Party and, opposed to Michael Meacher's left-wing radicalism, this was a key factor in later beating Meacher to become deputy leader in 1983.<sup>137</sup>

Fairbairn's refusal to withdraw was also supported by Scarman, disagreeing that such action would lessen the fury of the crowd:

The arson and looting in Railton Road were already under way by the time of the attempted mediation. It is only necessary to imagine the criticism which would have fallen on the head of Commander Fairbairn if

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<sup>132</sup> Mike Phillips, *New Statesman*, 17 April 1981, as cited in Phillips and Phillips, *Windrush*, pp. 361-2.

<sup>133</sup> *The Sunday Telegraph*, 12 April 1981, as cited in 'The "Riots"', *Race & Class*, 23 (October 1981) 224.

<sup>134</sup> Peter Squires and Peter Kennison, *Shooting to Kill?: Policing, Firearms and Armed Response* (Chichester, 2010) p. 159.

<sup>135</sup> HC Deb 13 April 1981 vol. 3 cc. 21-2.

<sup>136</sup> George L. Bernstein, *The Myth of Decline: The Rise of Britain since 1945* (London, 2004) p. 625.

<sup>137</sup> Eric Shaw, *The Labour Party since 1979: Crisis and Transformation* (London, 1994) p. 29.

he had withdrawn and, as I believe, the looting and disorder had continued, in order to realize how misdirected this argument is.<sup>138</sup>

Therefore it could be seen that there was a uniform reaction of authority support for a decision not to withdraw police out of the area, despite that such a police presence and feeling of occupation had caused the uprising in the first place. As well as seeming to misinterpret the nature of disorder, this snubbing of their apparent expressed wishes further increased disillusionment from many black youths towards the authorities and suggested their collective violence still had a way to go before achieving all of their desires.

### **POLICE MISCONDUCT**

Upon reading the numerous individual submissions and witness statements supplied to the Scarman Inquiry, it is hard not to be struck by the sheer number of reports of police misconduct, overreaction, or brutality that did not appear in the published report. Similar to other official investigations during this period, Lord Scarman claimed his inquiry was not the place to investigate specific incidents of police wrong-doing and, in general, rejected criticism suggesting that the police over-reacted in their handling of the disorders. He suggested that the courts or police disciplinary proceedings were the correct avenues for resolving such accusations, despite the growing sentiment and supporting evidence that such avenues were inadequate and discriminated against black complainants.<sup>139</sup> As elsewhere the fact that, despite the level of criticisms appearing against the police, only nineteen official complaints were made against the police regarding the disturbances highlights the level of distrust and belief that such a complaints system would not achieve any positive results.<sup>140</sup> Scarman himself later had to acknowledge his report has been criticised for no such detailed investigations of specific incidents of police misconduct.<sup>141</sup>

When such accusations of police impropriety are combined, it portrays quite a different atmosphere than the generally accepted version of events. Obviously it must not be forgotten that there are undoubtedly some accusations of police misconduct fuelled by motives other than attempts to chronicle factual

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<sup>138</sup> Scarman, *The Scarman Report*, p. 114.

<sup>139</sup> *Ibid.*, p. 112.

<sup>140</sup> Metropolitan Police, 'Appendix P: Complaints Against the Police', *The Brixton Disorders: Friday 10th to Monday 13th April 1981*, TNA: HO 266/95.

<sup>141</sup> Lord Leslie Scarman, 'An Epilogue', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 259.

events and moreover, as Benyon highlighted, an observer only sees a portion of what occurs and that view itself is in the midst of confusion.<sup>142</sup> Nonetheless, the sheer volume of accusations alone surely makes them worthy of consideration. The following section discusses some of those accusations, again being selected as the best examples in order to provide a general impression of the broader situation.

The most apparent accusation of police misconduct during the weekend was the discriminatory selection of focussed attacks upon black people, to an even more blatant degree than had been previously claimed. There were numerous accounts of police approaching large groups and choosing to search or attack only the black people. For example, police vans pulled up and officers quietly exited the vehicle, only to then grab passive black observers from the crowd and push them into vans in handcuffs.<sup>143</sup> Another instance included officers pushing five white people aside to get to a black man, whom they then kicked, hit with batons, and set dogs upon.<sup>144</sup> One resident observed three officers who 'aggressively searched' a black man, only to then ask a white man politely to go home whilst addressing him as 'sir'.<sup>145</sup> A 'particularly well dressed' black man reportedly asked for an officer's badge number to which the officer allegedly pointed to his shoulder, where his number had been removed, and replied with a smirk 'there's my number'.<sup>146</sup> Another black male was arrested and, after an apparently fabricated charge of drunk driving was levelled against him, was told that the truth did not matter; all that mattered is what the police said.<sup>147</sup> This is the situation that black residents had been describing and protesting for years previously. When an officer was seen holding a dustbin lid and large stick, repeatedly shouting: 'Come on then, you black bastards, let's have you', a witness stated how 'This did not seem to me to be the correct way for a policeman to behave, even though it was a riot situation'.<sup>148</sup> As elsewhere there are numerous references made to people being called 'black bastards' and 'black shit', police making accusations that 'your lot' caused the

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<sup>142</sup> John Benyon, 'The Riots: Perceptions and Distortions', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 37.

<sup>143</sup> Unknown, 19 May 1981, O.S. 98, TNA: HO 266/103.

<sup>144</sup> Unknown, 5 June 1981, TNA: HO 266/103.

<sup>145</sup> Reverend Robert W. N. Nind, 'The Events of the Weekend', 15 June 1981, O.S. 96A, TNA: HO 266/104.

<sup>146</sup> Unknown, 5 June 1981, TNA: HO 266/103.

<sup>147</sup> Unknown, TNA: HO 266/103.

<sup>148</sup> Unknown, O.S. 186, TNA: HO 266/103.

disturbances, and a particularly descriptive account of a senior police officer shouting at a black prisoner in a mock accent 'something like a bad actor from the Black and White Minstrel show'.<sup>149</sup> In a similar vein, there are a few occasions in the police statements when they reference black people as West Indians.<sup>150</sup> Whilst it is true that this term was used widely and those being discussed could have been first generation immigrants, their age makes it more than likely that they had been born in Britain. This suggests that possibly those officers did not see such people as British citizens, despite being born in the country, who were deserving of their protection.<sup>151</sup>

Numerous accounts of unwarranted police violence appeared, generally, but not always, directed against black people. Accusations of police attacking and kicking seemingly innocent people are frequent, with some even suggesting that officers 'behaved as if they were mad'.<sup>152</sup> For example, one description of two youths being beaten by police and subsequently arrested stated how they 'did not resist arrest, mainly because they had been beaten incapable'.<sup>153</sup> Another observer was advised by the crowd shortly before the police's final charge that it would not matter if he was guilty as police would attack anyone present, and to 'remember what had happened to Blair Peach at Southall'.<sup>154</sup> The police acting in such a 'non-police manner' was linked to their previous behaviour in the area, with suggestions that it was indicative of their general attitudes and what many claimed to be fiercely reacting against: '[Protestors] behaved towards the police in like manner'.<sup>155</sup> A local couple, sat in their car whilst a 'motley body of men' rushed past, were surprised to discover these were police officers and argued it was no surprise that those on the streets

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<sup>149</sup> Unknown, 19 May 1981, O.S. 161, TNA: HO 266/103; Unknown, O.S. 186, TNA: HO 266/103; Lewis, O.S. 153, TNA: HO 266/104; Unknown, 5 June 1981, TNA: HO 266/103; Unknown to Treasury Solicitor, 13 May 1981, O.S. 35, TNA: HO 266/103.

<sup>150</sup> PC Martin Paul Lilley, A 217, TNA: HO 266/100.

<sup>151</sup> Prior to changes enforced by the British Nationality Act 1981, the 1948 British Nationality Act had meant that every child born in the UK was automatically granted British citizenship under the terms of *jus soli*: James Hampshire, *The Politics of Immigration: Contradictions of the Liberal State* (Cambridge, 2013) p. 128; Thomas Janoski, *The Ironies of Citizenship: Naturalization and Integration in Industrialized Countries* (New York, 2010) p. 82; David Mason, *Race and Ethnicity in Modern Britain* (Oxford, 1995) p. 28.

<sup>152</sup> Unknown to Treasury Solicitor, 13 May 1981, O.S. 35, TNA: HO 266/103; Knight, O.S. 175; Gerald Newman to Lord Scarman, 2 June 1981, O.S. 138, TNA: HO 266/104; Unknown, O.S. 180, TNA: HO 266/103.

<sup>153</sup> Unknown, 9 May 1981, O.S. 25, TNA: HO 266/103.

<sup>154</sup> Unknown, O.S. 258, TNA: HO 266/103.

<sup>155</sup> Unknown, O.S. 162, TNA: HO 266/103.

'defend[ed] themselves very positively' against 'this apparent mob'.<sup>156</sup> Such actions caused Reverend Robert Nind to accuse officers, similarly to others discussed previously, of being 'just the National Front in uniform'.<sup>157</sup> Whether provoked or not, many perceived the police response as heavy-handed and unnecessary, confirming suspicions of previous police misconduct.

A Probation Officer with the Inner London Probation Aftercare Service, who had spent the Saturday night on police placement with officers from Clapham Police Station, stated how 'very young' officers seemed excited and proud by events, claiming to hear a constable stating that 'it was a bit naughty, we have been dashing into squats and batting anyone in sight'.<sup>158</sup> Numerous witness statements make reference to older, more experienced police officers preventing their younger colleagues abusing people during the disturbances.<sup>159</sup> Councillor Ted Knight claimed that he overheard police messages during the disorders that a superintendent was concerned because 'most of his men' that were being ordered into the area had only two weeks service but that, regardless, they were ordered to continue.<sup>160</sup> Though, as discussed previously, the political leanings of 'Red Ted' must be acknowledged when assessing such accusations. It was alleged that the police displayed an obvious lack of understanding regarding the causes of tension and hostility towards the police from black people. When discussing the night's events, surrounded by extensive damage and still smoking buildings, the Probation Officer was struck by the 'boisterous seemingly light-hearted manner' the police adopted; this again undoubtedly further aggravated any local residents who happened to be within hearing distance and showed the mind-set of many officers.<sup>161</sup>

As previously discussed, it was suggested by many observers that such examples of police violence were either acts of revenge for their colleagues' injuries, motivated out of fear, or as a show of regaining control of the streets. Police were variously described as 'very scared' and 'very edgy', and on the offensive in order 'to make an impression upon residents'.<sup>162</sup> Scarman himself

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<sup>156</sup> R. M. Johnston to Treasury Solicitor, 14 May 1981, O.S. 53, TNA: HO 266/104.

<sup>157</sup> Nind, O.S. 96.

<sup>158</sup> Carol Fisher, 28 May 1981, O.S. 168, TNA: HO 266/103.

<sup>159</sup> Unknown, 5 June 1981, TNA: PRO HO 266/103.

<sup>160</sup> Copy of police radio messages overheard by Edward Knight on Saturday 11 April, TNA: PRO HO 266/89.

<sup>161</sup> Fisher, O.S. 168.

<sup>162</sup> Unknown, O.S. 160, TNA: HO 266/103; Lewis, O.S. 153, TNA: HO 266/104; Newman to Scarman, 2 June 1981.

concluded that he had 'little doubt' from the amount of evidence submitted to his inquiry that there were instances of police misconduct.<sup>163</sup> However, as previously stated, he did not believe his inquiry was the place to investigate specific incidents of police wrong-doing, thus disappointing again those who wished to see the police disciplined for their actions.

Furthering the discontent at police actions, occasional references were made to police apparently being aware of the cameras and potential witnesses, thus stopping their attacks to prevent them from being documented. One statement described six police officers exiting an unmarked police van whilst brandishing police truncheons, lead piping, and pick axe handles to attack a nearby youth, claiming this only halted when BBC employees with equipment standing nearby were spotted, upon which one officer shouted 'Watch out cameras, get back in the van'.<sup>164</sup> Another example of a black man being attacked with truncheons, punches, and kicks in the van en route to the police station claimed officers answered the posed question 'What shall we do with this black bastard?' with 'Kill him', and that a white man arrested with him was dubbed 'white nigger lover'. Just before arrival at the station, one of the officers allegedly informed his colleagues there were cameras outside and for police to 'Ease up', which they did as soon as they had left the van.<sup>165</sup> The importance of the fact that such stories, whether true or not, were widely believed is twofold. Firstly that many in the local population deemed such police devious actions probable, and secondly that it further spread ideas that there was no way to punish police misconduct within the existing system as they were aware of how to exploit it for their own ends.

In addition to the numerous submissions that criticised the police's actions either before or during the disturbances, there were conversely also multiple statements from those who wholeheartedly supported police actions. Similar to the letters to the police and local authorities supporting the use of the SPG discussed earlier, there was a strong racial feeling to many submissions which backed the police. One such statement claimed that the only reason the black community objected to the use of SPG and increased numbers of stop and searches was that it was effective in curbing criminality, and the 'Perfectly

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<sup>163</sup> Scarman, *The Scarman Report*, p. 112.

<sup>164</sup> Unknown, TNA: HO 266/103.

<sup>165</sup> Unknown, O.S. 186, TNA: HO 266/103.

justified' questioning of black people should not be regarded as harassment because if they committed fewer crimes then there would be less need to question them.<sup>166</sup> This grouping of the entire black community into a singular criminal whole showed a misunderstanding, either wilful or unwitting, of the discontent from many within the black community and their views and concerns; for example those questioning: 'Why should anybody else get upset when there are more police about?' clearly had a differing relationship with those officers than the majority of the local black community.<sup>167</sup>

Police actions were defended as being the only protection for the local community against the violence; it was even suggested by one observer that Martial Law should be implemented to protect the law and order that 'these immigrants are out to try and break'.<sup>168</sup> Thus many believed that police deserved 'no criticism from any quarter'.<sup>169</sup> This was extended into criticism of the Scarman Inquiry itself which, it was alleged, would provoke extreme anger from 'native' Britons towards any recommendations seen to be favouring black people: 'When "your" riots start again, (this time with whites in the lead) I hope you can live with yourself and sleep easily at night, because I and people like me will never again be able to.'<sup>170</sup> One writer who described herself as an 'ordinary member of the public' and the wife of a policeman, seemingly not believing this would influence her opinions, declared that people were 'sick and tired of hearing all these weak, feeble excuses' for disturbances, concluding that 'Your Report is an insult to the members of the Metropolitan Police and to the public in general.'<sup>171</sup> This was a view shared by many who did not believe that the apparent problems faced by the black community warranted their violent response or a specialised government inquiry to investigate them, and there were even some accounts of gangs of white people collecting together to exact their own revenge during the violence, including reports of a man travelling to Brixton armed with a scythe and 'intends to cause mayhem'.<sup>172</sup>

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<sup>166</sup> Unknown, 18 May 1981, O.S. 56, TNA: HO 266/103; G. Archer to Lord Scarman, 13 April 1981, TNA: HO 266/138.

<sup>167</sup> Catherine Lee to The Treasury, 13 May 1981, O.S. 45, TNA: HO 266/104.

<sup>168</sup> D. M. Hill to Lord Scarman, 11 May 1981, O.S. 33, TNA: HO 266/104.

<sup>169</sup> Lee to The Treasury, 13 May 1981.

<sup>170</sup> Dorothy Bell to Lord Scarman, 25 November 1981, TNA: HO 266/138; emphasis in original.

<sup>171</sup> Jean Critchley to Lord Scarman, TNA: HO 266/138.

<sup>172</sup> PC Stephen Robert Hicks, A 172, TNA: HO 266/101; Police Tape Transcripts, Sunday 12 April 1981, TNA: HO 266/79.

However, as described, many within the black community felt that their collective violence was in fact the only way that they could hope to increase their political participation and for society to address some inherent discriminations and lack of accountability from those supposedly charged with protecting them.

## **CONCLUSION**

Over a warm spring weekend in Brixton a tense situation exploded into violent scenes which shocked many. Previous negative relations between the police and local black population were compounded by the breakdown of the community Liaison Committee, largely due to the Police Commander's refusal to inform and include representatives of the local community in planning police operations. This can clearly be seen with the immediate short term effect of Swamp 81 upon the area, in which a fairly routine incident escalated into collective violence due to the police's heavy handed response. Despite an inquiry being instigated, a seeming victory after calls for inquiries into other incidents had gone unanswered, this largely ignored subsequent specific accusations of police misconduct at the heart of discontent. A response from the authorities which focussed more upon criminality rather than addressing the apparent issues with the police did not appear to give much hope for the future that their situation would be positively changed; suggesting this one instance of collective violence would not solve all of their problems.

Before Scarman could publish his report, indeed during the hearing of evidence, further violent outbursts spread around the country, seeming to lead some credence to Enoch Powell's warning following Brixton that the government and country 'have seen nothing yet'.<sup>173</sup> Thus Scarman's inquiry, whilst not examining the subsequent disorders in detail as to do so would be beyond his inquiry's stated terms of reference, did invite and receive evidence from other areas.<sup>174</sup> Subsequent disturbances are discussed in the next chapters, as well as their movement around the country and response from local and national government. Furthermore, the case study of documents relating to the Manchester Moss Side riots will be examined to further study the role of local organisations and bodies in attempting to improve police/black relations and increase police accountability. As Harry Goulbourne summarised,

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<sup>173</sup> Scarman, *The Scarman Inquiry*, pp. 15-6; HC Deb 13 April 1981 vol. 3 c. 24.

<sup>174</sup> Scarman, *The Scarman Inquiry*, p. 16.

'Brixton led to the recognition that the police needed to be more accountable to the communities they ostensibly serve'.<sup>175</sup> For those areas of the country which would descend into violent outbursts that summer, lessons were seemingly not learnt or implemented quickly enough.

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<sup>175</sup> Harry Goulbourne, *Race Relations in Britain since 1945* (Basingstoke, 1998) p. 69.

## CHAPTER SIX

### DISTURBANCES SPREAD: JULY 1981

Just below three months after events in Brixton, and before Lord Scarman could finish and publish the report of his associated inquiry, further disturbances occurred around the country. Indeed, in the words of Chief Constable of Greater Manchester Police James Anderton, 'all of us have been overtaken somewhat disastrously by events'.<sup>1</sup> Timothy Brain described how this 'amazing series of riots then swept England', including Liverpool, Manchester, Leeds, and Birmingham, and recent research by Roger Ball suggested that almost two hundred daily disorders occurred around England in July 1981 alone.<sup>2</sup> Due in part to the reaction to earlier disorder, these wider disturbances saw the utilisation of different police tactics and riot control equipment, including the first use of CS gas within mainland Britain and recently released documents suggest that government officials were considering mobilising the army or even arming the police.

This chapter examines some of the events and key developments of these summer disorders, focussing mainly upon the case study of Moss Side, Manchester. This is due to the availability of records and interviews carried out with local residents and commentators kindly provided by John Stevenson which, to the best of my knowledge, are not available elsewhere.<sup>3</sup> Moss Side is suitable as a case study due to receiving a dedicated local inquiry, examined in depth in Chapter Seven, as well as the substantial involvement of local community organisations including various meetings with local police. One of these meetings was highly contentious as, occurring the day after the initial outbreak of violence, it was decided that a low police presence would be deployed in Moss Side to avoid confrontations and discourage further rioting. After this failed to prevent recurrences of disorder Anderton switched to 'hard policing' tactics, including swamping the streets with police and using 'snatch squads' inspired by Northern Irish examples to utilise police vehicles to disperse

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<sup>1</sup> James Anderton to P. J. C. Mawer, 16 July 1981, The National Archives (TNA): HO 266/136.

<sup>2</sup> Timothy Brain, *A History of Policing in England and Wales from 1974: A Turbulent Journey* (Oxford, 2010) p. 68; Roger Ball, 'The "Bristol Riot" and its "Other": St Paul's and Southmead in April 1980', *The Regional Historian: Journal of the Regional History Centre, UWE, Bristol*, 22, (Autumn 2010) 33.

<sup>3</sup> Copy in possession of author.

crowds and arrest influential rioters. Community leaders alleged that Anderton's initial low profile approach had instead been a 'no-profile' approach, purely to allow violence to escalate and thus build support for a subsequent police crackdown. Conversely Anderton's actions in dealing with the disturbances were described by Home Secretary William Whitelaw as a 'conspicuous success', but did little to improve poor relations between the police and the black community at the heart of the disturbances.<sup>4</sup> This chapter first discusses key broader developments and situations in other areas, before moving on to examine in detail the specific case of Moss Side.

### **TOXTETH, LIVERPOOL: 3-6 JULY 1981.**

The first violent scene of summer 1981 erupted in Toxteth, Liverpool on the evening of Friday 3 July.<sup>5</sup> Again the trigger was an incident involving alleged police misconduct when anger generated by the perceived heavy-handed arrest of 20-year old Leroy Alphonse Cooper left three policemen injured. Whilst officers questioned Cooper, a black youth erroneously suspected of stealing a motor cycle, eight police vehicles arrived to deal with this one suspect.<sup>6</sup> Such an excessive response incensed the local community and community relations leaders accused the police, through their actions and tactics, of both initiating the rioting and escalating it.<sup>7</sup> Considering the events of Bristol and Brixton just weeks previously, such a heavy-handed response was surely a mistake. The following night it appeared the tactic of premeditated targeting the police reappeared when an anonymous caller to the police reported a stolen car and officers who went to investigate were pelted with bricks and stones.<sup>8</sup> Merseyside Chief Constable Kenneth Oxford estimated that during the disorders 468 officers were injured, 500 people arrested, and at least 70

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<sup>4</sup> R. W. Apple Jr, 'New Riots Sweep England's Cities; "Anarchy" Feared', *The New York Times*, 11 July 1981.

<sup>5</sup> On the same night violence erupted in Southall, west London where local Asian youths clashed with a group of skinheads attending an 'Oi!' punk rock concert in a local pub recently sued for barring non-white customers. It was alleged the skinheads had smashed windows, attacked locals, and shouted National Front slogans around the area. The resulting violence saw five hours of rioting, 120 people injured, and the pub being burnt down. This was the one event throughout 1980-81 more often dubbed a 'race riot' due to the violence initially being between white skinheads and Asian youths. For further discussion of this event, see: Martin Kettle and Lucy Hodges, *Uprising!: The Police, the People and the Riots in Britain's Cities* (London, 1982) pp. 154-7; Mike Phillips and Trevor Phillips, *Windrush: The Irresistible Rise of Multi-Racial Britain* (London, 1998) p. 363.

<sup>6</sup> C. J. Walters, 'Note of a visit: Liverpool: 7 July 1981', 9 July 1981, TNA: PREM 19/484.

<sup>7</sup> *Ibid.*

<sup>8</sup> Charles Wegg-Prosser, *The Police and the Law*, Third edition (London, 1986) p. 231; Kettle and Hodges, *Uprising!*, p. 158.

buildings demolished; although later assessments suggested numbers were actually double initial estimates.<sup>9</sup> Police cordoning of the Toxteth area on Sunday had provided the youths on the street an easy and obvious target and previous suggestions, that a lesser police presence would reduce violence by removing such a visible focal point, had again gone unheeded.<sup>10</sup> There were also accusations that some officers had escalated the violence shouting racist slogans, similar to Brixton, or otherwise provoking the crowd and that some officers had removed their identifying numbers to prevent subsequent identification.<sup>11</sup>

In an apparent effort to work with the local community, a police lower profile approach on Monday 6 July helped reduce tensions and calm the situation.<sup>12</sup> The Archbishop of Liverpool, Derek Worlock, and the Bishop of Warrington, Michael Henshall, believed the police had helped control the disorders by accepting the advice given to them by community representatives.<sup>13</sup> However the community leaders simultaneously blamed Oxford's policing policy, arguing that those actively attempting to end the disturbances had been attacked by police and that, significantly, those police brought in from outside the area had seemed to have friendlier relations with the local community than local police.<sup>14</sup> This was at odds with many other examples, where it had been suggested that personnel familiar to and liked by the community may have eased tensions before they erupted into violence. Here the accusation was that the local police were so disliked that many involved in the violent uprising were conducting personal attacks upon individual officers rather than the general police as a symbol of authority. This may have been the consequence of a Chief Constable who appeared weary of the idea of 'community policing'.<sup>15</sup>

Additionally it was detailed that, whilst community leaders had succeeded in removing original rioters off the streets, they had been replaced

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<sup>9</sup> 'Toxteth Riots Remembered', *BBC News*, 4 July 2001, <http://news.bbc.co.uk/1/hi/uk/1419981.stm> (last accessed 10 November 2014).

<sup>10</sup> Walters, 'Note of a visit: Liverpool'.

<sup>11</sup> *Ibid.*

<sup>12</sup> *Ibid.*

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

<sup>14</sup> 'Meeting with Liverpool Community Leaders in the Liverpool Town Hall on Monday, 13 July, 1981', 14 July 1981, TNA: PREM 19/484.

<sup>15</sup> Kenneth Oxford, 'Policing by Consent', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) pp. 114-7.

by 'a mob of mostly white youngsters...who behaved like a wild crowd of football hooligans'.<sup>16</sup> As elsewhere most people's descriptions of, and reactions to, the events failed to differentiate between these two groups.

As already noted, Toxteth shared a number of similarities with many of the other areas which experienced disturbances. Peter Fryer highlighted the 'remarkable historical symmetry' which saw violent uprisings spread between cities which had been the country's chief slave ports; Bristol, London, and Liverpool.<sup>17</sup> Certainly Liverpool owed much of its wealth and history to its participation in the slave trade but, as discussed previously, it is questionable how much this influenced the disturbances in 1981. More pertinently, between 1971 and 1981 black unemployment increased 100 percent for men and 95 percent for women.<sup>18</sup> Also there was a history in Toxteth of discontent towards the police and belief they targeted local black youths, with accusations that officers conducted 'coon races' where the first to arrest a black person won the pot of money.<sup>19</sup> It was further alleged that Merseyside Police would plant drugs on youths, terming the practice 'agriculture' or 'going farming'.<sup>20</sup>

It was noted by numerous observers that hostility towards a police 'task force' had almost led to disturbances in 1971 and fear of 'civil war in the city'.<sup>21</sup> William E. Nelson, Jr documented the growing conflict between the police and black community in Liverpool including incidents in 1972 and 1975 which threatened to erupt into wider disorder and an increasing black resistance which included organised protests such as a sit-in at a local Methodist Youth Centre, which refused permanent membership to Liverpool-born black people, shortly before the July disturbances.<sup>22</sup> An interview conducted with a resident following the disorder confirmed that the growing sense of discontent had led to increased militancy:

People had got to the point where they felt they had no territory, where they felt their rights, liberties, and personal freedoms were impinged

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<sup>16</sup> Walters, 'Note of a visit: Liverpool'.

<sup>17</sup> Peter Fryer, *Staying Power: The History of Black People in Britain* (London, 1984) p. 399.

<sup>18</sup> Merseyside Community Relations Council, the Liverpool Black Caucus, and the Merseyside Profile Group, *Racial Discrimination and Disadvantage in Employment in Liverpool* (Liverpool: Merseyside Area Profile Group, 1986), p. 19, as cited in William E. Nelson, Jr, *Black Atlantic Politics: Dilemmas of Political Empowerment in Boston and Liverpool* (Albany, 2000) p. 48.

<sup>19</sup> Phil Scraton, *Power, Conflict and Criminalisation* (London, 2007) p. 29.

<sup>20</sup> 'Toxteth Riots Remembered', 4 July 2001.

<sup>21</sup> Words of Margaret Simey, as cited in Kettle and Hodges, *Uprising!*, pp. 55-6; Derek Humphry, *Police Power and Black People* (London, 1972) pp. 13, 17; Fryer, *Staying Power*, pp. 391-2.

<sup>22</sup> Nelson, *Black Atlantic Politics*, pp. 203, 237, 263.

upon so much that they actually confronted it and said excuse me I have a right to stand on this street...In this case issues like fair economic conditions and employment were there, but on that day it was more you get out, we've had enough of this.<sup>23</sup>

Mirroring other situations, the local Chief Constable had clashed with the local community and police authority regarding aspects of police tactics and appeared in denial at the extent of dissatisfaction towards the police. For example writing in his 1980 annual report that relations between the police and local community were 'in a very healthy position and I do not foresee any difficulties in the future'.<sup>24</sup> This was despite the fact the Merseyside Community Relations Council (MCRC) severed its relations with the police in 1980 due to the belief that the police liaison scheme had no value and police refused to admit racist attitudes existed within their ranks.<sup>25</sup> In a statement which might have originated from any location discussed in this thesis, representatives from the County Council claimed that attempts by the police authority to enter into constructive discussions with senior members of the police force prior to the disturbances had failed, and that they hoped the disorders would encourage the police to be more receptive.<sup>26</sup>

It was hoped that the collective violence would improve political participation and representation for a marginalised social group in a way that elected officials had previously been unable to achieve. Chairman of the County Police Committee, Margaret Simey, routinely criticised Oxford's tactics, believing that politicians granting police extended powers allowed them to exist without 'effective democratic scrutiny' and 'It was "government" and not the police which failed and continues to fail the people of Toxteth.'<sup>27</sup> Simey herself reportedly remarked that the local community would have been 'apathetic fools' if they had not taken to the streets to protest their conditions.<sup>28</sup> Despite Simey drawing extensive criticism for these comments, it was clearly a position held by many involved and aptly summarises a main argument of this thesis. Once all other avenues of registering protest had seemingly failed or been denied to

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<sup>23</sup> Liverpool interview, as cited in Nelson, *Black Atlantic Politics*, pp. 204-205.

<sup>24</sup> Scraton, *Power, Conflict and Criminalisation*, pp. 26-7.

<sup>25</sup> Nelson, *Black Atlantic Politics*, p. 203.

<sup>26</sup> Walters, 'Note of a visit: Liverpool'.

<sup>27</sup> Margaret Simey, 'Partnership Policing', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) pp. 135-6.

<sup>28</sup> 'Toxteth Riots Remembered', 4 July 2001.

them, many black youths believed that collective violence was the only way for their voices to be heard and authorities to address their situation.

#### WHITELAW AND THATCHER VISITS, AND A 'MINISTER FOR MERSEYSIDE'

Such attention from the authorities came on 7 July, when Whitelaw visited Liverpool in order to assess the situation. Again Whitelaw would highlight the importance of Northern Irish examples when he compared this to past experience, both of the images of a riot-torn city and his own personal response: 'there was the same pessimism, the same anxieties and the same need to maintain outward calm and good humour while internally suffering deep depression and self-doubt'.<sup>29</sup> A meeting with local authority representatives saw general agreement that the police had done very well in controlling the unrest, although it was alleged that antagonistic police tactics had caused considerable local hostility in the first place.<sup>30</sup> It was also noted that violence had been directed against those aspects representing the establishment, namely the police and businesses, which reflected the situation elsewhere.<sup>31</sup> However it appeared that the establishment were inherently supporting their own as Whitelaw's visit to Liverpool concluded with a visit to meet injured police officers in hospital.<sup>32</sup> As elsewhere, no such visit or expression of condolence for members of the public hurt in the disturbances was forthcoming. Although such a gesture seeming to legitimise violence would be tantamount to political suicide, it was surely noted by those already believing the establishment was closing ranks to protect their own.

Additionally to Whitelaw, Prime Minister Margaret Thatcher subsequently visited Liverpool to meet local police, government, church representatives, and community leaders and youths. A visit to Liverpool had previously been planned in May, but subsequent disorder increased the importance of such a trip.<sup>33</sup> Informing community leaders and youths present that she was there to listen and hear their frank thoughts about the current situation, she appeared shocked by their response.<sup>34</sup> She subsequently told a meeting with Church officials that she had been 'amazed at their hatred for the police' and, in later published

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<sup>29</sup> William Whitelaw, *The Whitelaw Memoirs* (London, 1989) pp. 246-8.

<sup>30</sup> Walters, 'Note of a visit: Liverpool'.

<sup>31</sup> *Ibid.*

<sup>32</sup> *Ibid.*

<sup>33</sup> Willie Rickett to Catherine Bell, 13 May 1981, TNA: PREM 19/484.

<sup>34</sup> 'Meeting with Liverpool Community Leaders', 14 July 1981.

memoirs, she amplified this into being ‘appalled’ at their hostility towards the police.<sup>35</sup> In a swipe at the media which hinted at her main concerns of being seen to meet participants, she also recorded how ‘The press were rather confused when, contrary to what they had been expecting, the youngsters told them that I had indeed listened.’<sup>36</sup> Such a personal meeting would certainly have left some believing their collective violence had improved their political participation. However Thatcher stated that she had reminded the youths of the resources that had been ‘poured into Liverpool’ and policing issues were not about skin colour, they were about crime.<sup>37</sup> Indeed, just before meeting community leaders, she had told local authority representatives that they must give the police their support as society would crumble if law and order could not be maintained.<sup>38</sup> In keeping with her broader response, Thatcher informed Oxford and other senior police officers the police had her complete support and whatever equipment was required to handle the riots would be provided.<sup>39</sup> Even if she had listened to the complaints of local community representatives, she had seemingly decided governmental support would remain firmly behind the police. She urged local youths ‘not to resort to violence or to try to live in separate communities from the rest of us’ but, for a section of the young black community, most other noises coming from the authorities were pushing them into doing so.<sup>40</sup>

Records of Thatcher’s Merseyside meetings end with her thanking those attending and concluding that, whilst the problems had been identified some fifteen years ago, their belief that ‘if people were given good homes and good schooling, this would give them the basis they needed for a satisfactory life’ had not been wholly correct: ‘We should have to think again.’<sup>41</sup> This rethinking of attitudes, as *The New York Times* pointed out, did not include a basic change in her economic policy, as to do so would be to publically admit her government’s

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<sup>35</sup> ‘Meeting with the Church Leaders held in the Liverpool Town Hall on Monday, 13 July, 1981, at 1300 hours’, 14 July 1981, TNA: PREM 19/484; Margaret Thatcher, *The Downing Street Years* (London, 1993) p. 145.

<sup>36</sup> Thatcher, *Downing Street Years*, p.146.

<sup>37</sup> *Ibid.*

<sup>38</sup> ‘Meeting with local authority representatives in the Liverpool Town Hall on Monday, 13 July, 1981, at 1050 hours’, 14 July 1981, TNA: PREM 19/484.

<sup>39</sup> ‘Meeting with the Chief Constable of Merseyside in Police Headquarters, Liverpool, on Monday, 13 July, 1981, at 0930 hours’, 14 July 1981, TNA: PREM 19/484.

<sup>40</sup> Thatcher, *Downing Street Years*, p.146.

<sup>41</sup> ‘Meeting with the Church Leaders’, 14 July 1981.

policies shouldered some blame for the disorder.<sup>42</sup> As summarised by the *BBC*: 'Community leaders came out of the talks shaking their heads and saying that Mrs Thatcher had not wanted to discuss the root cause of the trouble... Instead, they said she had implored them to keep the stone-throwers off the street'.<sup>43</sup>

Consequently Brain noted how Thatcher's government 'responded in a pragmatic, if financially limited, way'.<sup>44</sup> To this end she appointed Michael Heseltine, Secretary of State for the Environment, as 'Minister for Merseyside' to head a ministerial task force to address the problems of inner cities.<sup>45</sup> Such action appeared to suggest that Thatcher privately accepted a link between crime, disorder, and unemployment, even if she would not admit it publicly and undermine her economic policies.<sup>46</sup> Heseltine made it clear to Thatcher that there was need for the government to be seen to be showing real concern, but to do so 'without raising expensive and largely unfulfillable expectations'.<sup>47</sup> He stated it important to tackle the problems found in Liverpool without stimulating calls from other areas to receive similar financial attention: 'and particularly without giving the impression that local communities can secure for their areas expenditure with riots'.<sup>48</sup> Conversely the title of his resultant private report to the Cabinet, *It Took a Riot*, would suggest that the only reason the area was receiving this added attention and finances was in fact due to the violence, supporting the previous beliefs of many who had participated in them.<sup>49</sup> This supports the overall argument of this thesis, that the collective violence of 1980-81 was an attempt at achieving for themselves increased levels of political participation and attention through 'bargaining by riot'. Furthermore reaction to his report, deemed by influential Policy Advisor John Hoskyns as not 'an adequate basis for action', also supports the argument that such attempts were ultimately unsuccessful.<sup>50</sup>

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<sup>42</sup> Apple, 'New Riots Sweep England's Cities', 11 July 1981.

<sup>43</sup> Margaret Thatcher, 'Press Conference visiting Liverpool', *BBC Radio News Report*, 13 July 1981, Thatcher MSS (digital collection), <http://www.margaretthatcher.org/document/104520> (last accessed: 1 July 2015).

<sup>44</sup> Brain, *A History of Policing*, p. 73.

<sup>45</sup> *The Times*, 17 July 1981; 10 December 1981.

<sup>46</sup> Brain continued that however it appeared subsequently that this was more a move motivated to neutralise internal political threat from more economically liberal side of Conservatives than a 'straightforward intention to use interventionist economics to deliver social amelioration': Brain, *A History of Policing*, p. 76.

<sup>47</sup> Michael Heseltine to Margaret Thatcher, 10 July 1981, TNA: PREM 19/484.

<sup>48</sup> *Ibid.*

<sup>49</sup> Michael Heseltine to Margaret Thatcher, 'It took a riot', 13 August 1981, TNA: PREM 19/578.

<sup>50</sup> John Hoskyns to Margaret Thatcher, 2 September 1981, TNA: PREM 19/578.

## POLICE EQUIPMENT

The worst violence seen in Toxteth occurred on Saturday 4 July, when police were confronted with bricks and other missiles, 10-foot-long scaffolding poles, beer barrels, oil drums, gas cylinders, and petrol bombs.<sup>51</sup> The Merseyside Police were not equipped to deal with such disorder and Dave Potts, at that time a 20-year old constable, recalled being issued with 'a very flimsy riot visor which attached to your helmet with elastic...a cricket box and a set of football shin pads'.<sup>52</sup> Oxford himself later admitted that the police's response had been 'totally and utterly inadequate'.<sup>53</sup> In order to combat the increasing violence and disorder, police reinforcements had been called in from forces across England including Greater Manchester, Lancashire, Cumbria, Birmingham, and even Devon, further spreading exposure to the disorder.<sup>54</sup> Similar to the situation in St Pauls where outside forces were utilised, such practices would later be demonstrated during the 1984-85 miners' strike where the National Reporting Centre based at New Scotland Yard controlled 20,000 officers drawn from 50 of the UK's 52 forces.<sup>55</sup> It has been suggested that this allowed the government to actively control the police's response to the strikes and undermine the partially democratically-elected local police authorities.<sup>56</sup> Regardless this, just as it had in disturbances around the country in 1980-81, added to feelings of discontent and increased tensions that a force of officers unfamiliar to the area had been deployed to respond to the situation.

Moreover at 2.15 on Monday 6 July Merseyside police officers became the first to use CS gas within mainland Britain, firing between 25-30 gas grenades.<sup>57</sup> All police forces in Britain had access to small stocks of such equipment since the mid-1960s, another aspect of the disturbances which followed the Northern Irish antecedent.<sup>58</sup> Echoing previous disorder, Potts

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<sup>51</sup> John Benyon, 'The Riots: Perceptions and Distortions', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) pp. 39-40.

<sup>52</sup> 'Merseyside Police Officer Recalls 1981 Toxteth Riots', *BBC News*, 3 July 2011, <http://www.bbc.co.uk/news/uk-england-merseyside-13956652> (last accessed 25 November 2014).

<sup>53</sup> 'Toxteth Riots Remembered', 4 July 2001.

<sup>54</sup> *Ibid.*

<sup>55</sup> Barry Loveday, 'Government and Accountability of the Police', in R. I. Mawby (ed.), *Policing across the World: Issues for the Twenty-First Century* (London, 1999) p. 135; Mark Harvey, Martin Jenkinson and Mark Metcalf, *The Miners' Strike* (Barnsley, 2014) p. 38.

<sup>56</sup> Loveday, 'Government and Accountability of the Police', p. 135.

<sup>57</sup> 'Toxteth Riots Remembered', 4 July 2001.

<sup>58</sup> Notes for supplementaries, (presumably for William Whitelaw), TNA: PREM 19/484.

highlighted the number of rumours circulating between officers, such as claims that 'a bobby's been killed, somebody's had their leg chopped off, somebody's been decapitated with a spade'.<sup>59</sup> It is likely such false rumours played a part in the deployment and use of CS gas. There were allegations that officers had fired the canisters incorrectly, either wilfully or accidentally, directly at members of the crowd thus causing injuries and five people requiring hospital treatment.<sup>60</sup> This action was severely criticised by the local police authority and community relations leaders, with officers accused of not having received sufficient training and using cartridges intended for penetrating walls and buildings.<sup>61</sup> Despite this, Michael Nally observed that Oxford was unapologetic about his officers' 'undisciplined response with CS gas'.<sup>62</sup> Oxford later recognised that some believed use of CS gas, baton rounds, and water cannon was 'repressive and an over-reaction', but he defended their necessity as an emergency response to protect officers after the 'staggering number of injuries that were inflicted in 1981'.<sup>63</sup> The Commissioner of Police of the Metropolis, Sir David McNee, recognised that a drawback of CS gas was its inability to selectively target people and that therefore it should only be used as a last resort; however he agreed with subsequent recommendations that the police should have sufficient supplies.<sup>64</sup> Whitelaw later revealed how Oxford had telephoned him at the time to approve use of the gas but he believed, later leading him to eradicate such a requirement and further empower police Chief Constables, that such decisions must be made by those in charge of operations with knowledge of the situation: 'So, amazing as it seems now, I turned over and went to sleep again.'<sup>65</sup>

Continuing the focus upon how best to quash future disorder, it was even suggested that arming the police or deploying the army was necessary to protect the British streets. It is true that the disturbances in 1981 were deemed serious enough threats to British law and order to warrant a radical policing response. Amongst others, John Benyon blamed the way in which they were

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<sup>59</sup> 'Merseyside Police Officer Recalls 1981 Toxteth Riots', 3 July 2011.

<sup>60</sup> Walters, 'Note of a visit: Liverpool'; 'Police Open Fire on Civilians', *New Statesman*, 17 July 1981.

<sup>61</sup> Wegg-Prosser, *The Police and the Law*, p. 231; Walters, 'Note of a visit: Liverpool'; *New Statesman*, 17 July 1981, as cited in 'The "Riots"', *Race & Class*, 23 (October 1981) 226; *Police Record*, 10 July 1981, 1335-7, as cited in Brain, *A History of Policing*, p. 68.

<sup>62</sup> Michael Nally, 'Eyewitness in Moss Side', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 61.

<sup>63</sup> Oxford, 'Policing by Consent', p. 118.

<sup>64</sup> Willie Rickett to Colin Walters, 13 July 1981, TNA: PREM 19/484.

<sup>65</sup> Whitelaw, *The Whitelaw Memoirs*, pp. 246-7.

portrayed by both the media and many politicians for the fact that such a response was deemed necessary: 'They were interpreted as exceptional threats to law and order which required exceptional responses'.<sup>66</sup> For example, Thatcher warned journalists that 'The veneer of civilization is very thin' and an unnamed 'senior Government official' was quoted in *The New York Times* claiming that, in some cities, 'we are facing anarchy'.<sup>67</sup> Graham Murdock later analysed the media's response to the use of CS gas in Toxteth, concluding that they all presented it as 'an entirely necessary and justified step, given the violence of the rioters and the inadequacy of standard police equipment'.<sup>68</sup> He makes the important point, applicable to all arguments that increased police powers and equipment were needed to combat future disorder, that 'This perspective comprehensively wrong-foots the counter arguments that tough policing may be a cause of rioting rather than a cure for it.'<sup>69</sup>

Both the level of violence and associated fear caused the Liberal Liverpool City Council leader, Sir Trevor Jones, to appeal for troops to be readied and put on standby: 'It is a legitimate request. If the police cannot cope, as clearly they have not been able to, then the military should be available to protect the city centre'.<sup>70</sup> It must be noted that Jones was far from a left-wing liberal, as can be seen by a letter from the Council to Downing Street advising against Thatcher's visit and describing hard-line left-wingers as 'militants who are round the corner sharpening their knives'.<sup>71</sup> Similarly local Conservative MP Anthony Sheen also appealed for troops to be deployed and stated that the Conservatives, 'being the Party of law and order', needed to make it clear that they would do what was necessary.<sup>72</sup> He argued that 'simply providing [police] with stronger protective headgear has made many of our supporters feel that the bigger issues have not been fully comprehended'.<sup>73</sup> This echoes arguments made from people more sympathetic to the black population's situation, albeit

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<sup>66</sup> John Benyon, 'Going through the Motions, the Political Agenda, the 1981 Riots and the Scarman Report', *Parliamentary Affairs*, 38 (1985), 410.

<sup>67</sup> Apple, 'New Riots Sweep England's Cities', 11 July 1981.

<sup>68</sup> Graham Murdock, 'Reporting the Riots: Images and Impact', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) pp. 77-8.

<sup>69</sup> *Ibid.*, p. 76.

<sup>70</sup> *The Times*, 7 July 1981, 1, as cited in Brain, *A History of Policing*, p. 68.

<sup>71</sup> He suggested that a subsequent visit could 'start very early one morning when no-one is aware that the PM is going': Note to Margaret Thatcher, 10 July 1981, TNA: PREM 19/484.

<sup>72</sup> Anthony Steen MP to William Whitelaw, 6 July 1981, TNA: PREM 19/484.

<sup>73</sup> Steen to Whitelaw, 6 July 1981.

there was disagreement on what those 'bigger issues' actually were; their argument was that the focus upon criminality and police equipment did not address the discontent which led to the collective violence. Nevertheless, as R. W. Apple Jr writing in *The New York Times* summarised, Whitelaw was considered one of the more liberal members of Thatcher's government but even he could not rule out the 'highly undesirable' use of troops to combat 'extreme ferocity'.<sup>74</sup> Apple continued that either the use of troops or water cannon would be a 'radical departure from the passive tactics generally used by British policemen', although Benyon pointed out that soldiers had been utilised in Northern Ireland for almost twenty years previously, and between 1869 and 1908 troops had intervened in 24 separate disturbances.<sup>75</sup> Regardless, their appearance on the streets in 1981 certainly would have been a drastic measure.

A telephone conversation between Whitelaw and Thatcher agreed that the 'use of troops could not be contemplated: if necessary, the police should be properly equipped, and even armed, before such a step was taken'.<sup>76</sup> To that end Whitelaw was actively organising with John Nott, Secretary of State for Defence, the acquisition by the police of 'more offensive types of equipment' such as water cannons, on which he was 'anxious to move very quickly'.<sup>77</sup> Whitelaw took up Nott's offer that the police be loaned army riot guns and baton rounds, deeming it 'imperative' that police have access to such equipment and requested 50 guns and 4,000 rounds.<sup>78</sup> Nott, perhaps surprised that Whitelaw accepted his offer, expressed his 'considerable reservations' about arming police forces with Army weapons; not least that it would limit their ability to aid the Royal Ulster Constabulary in replacing weapons in Northern Ireland.<sup>79</sup>

In yet another example of how pervasive the example of Northern Ireland was in debates regarding public disorder, a brief circulated prior to a debate in the Commons stated that Northern Irish experience had shown the dangers of use of rubber or plastic bullets and that further thought should be given before

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<sup>74</sup> Apple, 'New Riots Sweep England's Cities', 11 July 1981.

<sup>75</sup> *Ibid.*; John Benyon, 'Interpretations of Civil Disorder', in John Benyon and John Solomos (eds.), *The Roots of Urban Unrest* (Oxford, 1987) p. 24.

<sup>76</sup> Rickett to Walters, 13 July 1981.

<sup>77</sup> William Whitelaw to John Nott, 13 July 1981, TNA: PREM 19/484.

<sup>78</sup> John Nott to William Whitelaw, 16 July 1981, TNA: PREM 19/484; William Whitelaw to John Nott, 6 August 1981, TNA: PREM 19/484.

<sup>79</sup> John Nott to William Whitelaw, 30 July 1981, TNA: PREM 19/484.

their use within Britain.<sup>80</sup> Additionally, after a large number of head and neck injuries were received by officers during earlier disorders, better-suited helmets and visors were soon requisitioned and by 9 July almost 1,800 were available to the police with the army subsequently attempting to fulfil Home Office requests for two thousand more.<sup>81</sup> Based on similar design to those used by army 'snatch squads' in Northern Ireland, their use during the subsequent Moss Side disturbances were cited as a factor in greatly reduced police injuries.<sup>82</sup> Additionally shorter, more manoeuvrable shields and flame-retardant overalls were issued and training in public-order was intensified.<sup>83</sup> In November a working group published a report on 'Protective Clothing and Equipment', which supported these developments and further recommended baton rounds, stronger body armour, and increased protection to police vehicles.<sup>84</sup> By the beginning of 1983, and regardless of their link with at least eleven deaths in Northern Ireland, police forces in Britain had thus stockpiled around 10,000 rubber bullets.<sup>85</sup>

Whitelaw stated he had met with representatives of all the police organisations following Brixton and they had all agreed that resorting to use of water cannons and plastic bullets was undesirable; however violence spreading around the country in July had seemingly made him rethink this position.<sup>86</sup> Senior Merseyside police advised Thatcher that water cannons were 'now a necessary part of the equipment of the police' and 'a lot of urgent thought' must be given to how police responded to such outbreaks of disorder.<sup>87</sup> Similarly McNee agreed with Thatcher that the police should have available to them sufficient stocks of rubber bullets.<sup>88</sup> Furthermore the Police Federation, who in 1980 had been against such developments and adamant that the image of the traditional British police 'should be maintained at all costs', was by 1981 making

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<sup>80</sup> Home Affairs Select Committee, 'Brief for a Debate on Recent Outbreaks of Civil Disorder in Great Britain', TNA: PREM 19/484.

<sup>81</sup> *Ibid.*; Nott to Whitelaw, 16 July 1981.

<sup>82</sup> 'Latest Riot Outbreak in Moss Side', interview with James Anderton, 9 July 1981, London Broadcasting Company/Independent Radio News Digitisation Archive, British Universities Film & Video Council, <http://bufvc.ac.uk/tvandrado/lbc/index.php/segment/0015400395006> (last accessed 30 November 2014); Home Affairs Select Committee, 'Brief for a Debate'.

<sup>83</sup> Brain, *A History of Policing*, p. 69.

<sup>84</sup> *Police*, December 1981, 28-9, as cited in *ibid.*, pp. 69-70.

<sup>85</sup> *Daily Express*, 1 February 1983, as cited in Nally, 'Eyewitness in Moss Side', p. 61.

<sup>86</sup> Notes for supplementaries, (presumably for William Whitelaw), TNA: PREM 19/484.

<sup>87</sup> 'Meeting with the Chief Constable', 14 July 1981.

<sup>88</sup> Rickett to Walters, 13 July 1981.

demands for 'proper riot equipment'.<sup>89</sup> A number of incidents involving a proportionally small number of people led most authorities concerned with policing to swing wildly towards demands for increased equipment, regardless of their effect upon the deteriorating public perception of the police.

As Brain concluded, the violence of 1981 had caused the authorities to make a collective decision to alter its approach to public disorder.<sup>90</sup> This altered approach seemed to focus upon criminality and combat equipment and tactics to deal with outbreaks of disorder, rather than attempts to address the underlying causes:

Mrs Thatcher, not unnaturally, could not accept that unemployment was a root cause of the riots, for to have done so would be tantamount to undermining her whole social and economic philosophy, so her first response was to talk tough and prepare mothballed army camps in readiness for an anticipated stream of prisoners arising from future riots.<sup>91</sup>

Shadow Home Secretary Roy Hattersley summarised the opposition's view that, in such serious situations, use of imperfect means such as CS gas was 'infinitely better than the risk of death and injury'.<sup>92</sup> However he continued to warn that the strategy of calling for stronger powers for police 'wins cheap cheers, but it can have wide and potentially disastrous consequences'; which suggests that such a response, instead of improving the relationship between police and public through a wholly independent complaints procedure, played a role in the continuing disorders.<sup>93</sup> This was supported by John Alderson, who argued against the increased 'militarisation' of the police: 'We must not advance the police response too far ahead of the situation. It is even worth a few million pounds of destruction rather than get pushed too far down that road.'<sup>94</sup> This was not a widely held belief amongst the Conservative Government, with the

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<sup>89</sup> Basil Griffiths, 'One-Tier Policing', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 130.

<sup>90</sup> Brain, *A History of Policing*, p. 69.

<sup>91</sup> *Ibid.*, pp. 68-9.

<sup>92</sup> HC Deb 16 July 1981, vol. 8, c. 1406.

<sup>93</sup> *Ibid.*, c. 1407. Waddington later described the increasing 'militarisation' of the police as tending towards provoking rather than quelling public interest, which 'occurred without public debate or accountability': David Waddington, *Contemporary Issues in Public Disorder: A Comparative and Historical Approach* (London, 1992) p. 185.

<sup>94</sup> *The Sunday Telegraph*, 12 July 1981, as cited in Robert Reiner, *The Politics of the Police*, Fourth edition (Oxford, 2010) p. 86.

majority falling in line behind Thatcher's public pronouncement: 'We have to give the Police all the equipment and protection they want'.<sup>95</sup>

### **MOSS SIDE, MANCHESTER: 7-11 JULY 1981.**

Moss Side is an inner-city area of Manchester, which in the 1980s was home to a large Afro-Caribbean community and growing gang culture.<sup>96</sup> The level of unemployment in Moss Side, particularly for black youths, was deemed 'pretty grim'.<sup>97</sup> A former youth worker stated how many youths in the area seemingly had given up on life, with questions regarding the future being greeted with responses such as 'I can't think about the future' or 'I suppose I'll die eventually'.<sup>98</sup> This pessimistic outlook was one which can be seen in varying levels amongst many within the communities which saw outbreaks of disorder in 1980-81, and is telling of the mind-set of many of those participating in the violence. As discussed further in Chapter Seven, this also fits into a general trend for visions of disaster and apocalyptic trends which manifested in numerous television series and films during the period.

Rather than simply stating a need for more investment in the area, a general criticism was levelled that there had been a lack of consultation with local residents on what the area needed.<sup>99</sup> It was remarked that any local community centre or group was required to fall within the confines of the government, which limited their usefulness and impact due to the government's wish to remove issues of race from the mainstream political arena through such 'buffer institutions'.<sup>100</sup> Moss Side was a community containing many who were plainly disillusioned with the role and worth of British government, best illustrated by poor housing standards with stories emerging of residents presenting bottled cockroaches to the Housing Department protesting their living conditions.<sup>101</sup> Chief Constable of Greater Manchester Police James Anderton, who began his career as a constable in the area in 1953, described the architectural history of Moss Side:

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<sup>95</sup> Margaret Thatcher, 'Press Conference visiting Liverpool', 13 July 1981, Central Office of Information transcript, Thatcher MSS (digital collection), <http://www.margaretthatcher.org/document/104520> (last accessed: 1 July 2015).

<sup>96</sup> 'Killing Surprises Few in Moss Side', Nick Ravenscroft, *BBC News*, 11 September 2006, <http://news.bbc.co.uk/1/hi/england/manchester/5334510.stm> (last accessed 17 October 2014).

<sup>97</sup> Mr Chesham, 18 August 1981, Moss Side Enquiry Minutes of Evidence (MOE), John Stevenson's collection (JS).

<sup>98</sup> Interview with anonymous resident, Interviews About Moss Side Riots (MSI), JS.

<sup>99</sup> For example: Linbert Spencer, 23 August 1983, MSI, JS; Eloise Edwards, MSI, JS.

<sup>100</sup> Edwards, MSI, JS.

<sup>101</sup> *Ibid.*

An accidental ghetto of depressing slums and inadequate social amenities was replaced with an unimaginative development of high-rise flats of colossal magnitude. It seems the lessons and failures of urban redevelopment in the United States of America had not been learned or had somehow been ignored. The slums went but the ghetto mentality, unfortunately, remained.<sup>102</sup>

Similar to St Pauls and Brixton, Moss Side had a reputation for a high crime rate and, consequently, high levels of invasive policing. The Moss Side Defence Committee, established to provide financial aid to those arrested during and after the disturbances, argued that this 'myth of Moss Side' was believed by the police but rested largely upon 'implicit racist assumptions'.<sup>103</sup> They reasoned the result of this assumption was that policing of the area took place 'as if it were a dangerous, alien colony in an otherwise wholesome society'.<sup>104</sup> It is not hard to see why many from this community felt little alternative than collective violence against the police, as they felt they had been systematically excluded from British society and political participation over previous years.

Anderton, by this time having acquired a reputation for political views and a religious extremism that would intensify in future years, undertook tactics and expressed public opinions which did nothing to placate dissatisfaction of the local community. Even Whitelaw acknowledged Anderton was 'an individualist...well-known for his outspoken and controversial remarks'.<sup>105</sup> Martin Kettle and Lucy Hodges highlighted a speech Anderton had made in September 1980, in which he claimed that organisations concerned with race relations 'have been infiltrated by anti-establishment factions, one of whose aims is continuously to impede the police'.<sup>106</sup> Mike and Trevor Phillips further noted how he 'had never been patient with the idea of policing by consent'.<sup>107</sup> Anderton stated a desire to not 'exacerbate public feeling or create situations in which undue public hostility towards the police may be aroused', whilst simultaneously criticising that 'public opinion is often so ill-informed and ambivalent it is necessary occasionally for the police to take initiatives which, to

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<sup>102</sup> James Anderton, 'Police/Community Relations in a Multi-racial Society: An interim memorandum by the Chief Constable of the Greater Manchester Police', 31 July 1981, TNA: HO 266/136.

<sup>103</sup> Moss Side Defence Committee, 'The Hytner Myths: A preliminary critique of the Hytner Report', JS.

<sup>104</sup> *Ibid.*

<sup>105</sup> Whitelaw, *The Whitelaw Memoirs*, p. 248.

<sup>106</sup> *The Times*, 27 September 1980, as cited in Kettle and Hodges, *Uprising!*, pp. 95-6.

<sup>107</sup> Phillips and Phillips, *Windrush*, p. 363.

say the least, may not always attract immediate and popular approval'.<sup>108</sup> He believed that past experience had shown formal liaison committees between the police and local community were worthless, 'they tend to exist for their own sake and are guilty of too much profitless talk and too little positive action', hardly suggestive of a Chief Constable who believed it was his duty to be seen to be accountable to the local community.<sup>109</sup> Attempts in Brixton and Toxteth for such liaison had suggested improvements could be made, but such an attitude undermines the attempted liaison during the Moss Side disturbances discussed below. Whilst few seriously suggested the total removal of police from the area it was noted that, whilst impossible for police to do their jobs without upsetting some areas of the public, there was a limit to how much that public was willing to tolerate.<sup>110</sup>

As with many other areas of the country at that time, officers within Moss Side were often young and inexperienced. It was also noted that local officers were now less familiar to the community than previously as they were currently being provided housing outside of the Moss Side area, rather than within as was the case before.<sup>111</sup> As with both St Pauls and Brixton, an officer familiar and popular with the community had not been present when violence flared, having been relocated just two weeks before violence erupted; many people complained that 'when trouble brews up, the Community Contact Police isn't there it's the hard nosed ones that come'.<sup>112</sup> This lack of foresight that removing a popular community officer may cause discontent is reminiscent of St Pauls, where a raid was undertaken on the local officer's day off, and in Brixton, where the Community Liaison Officer went on weekend leave as a police presence swelled into the already tense area.

A march and a rally had been held in the area on 16 August 1980, protesting the perceived police harassment of black people and Bishop of Manchester Stanley Booth-Clibborn sent evidence to the Home Affairs

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<sup>108</sup> James Anderton, 'Police to Some Purpose', Address to the Manchester Luncheon Club, 14 June 1979, TNA: HO 266/136.

<sup>109</sup> Draft of a speech that James Anderton was going to deliver at the second Lord Hewlett Memorial Lecture in 1982 but was never made as was the event was cancelled, as cited in Michael Prince, *God's Cop: The Biography of James Anderton* (London, 1988) p. 117.

<sup>110</sup> Anonymous witness, 17 August 1981, MOE, JS.

<sup>111</sup> Edwards, MSI, JS.

<sup>112</sup> Jeffrey Wilner, 21 August 1981, MOE, JS; Mr Crawforth, Mr Murray and Mr Tench, 28 August 1981, MOE, JS.

Committee on 14 October 1980 warning of potential conflicts.<sup>113</sup> Community leaders had allegedly warned for numerous weeks of the likelihood of unrest due to allegations against the police and the impact of events elsewhere.<sup>114</sup> These warning signs were either ignored or went unnoticed and, as Eloise Edwards, Moss Side Defence Committee member, later summarised, the disturbances 'were an attempt from people in the area to put a lot of the wrongs to right'.<sup>115</sup> The police and local government had done nothing to convince the local community that any progress would occur for their situation within the existing framework of the British legal system; in their view they had no option but to resort to collective violence.

### **DISTURBANCES**

Following a weekend of disturbances in nearby Liverpool, the Manchester Town Clerk on Monday 6 July 1981 reviewed the City Council's emergency procedure if similar unrest occurred in Manchester.<sup>116</sup> This highlights the view that spreading disorder was probable and ultimately proved a wise precaution as disturbances began the following night when growing tension erupted into violence.

### **TUESDAY 7 JULY**

Barri Potter, a local community worker, stated he had received consistent accounts of police officers patrolling the area and taunting the local youth on Monday 6 and Tuesday 7 July.<sup>117</sup> The Moss Side Community Action Committee furthered this accusation into claims that officers were shouting that, unlike 'niggers' in Brixton and Liverpool, Moss Side black youth were 'too soft to riot'. Other accounts substituted officers for instead simply white civilians, but retained the similar taunting that 'there could never be a riot in Manchester'.<sup>118</sup> Whether or not such taunts originated from the police, it shows a clear dispersal and impact of events elsewhere to goad Moss Side residents to follow their example. The Action Committee also suggested that an older officer had been

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<sup>113</sup> Report of the Moss Side Enquiry Panel to the Leader of the Greater Manchester Council ('Hytner Report'), 30 September 1981, JS.

<sup>114</sup> Paul Horrocks, 'Moss Side Riots: The Night Exhilaration Turned into Raw Fear', *Manchester Evening News*, 8 July 2011, <http://www.manchestereveningnews.co.uk/news/greater-manchester-news/moss-side-riots-the-night-exhilaration-865079> (last accessed 21 October 2014).

<sup>115</sup> Edwards, MSI, JS.

<sup>116</sup> Town Clerk, 'Civil Disturbances in Manchester', 20 July 1981, TNA: HO 266/136.

<sup>117</sup> Barri Potter, MSI, JS.

<sup>118</sup> Moss Side Community Action Committee, Press Statement, Appendix B, 'Civil Disturbances in Manchester', 20 July 1981, TNA: HO 266/136.

heard a few weeks previously stating that, ‘although he was getting too old for “aggro”, the younger police officers were “itching for the opportunity to put their recent riot training into practice”’.<sup>119</sup> This accusation was repeated throughout the disorder that officers were ‘spoiling for a riot’ and such further escalation in antagonism without punishment was the final straw for a group of local black youths.

Disturbances began around 3am and involved around one hundred youths. Police reported that, between 3am and 3.30am: thirteen shops were damaged, three of which ‘absolutely gutted and destroyed by fire’; police and firemen were stoned and three police cars and two fire tenders damaged; and extensive looting had taken place.<sup>120</sup> It was noted that violence had started the same time as a crowd had emerged from the local Nile night club.<sup>121</sup> This was a popular venue for black people in the city shown by Benet Hytner, chairman of the subsequent local inquiry into the disorder, asking an eyewitness who had seen the crowd leaving the club that, if they were leaving the Nile, then ‘presumably they were all black were they?’<sup>122</sup> Unexpectedly for Hytner the answer to that supposition was no.<sup>123</sup> Patrick Paget, Councillor for Moss Side Ward, later noted that some had remained inside the Nile and were unaware of the disturbances, suggesting that it had not been widely disseminated inside the club that violence was planned.<sup>124</sup> This was consistent with elsewhere in suggesting that the disorder was not pre-planned, it was a violent reaction to immediate police action igniting increasing tensions. Mirroring earlier flashpoints which arose after some form of police activity, it was suggested that there was increased anger towards the police due to the alleged wrongful arrest of a number of youths on the Tuesday morning in connection with a supermarket raid some weeks previously.<sup>125</sup> However the police and official reports recorded that seven youths arrested that day were not actually detained until after the outbreak of disorder.<sup>126</sup> This is yet another example of a possible rumour

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<sup>119</sup> ‘Aggro’ is taken to mean aggravation. *Ibid.*

<sup>120</sup> ‘Latest Riot Outbreak in Moss Side’; ‘Civil Disturbances in Manchester’.

<sup>121</sup> James Anderton, ‘Serious Incidents of Public Disorder in Greater Manchester 8th to 12th July 1981’, 4 September 1981, Appendix 4B, ‘Hytner Report’; Anonymous witness #2, 18 August 1981, MOE, JS.

<sup>122</sup> George Malcolm Hudson, 19 August 1981, MOE, JS.

<sup>123</sup> Hudson, 19 August 1981.

<sup>124</sup> Patrick Paget, 19 August 1981, MOE, JS.

<sup>125</sup> Anonymous witness #2, 18 August 1981, MOE, JS.

<sup>126</sup> Anderton, ‘Serious Incidents of Public Disorder’.

feeding upon the inherent distrust and discontent of the police. Whether or not the seven had actually been arrested before the disturbance is not the point, the key fact was that many of the local black youth were willing to believe and challenge the police because of it; or, at the very least, it could be claimed as a possible motivation afterwards.

#### WEDNESDAY 8 JULY

The following day a press conference at the Greater Manchester Police headquarters saw Anderton describe the 'near anarchy and lunacy' of the previous night.<sup>127</sup> Considering the previous overwhelming focus upon these events in terms of criminality, this was not an unpredictable response. More constructive responses included various meetings held on Wednesday in an attempt to calm the situation and prevent further outbreaks. Firstly the Town Clerk met with representatives of the Manchester Council for Community Relations (MCCR) to inquire what assistance could be offered by the City Council and inform them that the Council Leader wished to meet with local community groups.<sup>128</sup> The MCCR, notably described by the Town Clerk as 'Community Leaders', stressed the need for a lack of police retaliation and low presence in Moss Side that night.<sup>129</sup> This can be seen as a consistent response with previous outbursts, identifying the police as a highly visible target for angry and discontented members of a marginalised group, and pleading for police to refrain from confrontationally 'swamping' the area with high numbers of officers. Although, as discussed further below, the idea that community leaders could truly represent the entire community is problematic to say the least.

#### *COMMUNITY MEETING*

The police appeared to have learned some lessons from the previous disorder and were keen to discuss, or at least be seen to be discussing, the situation with local community representatives. Therefore Divisional Commander Chief Superintendent Albert Leach arranged a meeting with local community leaders to discuss what could be done to prevent a recurrence of violence.<sup>130</sup> Anderton later stated that such a meeting was usual police procedure, as had occurred in Brixton, and aimed to employ older members of

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<sup>127</sup> Horrocks, 'Moss Side Riots'.

<sup>128</sup> 'Civil Disturbances in Manchester'.

<sup>129</sup> *Ibid.*

<sup>130</sup> Anonymous witness #2, 18 August 1981, MOE, JS; Wilner, 21 August 1981.

the local community to discourage younger members from repeating or escalating disturbances.<sup>131</sup> However, as discussed throughout, the 1980-81 disturbances appeared to provoke a contradictory response from different generations and the youth did not appear willing to listen to any attempts to discourage such violence. In the report of this meeting, at which he was initially not present, Anderton noted that the first concern of those present was the welfare of the youths arrested the previous day.<sup>132</sup> This was another sign of the level of distrust of the police at the heart of the disturbances as they believed it likely some harm had come to them at the hands of the police. A few minutes into the meeting approximately two dozen black youths arrived, described by Ronald Mitchell of the Acquarius Youth Club as representatives of the black youth of Moss Side.<sup>133</sup> Anderton's phrasing, that Leach 'had certainly not invited the youths', suggests the police did not want them present and perhaps belies subsequent claims that they were 'made most welcome'.<sup>134</sup> If there existed a new police willingness to meet and discuss policing with representatives of the local community, that seemingly did not extend to empowering the black youth actually affected by such measures. Indeed, despite the presence of these youths, Father Sumner of St. Wilfred's in Hulme noted he did not know any local young people aware of the meeting.<sup>135</sup> Hytner would later conclude that many difficulties arising during this meeting was due to these youths, who were demanding information regarding the arrested youths; just like their older counterparts, this was their first thoughts upon arrival.<sup>136</sup> Leach did not have all the requested information to hand, so left to make inquiries due to believing the meeting would not progress until after such information had been found.<sup>137</sup> Leach then left the meeting, tasking the head of the Police Community Contact Department and a Community Contact Inspector in Moss Side with beginning discussions.<sup>138</sup>

Leach stated that upon his return some twenty minutes later, he found that the meeting had begun to disintegrate and faced accusations that he had

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<sup>131</sup> James Anderton, 'The Truth about the Moss Side Meeting', 4 September 1981, TNA: HO 266/136.

<sup>132</sup> *Ibid.*

<sup>133</sup> *Ibid.*

<sup>134</sup> *Ibid.*

<sup>135</sup> Father Sumner, 20 August 1981, MOE, JS.

<sup>136</sup> 'Hytner Report'; Anderton, 'The Truth about the Moss Side Meeting'.

<sup>137</sup> Anderton, 'The Truth about the Moss Side Meeting'.

<sup>138</sup> *Ibid.*

refused to meet with community representatives.<sup>139</sup> The youths had left the police station and were allegedly complaining to assembled journalists that police officials had not met with them.<sup>140</sup> If Sumner's judgment is believed, then it must have come as a double insult for those youths who had not even heard about the meeting to further discover that the police had seemingly snubbed those actually present. Jeffrey Wilner, City Councillor for Moss Side Ward, reported that Leach was actually not present for forty-five minutes and caused many to leave the police station in exasperation.<sup>141</sup> Some of those present were sufficiently upset to claim a loss of confidence in Leach and even call for his resignation.<sup>142</sup> The level of previous discontentment and poor relationship between the police and local community had caused a relatively minor and commonplace occurrence to escalate into something much more, an apt comparison for how the majority of disturbances discussed originated.

The Hytner Inquiry pointed out it was unlikely that Leach would have personally arranged the meeting just then to deliberately alienate those present by refusing to actually meet.<sup>143</sup> No accusations of such have been found, but if it had been a police 'power play' to remind the community who were in charge, then it was vastly misjudged. The Hytner panel refused to make a judgement upon Leach's actual absence, simply stating that there were disagreements as to whether community leaders had been provided with an adequate explanation; but that 'rightly or wrongly' they had been offended by his absence.<sup>144</sup>

Despite Anderton's belief that they 'must have been aware of the reasons for the Chief Superintendent's absence', Deputy Chairwoman of the Greater Manchester Police Authority, Councillor Gay Cox suggested that Anderton's personal appearance was the only way to appease those present. Cox had previously visited Anderton at 10.30am that morning to discuss events, at which she had been duly informed of the later meeting.<sup>145</sup> It is likely she was disappointed to not discuss matters directly with Anderton and, regardless of later explanations, the seemingly routine dismissal of the local community's

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<sup>139</sup> *Ibid.*

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

<sup>141</sup> Wilner, 21 August 1981.

<sup>142</sup> 'Hytner Report'.

<sup>143</sup> *Ibid.*

<sup>144</sup> *Ibid.*

<sup>145</sup> Anderton, 'The Truth about the Moss Side Meeting'.

concerns by the police added to the discontent. Anderton arrived around 4.15pm and by 4.30pm some community representatives and youths had been persuaded to return to the meeting. Anderton stated that in the time between his arrival and the meeting restarting, Cox and Linbert Spencer, Director of Operations at the Greater Manchester Youth Association, privately advised him that, in order to repair the damaged police-community relations, a personal public apology must be made for that day's events and Chief Superintendent Leach must be relieved of his command as he had lost the confidence of the community. Anderton recorded being 'absolutely dismayed by this appalling proposition' and deemed Leach's proposed dismissal as 'brutal and irregular treatment'. He told Cox and Spencer that he 'would not crucify any of [his] officers in public to please or placate any disgruntled people', concluding in his report that, if this was an example of 'democratic community policy', then 'God help us!'<sup>146</sup> It is hard to imagine any police Chief Constable dismissing a Chief Superintendent based solely on suggestions from the local community, but such a strong reaction shows how far Anderton was from believing that the local community should have a say in the running of the police.

Anderton, along with Leach, did both offer personal apologies to the meeting but some still demanded a public apology be made through the press. Anderton believed this was evidence that some at the meeting were seeking 'a sacrificial lamb' but, in his words: 'they did not get one from me'.<sup>147</sup> This response seems in keeping from a Chief Constable known for personally supporting his officers, with it occasionally suggested that such support extended beyond available levels of evidence. Hytner concluded that, despite Anderton's belief that complaints about Leach were being made 'with malicious intent', they were no more than genuine concerns regarding the absence of a senior policeman in a time of emergency.<sup>148</sup> Anderton did not hesitate in believing this to be a sign of broader subversion of the police, indicative of his previous reactions to suggestions of police misconduct.

Although, sensing the discontent of the assembled group, Anderton did allow more access to the arrested youths than normal.<sup>149</sup> Similarly Wilner

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<sup>146</sup> *Ibid.*

<sup>147</sup> *Ibid.*

<sup>148</sup> 'Hytner Report'.

<sup>149</sup> Anderton, 'The Truth about the Moss Side Meeting'.

recorded that Anderton appeared very open to the suggestion of a low police profile, agreeing it was the correct course of action without having to be convinced by community leaders.<sup>150</sup> Hytner even suggested that this tactic was Anderton's own suggestion, whereas Nally instead stated he simply agreed to avoid 'excessive' policing as long as 'hotheads' were restrained.<sup>151</sup> Hytner indicated that the previous deployment of some of his officers during the violent Toxteth riots had affected Anderton's tactics, which were seemingly vindicated by three days of rioting in Manchester resulting in no officers requiring a stay in hospital.<sup>152</sup> This is another example of how there was a spread of not only violence but also tactics in both conducting and responding to the disorder, based upon previous experiences. A low-profile approach was supported by Cox, who later stated that she preferred to see windows smashed than policemen's heads.<sup>153</sup> Many disgruntled residents and business owners may well have later questioned whether she would have been quite as sympathetic if it had been her windows bearing the brunt of attack, but the low-profile approach had been agreed.

Anderton continued however that, if necessary, firm policing tactics would have to be employed to deal with emergencies, to which community leaders all reportedly agreed.<sup>154</sup> The general public perception of this arrangement was summed up by local schoolteacher Arthur Somerville Byfield, who told Hytner that 'community workers persuaded the Chief Constable to assume a low profile posture and a paucity of Police presence' but, once violence had flared up again, Anderton had 'no choice but to initiate firm Police action'.<sup>155</sup> Indeed Anderton drew praise from many areas for his handling of this meeting. Hytner went so far as to claim he should be 'warmly and unequivocally congratulated' and, thanks to him, 'the day was saved'.<sup>156</sup> The level of discontent felt towards the police and the simple fact that violent disturbances were still to occur after this meeting suggested otherwise; the immediate battle may have been won, but the war continued. Linbert Spencer, later Community Liaison Officer for Greater Manchester Council, sought to minimise the portrayal

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<sup>150</sup> Wilner, 21 August 1981.

<sup>151</sup> 'Hytner Report'; Nally, 'Eyewitness in Moss Side', pp. 55-6.

<sup>152</sup> *Manchester Evening News*, 10 July 1981; 'Hytner Report'.

<sup>153</sup> *Ibid.*

<sup>154</sup> Wilner, 21 August 1981.

<sup>155</sup> Arthur Somerville Byfield, 19 August 1981, MOE, JS.

<sup>156</sup> 'Hytner Report'.

of this meeting as a great success and claimed that police and governmental bodies overestimated the influence of community groups and leaders:

So if there is going to be a riot you call the six leaders in and say 'let's sort this out' and they go away and they stop the riot. Well the world isn't like that... [Police are] actually conferring on...again, 'community leaders' in quotes, this amazing amount of control.<sup>157</sup>

Nonetheless, a member of the Hytner Panel would later comment that the mere fact the police were willing to discuss the situation with local community leaders at all 'can only be good news'.<sup>158</sup> Indeed attendance at such a meeting implies community leaders wished to remain engaged with the political process and, if the local community had been made to feel more involved with the policing decisions regarding their own district, perhaps the level of discontent would not have reached the level of taking to the streets. Anderton's future actions and comments would lead some to reassess his intentions and motives during this meeting, including comments he made the next day which restored feelings of hostility and negated any goodwill fostered during the community meeting.<sup>159</sup>

Anderton's description of this meeting depended upon who he was addressing. His report submitted to the Hytner Inquiry labelled the meeting 'interesting and informative'.<sup>160</sup> He recorded that it was the community representatives who had stressed a desire to avoid an increased police presence in order to reduce the probability of confrontation, declaring their belief that they could 'control their own young people'.<sup>161</sup> However his report determined that, once disorder had recommenced and escalated into a confrontation at Moss Side Police Station, it was clear that community representatives had no such control which therefore necessitated a stronger police response.<sup>162</sup> On the other hand, in a paper presented to the Police Committee on 4 September also released to the press, Anderton alternatively viewed the meeting in less favourable terms and described it as 'a saga'.<sup>163</sup> Undoubtedly responding to criticism that his tactics had led to a lack of a

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<sup>157</sup> Linbert Spencer, 23 August 1983.

<sup>158</sup> Andrew Fender, 17 August 1981, MOE, JS.

<sup>159</sup> Wilner, 21 August 1981.

<sup>160</sup> Anderton, 'Serious Incidents of Public Disorder'.

<sup>161</sup> *Ibid.*

<sup>162</sup> *Ibid.*

<sup>163</sup> Anderton, 'The Truth about the Moss Side Meeting'.

required police presence during rioting, Hytner described his second account of the meeting as characterised by ‘unrestrained vigour’.<sup>164</sup>

Whilst Anderton had agreed to the suggested low-profile approach, he also believed that there was a desire from some to see the streets of Moss Side completely free of police. He also dismissed as nonsense the complaint that numerous officers present and visible within the police station yard were in effect tantamount to provocation. Simply put, Anderton did not understand or fully appreciate the fundamental distrust of the police that had led to such accusations he deemed ‘remarkable’.<sup>165</sup> Therefore it is unsurprising his response did not calm such mistrust. Anderton summarised that the ‘heavy pressure’ applied to him and his officers during this meeting was ‘out of all proportion to the problem’, seemingly missing the irony behind his words and possible parallels to policing tactics against the local community.<sup>166</sup> He recorded that at 5.45pm all the black youths left the meeting, linking this to reports less than an hour later of large numbers of young people present in the area. Clearly viewing the youths’ attendance at the meeting as some form of reconnaissance mission, he concluded: ‘I cannot help but feel that a guarantee of virtually unpoliced streets and an unprotected Moss Side Police Station suited and served some terribly ulterior purpose.’<sup>167</sup> Hytner detailed disappointment at this alternative account by Anderton of the meeting and whilst the panel believed, or at least publically stated that they believed, Anderton had not meant to imply that some community leaders were assisting the rioters, they criticised his phrasing which could be interpreted thus.<sup>168</sup> Anderton’s second account of this meeting was not one which appeared particularly amenable to an increased participation of the local community in political and policing matters.

Despite the police’s seeming willingness to address some of the community’s discontent, there was still a lack of understanding of the particular concerns and issues of the local community they represented. The meeting which was called in an attempt to avoid further violence was plainly not conducted with enough care to even avoid angering community leaders opposed to the violence and suggestions made to Anderton, except the low-

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<sup>164</sup> ‘Hytner Report’.

<sup>165</sup> Anderton, ‘The Truth about the Moss Side Meeting’.

<sup>166</sup> *Ibid.*

<sup>167</sup> *Ibid.*

<sup>168</sup> ‘Hytner Report’.

profile police presence addressed below, were at best ignored and at worst claimed as proof of some nefarious plot to undermine or deceive the police. Whilst the meeting had been called in an attempt to prevent a repeat of violence by improving police and community relations, the lasting legacy was to further the mistrust between police and members of the local community.

Whichever of Anderton's descriptions of the meeting is considered its main theme and seemingly positive outcome that a normal non-elevated police presence would remain in Moss Side was later believed to have actually been an active deceit. Many residents contested that rather than low-profile policing there had actually been 'no policing whatsoever' and an anonymous witness later claimed the police had agreed to the low-profile approach, but then 'didn't keep the bargain'.<sup>169</sup> The media's response, discussed in greater detail in Chapter Seven, was also criticised as it appeared to blame community leaders for the failure of low-profile policing and thus allowing Anderton to defend his subsequent more heavy-handed approach.<sup>170</sup> As Andrew Fender, County Councillor for Hulme & Moss Side, later summarised: 'The conclusion that the Police Force drew from that was that this so-called low-profile policing hadn't worked.'<sup>171</sup> It was claimed by many locals that such a conclusion had been the plan all along; further highlighting the lack of trust awarded the local police.

Hytner recorded this 'wild allegation, which we wholly discount,' that it was in fact a police policy to 'let Moss Side burn' in order to teach the community a lesson and endorse a more forceful police response.<sup>172</sup> Arnold Spencer was one to level such an accusation, stating the police wanted to 'let Moss Side burn just a bit before they could move in in their full riot strength'; the fact that such an accusation was made by a City Councillor was not insignificant.<sup>173</sup> Another anonymous witness seemed to suggest it was in fact government policy to instruct police to deliberately let the disturbances escalate through their absence.<sup>174</sup> As with other such accusations, the likelihood is that this was not the case; but the fact that people were willing to believe it clearly shows their view of the authorities. Hytner dismissed this accusation outright;

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<sup>169</sup> Arnold Spencer, 17 August 1981, MOE, JS; Mrs L. S., resident of Moss Side, MSI, JS.

<sup>170</sup> Mrs L. S., resident of Moss Side, MSI, JS.

<sup>171</sup> Fender, 17 August 1981.

<sup>172</sup> 'Hytner Report'.

<sup>173</sup> Arnold Spencer, 17 August 1981.

<sup>174</sup> Anonymous witness #3, 18 August 1981, MOE, JS.

for example when obtaining evidence from Chairman of the Greater Manchester Police Authority Councillor Peter Kelly, Hytner did not ask him to comment on the suggestion that police deliberately kept away to 'teach the blighters a lesson' as he believed it obvious what Kelly's answer would be.<sup>175</sup> To many in the local community believing such accusations, this was just another example of the authorities not adequately investigating their concerns and accusations. The allegation was also, unsurprisingly, fiercely denied by Anderton, who pointed to the fact that an average of 1,600 emergency calls were received at the height of each night's disturbances and any delay in police response was purely due to there being more emergency calls than officers able to attend.<sup>176</sup> The fact alone that Anderton had to include such a strong denial and explanation in his report of events shows how widely such a belief had permeated.

It is hard to seriously believe that it was a deliberate police ploy to 'let Moss Side burn' due, amongst others, to the possible consequences of such a policy becoming public knowledge. More plausible is the belief expressed by many that the events of Wednesday night were used to justify a more robust police response.<sup>177</sup> The Moss Side Community Action Committee accused Anderton, having recently stocked up on special riot equipment, of using the seeming failure of low-profile policing to 'embark on a calculated and brutal attack on the whole Moss Side Community'.<sup>178</sup> Eloise Edwards later supported this accusation, stating that the police 'had just bought this brand new riot gear [and] they were itching to try it out'.<sup>179</sup> Barri Potter summed up many people's feelings when he stated that Anderton 'knew darn well that the kids would riot that night no matter how many police were on the streets'.<sup>180</sup> In this assessment Anderton could have his cake and eat it. By agreeing to a reduced police presence on Wednesday night he could be seen willing to cooperate with the local community and, when disorder had continued regardless as he believed it would, he could use this failure to endorse a subsequent tougher police

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<sup>175</sup> Peter Kelly, 19 August 1981, MOE, JS.

<sup>176</sup> Anderton, 'Serious Incidents of Public Disorder'.

<sup>177</sup> This view was held by John Nicholson, Labour City Councillor for Rusholme, and he informed the Hytner Panel that it was shared by many others. John Nicholson, 26 August 1981, MOE, JS.

<sup>178</sup> Moss Side Community Action Committee, Press Statement, 20 July 1981.

<sup>179</sup> Edwards, MSI, JS.

<sup>180</sup> Barri Potter, MSI, JS.

response. Fender argued that the time taken for police to respond to incidents wasn't due to a low-profile approach, rather the deployment of reserve forces was far too slow; but that this was subsequently used as a 'red-herring' to argue an increased police presence was necessary.<sup>181</sup> Although Kelly countered that, especially following the reserves sent to Toxteth, gathering together large numbers of police officers takes time and it was this that had caused delays in response rather than any kind of predetermined police strategy to do so.<sup>182</sup> Anderton himself, clearly highlighting his views on the events, later suggested the police had been forced into harsher actions by the failure of the community: 'People must realise that when police have to resort to tougher tactics, it is generally the fault of the community and not of the struggling police. We should stop making excuses for conduct that is palpably wicked and nothing else.'<sup>183</sup>

The later Hytner Inquiry stated that as panel member Linbert Spencer had been present at this meeting they were unable to consider or comment upon such disputes.<sup>184</sup> This added another level of distrust and disillusionment for local people towards the inquiry as it appeared that the police's actions were not being adequately scrutinised. Whether the police had in fact deliberately 'let Moss Side burn' in order to then crack down with a more forceful police presence is rather a moot point; the important aspect is that such an immoral police tactic was widely deemed possible, if not even probable.

#### *FURTHER DISTURBANCES*

As has been alluded to, this meeting between the police and members of the local community did not prevent further disturbances from taking place. At 10.22pm on Wednesday night, approximately 300-1,000 youths attacked Moss Side Police Station.<sup>185</sup> Most of the windows were broken, nine police and seven private vehicles were damaged, and an unsuccessful attempt was made to ignite petrol spilled in the station yard.<sup>186</sup> Eye witnesses claimed to have seen a crowd, including some noted to have been outsiders to the area, being led towards the police station by a 9-year-old white boy.<sup>187</sup> Whilst some attempted

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<sup>181</sup> Fender, 17 August 1981.

<sup>182</sup> Kelly, 19 August 1981.

<sup>183</sup> Draft of speech, as cited in Prince, *God's Cop*, p. 117.

<sup>184</sup> 'Hytner Report'.

<sup>185</sup> 'Civil Disturbances in Manchester'.

<sup>186</sup> Greater Manchester Police, 'Serious Incidents of Public Disorder in the Moss Side area of Manchester, of Greater Manchester, the 8th to the 11th July 1981', 18 August 1981, MOE, JS.

<sup>187</sup> Anonymous witness #2, 18 August 1981, MOE, JS.

to attribute this to a particularly assertive youth, the Hytner Inquiry panel suggested the more probable conclusion that he was leading others simply because he knew the way.<sup>188</sup> Despite the accusations of outsiders coming into the area to cause trouble and having to be told where the police station was; the panel 'wholly reject[ed] the implication that the attack had in some way been planned in another city'.<sup>189</sup> This was supported by their connected conclusion that, for a group intending to storm a building, they seemed 'remarkably ill-prepared' and once their 'first and pathetically hopeless attack' had failed, they soon retreated when police reinforcements arrived.<sup>190</sup> This supports the analysis of these events as not having any real leadership, planning or structure; simply it was a collective outpouring of anger from some local inhabitants towards the police.

It was also suggested that this crowd had been attempting to free the seven youths arrested previously, although these were actually being held at nearby Platt Lane station.<sup>191</sup> Somewhat ironically, it was police reinforcements arriving from Platt Lane which soon ended the attack.<sup>192</sup> Mike Freeman, at that time a police officer for less than a year, recalled travelling from Platt Lane to Moss Side and how a relaxed police attitude that 'it was a bit of a giggle, a bit of a joke' was quickly replaced with fear once the van approached Moss Side Station and began to be hit by rocks and bottles.<sup>193</sup> A black youth involved in the attack allegedly proclaimed soon after: 'I'm here to see the pigs get theirs. They've done this for years. Now they know what it's like to be hit back.'<sup>194</sup> This can clearly be seen as how the focus of the anger was upon the police and their historic treatment of and attitude towards local black youths. The high level of discontent towards the police in Moss Side was summed up with Arnold Spencer recounting a meeting with a 61-year-old white Conservative-leaning man, who believed the attack upon the Moss Side Police Station was the best

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<sup>188</sup> *Ibid.*

<sup>189</sup> 'Hytner Report'.

<sup>190</sup> *Ibid.*

<sup>191</sup> Anonymous witness #2, 18 August 1981, MOE, JS.

<sup>192</sup> Dan Thompson, 'Moss Side People Were on OUR Side during Riots, Says Police Chief', *Manchester Evening News*, 8 July 2011, <http://www.manchestereveningnews.co.uk/news/greater-manchester-news/moss-side-people-were-on-our-side-865064> (last accessed 21 October 2014).

<sup>193</sup> 'Moss Side riots: "We Thought it Was a Bit of a Giggle, a Bit of a Joke...Then Rocks and Bottles Began to Hit Our Police Van"', *Manchester Evening News*, 4 July 2011, <http://www.manchestereveningnews.co.uk/news/greater-manchester-news/moss-side-riots-we-thought-864539> (last accessed 21 October 2014)

<sup>194</sup> Nally, 'Eyewitness in Moss Side', p. 57.

thing that had happened in years.<sup>195</sup> Whilst he had no sympathy for the rioters themselves, it was clear he approved of the action that had been directed against the police.<sup>196</sup> Such a reaction is noteworthy from someone with Conservative-leanings, who typically supported the party line of this being a breakdown of law and order, showing how widespread the antipathy towards the police existed in the area.

As Frederick Garside, Chairman of the Lloyd Street ward Labour Party, stated, it came as a surprise to many that this attack upon the police station was not a signal for a change in police tactics away from the low profile approach.<sup>197</sup> There were reportedly 600 officers waiting in reserve in Platt Lane Station, whereas Moss Side station contained only fourteen.<sup>198</sup> The police had reportedly begun to hear rumours of an attack earlier that afternoon and Superintendent Robin Oake recalled the decision to limit the number of police present in Moss Side in the face of a likely attack.<sup>199</sup> Possibly in keeping with the promised low police presence, this could also be seen as a protective method for limiting police casualties. However a different kind of tension materialised through negative reaction to the absence of police in the area during that evening's events. Robert William Goldsby, husband to the Moss Side Conservative Party candidate for the previous 5 years, complained that the local community's business owners had paid the price for Anderton proving he could keep a low profile.<sup>200</sup> Similarly Hytner noted the level of discontent regarding the lack of a police presence rose whilst looting was occurring.<sup>201</sup> An anonymous witness claimed that officers had informed local businessmen early on Wednesday that they should take steps to protect themselves as more disturbances would happen that night.<sup>202</sup> When asked why police wouldn't provide protection, officers allegedly replied: 'We don't want any confrontation direct with them. You have to protect your own property.'<sup>203</sup>

Evidence suggested that the few police officers that were present seemed to disappear soon after crowds of rioters arrived. Hytner refused to

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<sup>195</sup> Arnold Spencer, 17 August 1981.

<sup>196</sup> *Ibid.*

<sup>197</sup> Frederick Garside, 20 August 1981, MOE, JS.

<sup>198</sup> *Ibid.*

<sup>199</sup> Thompson, 'Moss Side People Were on OUR Side during Riots, Says Police Chief'.

<sup>200</sup> Robert William Goldsby, 20 August 1981, MOE, JS.

<sup>201</sup> 'Hytner Report'.

<sup>202</sup> Anonymous witness #3, 18 August 1981, MOE, JS.

<sup>203</sup> *Ibid.*

criticise this desertion as it was suggested they 'might have been in considerable danger if they had remained'; indeed, one Police Inspector was struck by a crossbow bolt during this time.<sup>204</sup> Also at around 10.40pm a police officer, described as very young and very afraid, was seen running down the street shouting at cafes and shops to close and leave as rioters were coming in that direction.<sup>205</sup> It was alleged that despite the police being warned earlier that evening that violence would occur, no protection against vandalism or looting was provided to the area for a two and a half hour period.<sup>206</sup> Hytner recorded that 'Much bitter comment' had been made regarding this absence, but stated that it had actually lasted only one hour or less.<sup>207</sup> In the same manner that Chief Constable Brian Weigh was roundly criticised for his withdrawal of officers during the St Pauls disturbances in 1980, such criticism further galvanised the government's response which focussed upon punishing participants and strengthening the police to ensure there would be no similar situations in the future.

'Eventually', in Hytner's words, the police arrived in numbers both on foot with riot gear and in vehicles.<sup>208</sup> A large crowd gathered to oppose the police and, despite no attempt by the police to disperse them, a number of officers allegedly charged into the crowd soon followed by the entire police line. As Hytner concluded, it is almost impossible to believe that this charge focussed its forcefulness solely against those who had warranted it.<sup>209</sup> Furthermore a large amount of evidence suggested that police vehicles drove at high speed into crowds in an attempt to disperse them, likely a tactic copied from Northern Ireland examples. A number of witnesses, when asked by the Hytner Panel whether this was a clever manoeuvre or a reckless and dangerous approach, recounted numerous stories of people desperately diving away from oncoming police vans.<sup>210</sup> When questioned what would have happened if someone had been unable to get out of the way of the oncoming vehicles, Arnold Spencer responded: 'Well, I think, tough; they would have been

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<sup>204</sup> 'Hytner Report'; Greater Manchester Police, 'Serious Incidents of Public Disorder'.

<sup>205</sup> Shakir Hussain, 27 August 1981, MOE, JS.

<sup>206</sup> Note of a City Council meeting with representatives of the Manchester Council for Community Relations, and West Indian and Asian Communities in Manchester, 16 July 1981, TNA: HO 266/136.

<sup>207</sup> 'Hytner Report'.

<sup>208</sup> *Ibid.*

<sup>209</sup> *Ibid.*

<sup>210</sup> Arnold Spencer, 17 August 1981; Sumner, 20 August 1981.

dead, I guess.'<sup>211</sup> If those participating in collective violence to protest their situation and police treatment had believed that such dangerous and seemingly uncontrolled tactics were to be punished by investigations into events, they were to be disappointed. Hytner later in fact determined it was foolish for residents to be confronting the assembled police in the first place, as they had increased the mood of confrontation.<sup>212</sup> It was nevertheless conceded that, had the police made an appropriate attempt to disperse the crowd initially, many may have vacated the streets.<sup>213</sup> It is likely that many would have nevertheless remained and faced the police's charges but, without even attempting to disperse the crowd before heavy-handed tactics led officers to drive cars directly towards them, this showed the extent of the police's tactics and opinions.

#### THURSDAY 9 JULY

A further meeting was held on the morning of Thursday 9 July, between local government officials and community representatives, also hoping to alleviate tensions.<sup>214</sup> This meeting similarly did not prevent further disturbances, but this time the police actively engaged immediately with those on the streets. Merseyside Chief Constable Kenneth Oxford later explained how traditional police tactics of lines of officers using riot shields to attempt to disperse large crowds had proven to be 'completely and utterly ineffective in the face of the tactics adopted by the protagonists in 1981'.<sup>215</sup> Therefore, as opposed to lines of static officers with plastic riot shields which provided rioters a target for violence, Anderton instead advocated the use of officers in vans to increase police speed and mobility and to target influential rioters.<sup>216</sup> Eyewitness Michael Nally estimated that around thirty vans, alongside various other police vehicles, attempted to break up groups of people and force others to retreat indoors.<sup>217</sup> R. W. Apple Jr described this approach of dispersing small groups of people as being a response after previous tactics had failed elsewhere, 'resulting in hundreds of injuries to policemen'.<sup>218</sup>

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<sup>211</sup> Arnold Spencer, 17 August 1981.

<sup>212</sup> 'Hytner Report'.

<sup>213</sup> *Ibid.*

<sup>214</sup> 'Civil Disturbances in Manchester'.

<sup>215</sup> Oxford, 'Policing by Consent', p. 123.

<sup>216</sup> Anderton, 'Serious Incidents of Public Disorder'.

<sup>217</sup> Nally, 'Eyewitness in Moss Side', p. 59.

<sup>218</sup> Apple, 'New Riots Sweep England's Cities', 11 July 1981.

Anderton later detailed that his tactics were indeed influenced by previous injuries inflicted upon officers, particularly personal experience in Toxteth, and that similar high levels of police casualties 'simply could not be tolerated' in Manchester.<sup>219</sup> As discussed previously, this highlights how it was not only the disturbances themselves which spread around the country but that police tactics and general response evolved due to the spread and experience of disorder. Whitelaw stated publically that he gave his 'fullest support' to Anderton's tactics and that they had been a 'conspicuous success'.<sup>220</sup> A Home Office note recorded how riot damage was less extensive on Thursday due to the 'more positive approach of the police following the disappointing result of their "softly softly" approach of the previous evening'.<sup>221</sup> However Fender criticised the move towards 'very heavy-handed' police tactics, which flooded the area with officers 'swooping onto people indiscriminately as they walked the streets...whatever a situation is, that can't possibly contribute to policing in a civilised society'.<sup>222</sup> Moreover Mike and Trevor Phillips later deemed this 'a watershed in police violence', describing how fifty-four vans full of 'snatch squads', influenced by tactics used previously in Northern Ireland, were sent 'speeding through the area...to crack heads and drag their targets away'.<sup>223</sup>

This further shows the prevalence of a Northern Ireland influence as the rioters in England were equated with the prolonged violence that had been seen there and the same tactics were used in order to combat them; indeed six senior English police officers would later visit Northern Ireland on 14 July to discuss riot control and, in Robert Reiner's description, learn lessons from the 'success' of Royal Ulster Constabulary tactics.<sup>224</sup> If the Home Office note detailed the reduced riot damage due to employing such tactics, it did not reference the further negative impact that such tactics had upon relations between the police and members of the local community. Many believed that their collective violence was a legitimate political protest against a police force

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<sup>219</sup> Anderton, 'Serious Incidents of Public Disorder'.

<sup>220</sup> Apple, 'New Riots Sweep England's Cities', 11 July 1981.

<sup>221</sup> P. J. Honour to Mr Halliday, 10 July 1981, TNA: PREM 19/484.

<sup>222</sup> Fender, 17 August 1981.

<sup>223</sup> Phillips and Phillips, *Windrush*, pp. 363-4.

<sup>224</sup> 'The July Riots', State Research Bulletin, no. 25 (August-September 1981), <http://www.statewatch.org/news/2011/aug/uk-july-uprisings-1981-state-research.pdf> (last accessed 13 November 2014); Reiner, *Politics of the Police*, p. 86.

and system which had failed them, to which they were greeted with snatch squads and increasingly aggressive tactics.

#### FRIDAY 10 JULY

Repeating Brixton and Toxteth before it, Friday 10 July saw a visit to Moss Side by Whitelaw who told reporters the disturbances had resulted from feelings of 'hopelessness' and 'social alienation' from the local youth, in addition to a Conservative favourite description of 'criminal hooliganism'.<sup>225</sup> Although he did not meet with representatives of local community groups during his visit, he indicated a willingness to do so in the future.<sup>226</sup> Consequently his appearance was criticised as a 'flying visit' and that community leaders had not been given adequate time to arrange a meeting.<sup>227</sup> Whereas it had been noted important in other locations to engage and listen to the local community, at this point Whitelaw did not feel it essential to take such action; undoubtedly disappointing many. Thus the Manchester Council for Community Relations later arranged for 28 community leaders to travel to London to meet Whitelaw who repeatedly asked whether there were demands to remove Anderton, to which the leaders explained the only criticism of him was linked to general criticism of the police.<sup>228</sup> Such questions are telling and highlight the reputation Anderton had gained by this point that Whitelaw thought many from the local community may be calling for his dismissal. Alternatively, Whitelaw may have been personally wishing for a reason to remove this controversial and politically active Chief Constable.

Whitelaw telephoned Thatcher the day after his visit and, seemingly disregarding the incident at the police station and evidence that anti-police feeling had been behind the disturbances, he informed Thatcher that the Moss Side disturbances had been characterised by 'looting and hooliganism, rather than confrontation with the police'.<sup>229</sup> He deemed the low-profile police tactics requested by the community 'a complete failure', also claiming that community leaders had since admitted as much to Anderton.<sup>230</sup> He believed the 'relatively little trouble' which greeted a saturated police presence the following night,

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<sup>225</sup> Apple, 'New Riots Sweep England's Cities', 11 July 1981.

<sup>226</sup> 'Civil Disturbances in Manchester'.

<sup>227</sup> Martin Bobker, MSI, JS.

<sup>228</sup> *Ibid.*

<sup>229</sup> Rickett to Walters, 13 July 1981.

<sup>230</sup> *Ibid.*

'showed the need for decisiveness on the part of the police'.<sup>231</sup> Unsurprisingly from this reading of events, and fitting with the general establishment response to other outbreaks of disturbances, he believed the top priority was thus to ensure that the police were necessarily equipped to deal with such disorder. This included the threat of water cannon, 'even if it was unlikely to be used in practice', and the possibility of arming the police.<sup>232</sup> This is one of the most obvious examples of how the response at the very highest levels of government ignored the actual discontent behind the collective violence and instead focussed purely upon the criminality of the largely unrelated looting which followed. The problem was of maintaining law and order, so the answer was supplying the police more equipment to do so.

#### THE END OF DISTURBANCES

After sporadic incidents of violence on Friday 10 and Saturday 11 July, the disturbances came to an end. Over the period of some five days in Moss Side 135 people had been arrested for criminal offences and 106 for public order offences, 18 officers were injured of which nine required hospital treatment and 130 days total of sick leave were taken, and damage to vehicles, police station, and police uniforms and equipment totalled over £10,000.<sup>233</sup> Echoing other disturbances around the country, the vast majority of those arrested were aged between seventeen and twenty-four and, despite the accepted stories and media reports suggesting otherwise, the majority were white rather than black.<sup>234</sup> Similarly as with previous examples it was noted that violence was directed against specific targets, or at least had attempted to be, and fire officers recorded that the majority of hostilities from the crowd was directed towards the police, rather than the fire service.<sup>235</sup> Some even attempted to stop the subsequent looting, reasoning that it was shifting focus away from the main anti-police sentiment and was turning neutral locals and media against them.<sup>236</sup> As this had been the case in previous disturbances, it can also be viewed as an attempt from those participating in collective violence to adapt and make sure that their protesting voices were not drowned out by

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<sup>231</sup> *Ibid.*

<sup>232</sup> *Ibid.*

<sup>233</sup> Anderton, 'Serious Incidents of Public Disorder'.

<sup>234</sup> *Ibid.*

<sup>235</sup> Divisional Officer P. G. Legge, 17 August 1981, MOE, JS.

<sup>236</sup> Nally, 'Eyewitness in Moss Side', p. 57.

subsequent looting. Unfortunately for them, the main focus from many remained upon the criminality aspect.

The immediate reaction of many to the disorder was to point to the extremes that people felt they had to go to in order to make their voices heard. A local social worker claimed more riots may be needed, as they were the only thing which produced results.<sup>237</sup> As an anonymous witness told the Hytner Panel; 'Look what it's taken to get people like you here to make any inquiry and perhaps listen'.<sup>238</sup> With echoes of previous events, it was noted that a feeling amongst the youth was that through this uprising they had made something happen and, possibly for the first time, forced a reaction: 'Their actions had been seen to be significant'.<sup>239</sup> H. Warm, District Inspector for Manchester Education Committee, later summarised that the disturbances reflected the local community's new ability to tell authority that they did not know what was best for them, that they were going to do so themselves.<sup>240</sup> Thus the collective violence of the disorder can be viewed within a broader range of political responses to achieve an increased level of attention and participation in the political arena for this previously marginalised societal group.

## **CONCLUSION**

After the violence of Brixton had ended and Lord Scarman was beginning his investigations, numerous other locations saw disorder spread to within their borders. Some three months had passed between Brixton and the July disturbances but increased tensions from that example undoubtedly played a role in the summer violence. Also the knowledge that Brixton's collective violence had resulted in a judicial inquiry undoubtedly encouraged others to employ such methods to attract similar attention and resources to their own situations. The main focus from the authorities remained on law and order and criminality and, consequently, new methods of police tactics and equipment were utilised such as the first use of CS gas within Britain during Toxteth and Northern Ireland-inspired 'snatch squads' in Moss Side. Scarman's ongoing inquiry into Brixton was widened to purportedly include examination of these further disturbances, but in reality he was not able to include much more than

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<sup>237</sup> Charlie Harries, MSI, JS.

<sup>238</sup> Anonymous witness, 17 August 1981, MOE, JS.

<sup>239</sup> Anonymous Moss Side teacher, MSI, JS.

<sup>240</sup> H. Warm, MSI, JS.

basic discussion of some of these events. Thus a local inquiry was established by the Manchester County Council but, as elsewhere, this was boycotted by local organisations who believed that such an inquiry was not adequate for investigation of the matter. This will be discussed in the following chapter, alongside the publishing and reception to the Scarman Report, as well as the overall reaction to events more generally.

## **CHAPTER SEVEN**

### **TAKING STOCK: HYTNER AND SCARMAN**

After violence had spread around the country in July 1981, even the most ardent believers could no longer claim that St Pauls or Brixton were isolated local incidents that bore no broader significance for black communities in Britain. However there remained an overwhelming response from some quarters to focus reaction and recommendations exclusively upon ideas of criminality, law and order, and intensified police tactics and equipment. For those involved in initial uprisings, attempting to finally force the authorities to address issues they faced on a day-to-day basis, their hopes rested largely upon a small number of inquiries that promised to consider why the events had occurred. Accordingly this chapter discusses in detail the Hytner Report into the Moss Side disturbances, the Scarman Inquiry which was subsequently expanded to consider all the July disorders, and the overall reaction to events which had occurred throughout 1980-81.

#### **HYTNER REPORT, MOSS SIDE**

Soon after the Moss Side disturbances, the Manchester City Council resolved to request the Home Secretary extend the Scarman Inquiry to consider events in Manchester or, if not possible, to establish another similar independent inquiry.<sup>1</sup> Town Clerk J. Hetherington emphasised the importance of an inquiry into complaints and allegations against the police which, most importantly, needed to be seen by all to be independent and impartial.<sup>2</sup> The Greater Manchester County Council (GMC) agreed that a local independent inquiry was needed and, as such, declined to submit any observations to Scarman.<sup>3</sup> This was a similar response to the Bristol Council for Racial Equality's refusal to submit evidence to the Select Committee on Home Affairs. Whilst their tactic was undertaken to continue demands for a public inquiry into St Pauls, the GMC instead believed that a local inquiry would better examine the specific case of Moss Side. Both circumstances resulted in the scarce official inquiries not receiving all possible important evidence for their investigations. The GMC subsequently established a local inquiry chaired by

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<sup>1</sup> J. Hetherington to P. J. C. Mawer, 4 August 1981, The National Archives (TNA): HO 266/136.

<sup>2</sup> J. Hetherington to Home Office, TNA: HO 266/136.

<sup>3</sup> G. A. Harrison to P. J. C. Mawer, 30 July 1981, TNA: HO 266/136.

Benet Hytner QC, a decision outwardly supported by the Greater Manchester Police Authority.<sup>4</sup> Hytner was chosen due to being a local and distinguished crown court recorder with a reputation for having a social conscience.<sup>5</sup> However the City Council resented not having been consulted or involved in establishing this inquiry, as they believed it fell within their jurisdiction.<sup>6</sup> City Council leader Norman Morris somewhat petulantly claimed the inquiry had ‘started nowhere and it’s going nowhere’.<sup>7</sup> On top of the issues of a supposedly full and independent inquiry immediately alienating the City Council, it is not hard to see how sections of the local community lost faith in the local forms of government when they appeared more concerned with bickering amongst themselves.

Similarly to Scarman, this inquiry’s terms of reference was to examine the circumstances leading to disorder, the manner they were dealt with, and recommendations to avoid reoccurrences.<sup>8</sup> Upon opening inquiry proceedings however, Hytner stressed that it was an investigation constituted by the GMC into the immediate causes of the disturbances, rather than an examination of the underlying conditions.<sup>9</sup> As with other cases, this immediately threatened to overlook the collective accumulation of tensions and discontent at the heart of the disturbances. Again mirroring previous examples he also dispelled any hope of this inquiry addressing specific allegations of police misconduct, arguing that they could not provide the strict safeguards that ‘basic fairness and justice’ required for such accusations; despite ‘basic fairness and justice’ appearing exactly what many of those with accusations of police misconduct were hoping this inquiry would have provided.<sup>10</sup> Hytner noted the police had accepted the panel’s request not to attend public hearings unless invited, in an attempt to encourage participants to provide evidence without fear of personal

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<sup>4</sup> Peter Kelly, 19 August 1981, Moss Side Enquiry Minutes of Evidence (MOE), John Stevenson’s collection (JS).

<sup>5</sup> Benet Alan Hytner QC was called to the Bar in 1952. He was a Crown Court Recorder 1971-1996, Deputy High Court Judge 1974- 1997, and Judge of Appeal, Isle of Man 1980 – 1997. Dan Thompson, ‘Moss Side Riots: The Struggle to Find a Way Through Troubled Waters’, *Manchester Evening News*, 6 July 2011, <http://www.manchestereveningnews.co.uk/news/greater-manchester-news/moss-side-riots-the-struggle-to-find-864796> (last accessed 21 October 2014)

<sup>6</sup> *Ibid.*

<sup>7</sup> *Ibid.*

<sup>8</sup> Benet Hytner, ‘Report of the Moss Side Enquiry Panel to the Leader of the Greater Manchester Council’ (‘Hytner Report’), 30 September 1981, JS.

<sup>9</sup> Benet Hytner, 17 August 1981, MOE, JS.

<sup>10</sup> *Ibid.*

repercussions.<sup>11</sup> However the police rejected the inquiry's later invitation for questioning, with the local inquiry incapable of making such attendance compulsory.<sup>12</sup> Chief Constable James Anderton indicated he did not believe it was right, 'in view of the statutory relationship between himself and the Police Committee that he should be expected in any way to answer criticisms made to or by' the Hytner Inquiry.<sup>13</sup> In a blunter statement reported in the press, Anderton deemed it 'plainly ridiculous' and 'too intolerable' for a Chief Constable to address the inquiry's 'petty comments'.<sup>14</sup> The effect such a response had upon those who had taken to the streets in desperation because their 'petty comments' were not being addressed through normal democratic means is not difficult to envisage.

Jeffrey Wilner, City Councillor for Moss Side Ward, accused Anderton of complacency and the published Hytner Report admitted being 'disappointed' by his response, despite expressing they understood his position and in no way resented this refusal to attend.<sup>15</sup> Hytner also noted that the panel were 'dismayed' to learn at an early stage the level of hostility felt towards police from the local youth.<sup>16</sup> If the inquiry panel were so downhearted about the declared relationship between the police and local youth, it is difficult to see why they did not resent the police's refusal to attend their inquiry. Hytner later conceded it would have clearly been helpful if Anderton had cooperated, but that he did not believe this absence prevented the inquiry from uncovering the facts.<sup>17</sup> It is clear that this view was not shared by everyone; indeed many questioned how the truth could be reached or accountability obtained when the police had not answered questions or faced accusations against them. During the inquiry Hytner recited a report submitted by Anderton and, wishing to 'avoid disappointment to avoid provoking another riot', assured the assembled public that the police version of events would not go unchallenged.<sup>18</sup> This apparent understanding of the level of local discontent and hostility towards the police did not seem to result in a relative extent of police criticism in the completed report.

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<sup>11</sup> *Ibid.*

<sup>12</sup> Benet Hytner, 19 August 1981, MOE, JS.

<sup>13</sup> 'Hytner Report'.

<sup>14</sup> Thompson, 'Moss Side Riots'.

<sup>15</sup> Jeffrey Wilner, 21 August 1981, MOE, JS; 'Hytner Report'.

<sup>16</sup> 'Hytner Report'.

<sup>17</sup> Thompson, 'Moss Side Riots'.

<sup>18</sup> Hytner, 18 August 1981, MOE, JS.

Indeed during proceedings Hytner often appeared sympathetic to the local community's situation and difficulties, such as requesting during hearing evidence that people of West Indian origin born in the area were no longer reductively referred to as West Indians.<sup>19</sup> It is likely that such a gesture made some, feeling entirely alienated from British society, feel a bit more welcome. Furthermore when, on more than one occasion the panel received testimony blaming the disorder solely on 'black immigrants who don't know how to behave', Hytner dismissed such accusations out of hand, declaring that authors of 'that sort of rubbish' were 'talking through their hat'.<sup>20</sup> Similarly the report described some evidence as being submitted to the inquiry by 'pathetic, old or sick people' who blamed black immigration and demanded deportations, but the panel rejected these 'scurrilous allegations'. However, they did report being heartened that those espousing such prejudices usually felt the need to do so anonymously.<sup>21</sup> Despite these seemingly positive aspects and attitudes emerging during the inquiry, black communities still faced having their futures decided by those not living through their situations and Hytner's appointment and the inquiry itself had not been universally liked or accepted. A picket line protested outside the inquiry during the open hearing sessions, and an angry member of the public threw a jug of water over Hytner.<sup>22</sup> Although this was regarding an unrelated high court case, it was used as a metaphor for the reaction of some towards the inquiry itself.

#### DEFENCE COMMITTEE BOYCOTT

Following the disorder a group of local people had established the Moss Side Defence Committee to help young people arrested during and after the disturbances, giving lectures and talks to various unions and organisations to raise money for fines and legal fees.<sup>23</sup> Its formation and name followed the example of the St Pauls Defence Committee the previous year; it was not however named, as a local youth worker seemingly believed, because the Moss Side community needed to defend itself against the police.<sup>24</sup> Whether this was genuine confusion or a pointed comment is unknown, but the fact that anyone could suggest the local youth needed an organisation to defend itself against

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<sup>19</sup> Benet Hytner, 20 August 1981, MOE, JS.

<sup>20</sup> *Ibid.*

<sup>21</sup> 'Hytner Report'.

<sup>22</sup> Thompson, 'Moss Side Riots'.

<sup>23</sup> Eloise Edwards, Interviews About Moss Side Riots (MSI), JS.

<sup>24</sup> Dorothy Lewis, 20 August 1981, MOE, JS.

the police is illustrative of the views of many within the local community. The Defence Committee also called for a public inquiry prior to the Hytner Inquiry being established, but committee member Eloise Edwards later lamented: 'Where we fell down again was that we should have stated the way how we wanted that enquiry to go.'<sup>25</sup> Despite the GMC discussing potential inquiry members with the Defence Committee, they were not granted any further involvement and subsequently informed the GMC that they disagreed with the inquiry's format and would boycott it. Following a number of public meetings this threat was carried out when changes satisfactory to the Committee's desires, such as immunity from prosecution for witnesses, were not implemented in the inquiry.<sup>26</sup>

It was noted that 'genuine belief' existed within the boycotters that 'the ordinary legal system isn't going to help them, that the courts aren't doing their jobs properly'.<sup>27</sup> This is consistent with years of growing disillusionment with British authorities which had led to collective violence. Others simply did not believe the inquiry was the most effective way of addressing inherent problems. For example, one witness claimed most people already knew the police were to blame and the inquiry was another waste of time and money which could be spent solving the problems in Moss Side.<sup>28</sup> Another went further and accused Hytner of actually being paid by the police to cover up their misconduct.<sup>29</sup> Whilst such an accusation is highly questionable, again the mere suggestion is telling of a widely-existing belief that the legal system was being manipulated to protect the police's wrongdoings.

This situation resonates with other examples seen throughout this thesis. Such inquiries and investigations that were established into events, despite seemingly answering the calls and pleas of many from the local community, were not trusted by large sections of those communities or believed to be fair or actively supporting their interests as they originated from the same authorities whose perceived legitimacy had been eroding for years. Therefore they were often boycotted or not enthusiastically supported which undoubtedly affected their findings, regardless of the attempted spin placed upon them by the

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<sup>25</sup> Edwards, MSI, JS.

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

<sup>27</sup> Wilner, 21 August 1981.

<sup>28</sup> Unknown, 21 August 1981, MOE, JS.

<sup>29</sup> Kelly, 19 August 1981.

authorities. This dichotomy shows the range of political responses employed by this marginalised group to achieve increased participation within the British system.

Hytner expressed disappointment at the boycott and, alongside GMC's Labour leader Bernard Clarke, offered to meet the Defence Committee before the inquiry began.<sup>30</sup> Hytner further appealed to them to provide valuable evidence despite their thinking it could not achieve anything: 'if there is evidence that the Chief Constable has not pursued honestly, in the past, complaints of Police conduct, then all I can say is that those who suppress that evidence must be his very best friends'.<sup>31</sup> Whilst this must have been a logical and persuasive argument in Hytner's mind, its failure to convince the boycotters shows the level of distrust which existed. Similarly panel member Linbert Spencer claimed the danger of boycotting was that the police could later claim the local community had opportunities to voice their discontent, but that their silence could be used by the police to justify 'cart blanche to do what [they] want'.<sup>32</sup> Many, especially those who had taken to the streets to protest, believed this situation already existed and a local inquiry would not alter that. Chairman of the Lloyd Street Ward Labour Party, Frederick Garside, called the Defence Committee 'blind' and argued that their refusal to provide evidence to the inquiry was a sure way for it to not achieve anything.<sup>33</sup> An anonymous witness further criticised the Defence Committee's boycott, questioning: 'Who the hell's defending if they're going to walk out of here and not say anything?'<sup>34</sup> Others conversely claimed the Committee was not actually representative of the community and that initial exuberance towards it had quickly faded.<sup>35</sup> This again highlights the problematic characterisation of 'community leaders', whether such organisations actually represented the views of the local community, and if they themselves were any more accountable to the general populace than the authorities.

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<sup>30</sup> 'Benet Hytner and Bernard Clarke to Meet Moss Side Defence Committee', 20 August 1981, London Broadcasting Company/Independent Radio News Digitisation Archive (LBC/IRN), <http://bufvc.ac.uk/tvandrado/lbc/index.php/segment/0016100442011> (last accessed 30 November 2014).

<sup>31</sup> Hytner, 17 August 1981.

<sup>32</sup> Linbert Spencer, 23 August 1983, MSI, JS.

<sup>33</sup> Frederick Garside, 20 August 1981, MOE, JS.

<sup>34</sup> Anonymous witness, 17 August 1981, MOE, JS.

<sup>35</sup> Garside, 20 August 1981; Barri Potter, MSI, JS.

Despite the media highlighting low attendance at the inquiry, suggested by Hytner to be evidence the local community believed further disorder would not materialise, the panel recorded pleasure that boycotters were reportedly still attending public hearings as it would allow them to personally judge the impartiality of proceedings.<sup>36</sup> The very fact of the boycott itself was noted by Hytner as clear evidence of the lack of trust in local authorities, and the panel questioned whether it was an indication that no useful dialogue could occur between the police and local community.<sup>37</sup> On at least one occasion a local Councillor, after providing evidence to the inquiry himself, immediately implored the Defence Committee to attend, to no avail.<sup>38</sup> The boycott was a clear sign of the strength of feeling and a lack of confidence in the inquiry, despite calls having been made for such investigation. Conversely the published report claimed that the Defence Committee's boycott actually aided the inquiry as it thus avoided claims that allegations of police conduct were coming solely from those branded 'enemies' of the police.<sup>39</sup> Whilst this may have been true to a degree, the lack of detailed information and allegations undoubtedly weakened the final report. Hytner believed the most damaging aspect of the boycott was a lack of constructive recommendations for the future.<sup>40</sup> Panel member Linbert Spencer later considered the boycott 'sad and counter-productive' and that, had they attended and provided evidence of negative police activities, such testimony might have been damning.<sup>41</sup> This inquiry, however, was not deemed sufficiently effective or impartial by the boycotters for such evidence to be presented to it.

#### PUBLISHED REPORT

After three weeks of collecting evidence, the Hytner Inquiry had received oral evidence from seventy witnesses in public and over fifty more in private, received almost 100 letters, and visited seven institutions. The report boasted how after visiting local youth they 'were rewarded at the end with a rousing cheer', which gave the panel 'the impression that they were not often asked for

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<sup>36</sup> 'Hytner Tribunal Investigates Riots on Moss Side', 1981, LBC/IRN, <http://bufvc.ac.uk/tvandrado/lbc/index.php/segment/0016100442011> (last accessed 30 November 2014); Hytner, 19 August 1981, Wednesday, MOE, JS.

<sup>37</sup> Garside, 20 August 1981; Arnold Spencer, 17 August 1981, MOE, JS.

<sup>38</sup> Garside, 20 August 1981.

<sup>39</sup> 'Hytner Report'.

<sup>40</sup> *Ibid.*; Wilner, 21 August 1981.

<sup>41</sup> Linbert Spencer, 23 August 1983.

their views on anything'.<sup>42</sup> This nonetheless did not lead to the level of political participation likely desired by those local youths. The published report began by calling such an inquiry an 'unsuitable body to answer a number of the questions implicit in our terms of reference', pointedly highlighting this had been expressed repeatedly to the GMC throughout, and that Scarman's Inquiry would address such questions.<sup>43</sup> It was suggested that some perceived deficiencies of the Report were due to its being addressed to the Policy Committee of the GMC, rather than the Police Authority or the police themselves.<sup>44</sup> Similar to accusations that Scarman's Inquiry was incorrectly established under the Police Act rather than as a full public inquiry, this also appeared to validate suggestions of an unsuitable inquiry and calls for a boycott from the Defence Committee and undoubtedly angered some other members of the community as it appeared to openly admit it had been an inappropriate response.

#### *ANDERTON'S RESPONSE*

The published report was careful 'not to cause the Chief Constable to feel that he is being treated unconstitutionally', so made a point of not drawing judgments on allegations against him.<sup>45</sup> Whilst further aggravating those who accused the inquiry of a pro-police bias, this also did not prevent Anderton from disliking his depiction in the report and thus deciding against making any further submissions to the Scarman Inquiry. Anderton contended that opinions previously submitted to Scarman had been turned against him in the Hytner Report, and that a number of personal references had been 'unfair and very unkind, to say the least'. He complained of 'damaging conclusions' based on 'the flimsiest and most tentative material', as well as 'personal attitudes and postures [which] have been attributed to me without any justification whatsoever'.<sup>46</sup> Perhaps this would not have been the case if he had not deemed it 'too intolerable' to attend the inquiry. It is likely that Anderton would have criticised whatever the report concluded and, in keeping with his general reaction, used its findings to allege an anti-police campaign. The report did record the number of criticisms, 'amidst a chorus of praise', that Anderton did

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<sup>42</sup> 'Hytner Report'.

<sup>43</sup> *Ibid.*

<sup>44</sup> Linbert Spencer, 23 August 1983.

<sup>45</sup> 'Hytner Report'.

<sup>46</sup> James Anderton to P. J. C. Mawer, 14 October 1981, TNA: HO 266/136.

not accept complaints against the police.<sup>47</sup> Noting his complete rejection that any complaints had been stifled at police stations, the report determined such a blunt denial 'may be regarded by the public as about on a par with finding, which we do not make, that the allegations were true on the say so of the complainants alone'.<sup>48</sup> This astute observation is supported with available evidence suggesting the developing general feeling that the police were covering up their crimes, which, if investigated properly, may not have actually been accurate. A later radio interview with Anderton further illustrated this point when, addressing Labour Counsellor Jack Wilner's suggestion that to improve police/community relations the police must accept their failings, Anderton rejected that the police had to admit any such issues.<sup>49</sup> At the same time as Scarman was publishing the report of his inquiry, Anderton sent plaques to the police stations in Manchester to commend his forces on their handling of the disorder.<sup>50</sup> Whether this was a direct reaction to the report, which would not be inconsistent with Anderton's other behaviour, it certainly portrayed the message that he would support his officers over seemingly any criticism levelled towards them. Discontent towards the police complaints system was cited by Hytner as a 'major source of friction' and, although not deemed a direct contribution to the outbreak of disorder, it added to the hostility felt towards the police with no functioning method of addressing police misconduct.<sup>51</sup> Again, it is clear to see why the local population believed that violent measures was their only recourse for increased political participation when the vocal head of the local police force was so adamant that the police should not be criticised.

#### *DEFENCE COMMITTEE RESPONSE*

Initial reaction to the Hytner Report was positive from many sectors, with the Police Committee, GMC, and media giving a generally favourable response.<sup>52</sup> However, and perhaps predictably, the Moss Side Defence Committee was less complimentary. They deemed the positive response of others understandable due to the report's 'thin veneer of liberalism, humanity

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<sup>47</sup> 'Hytner Report'.

<sup>48</sup> *Ibid.*

<sup>49</sup> 'A very detailed account of the "Arena" programs on the Moss Side Civil disturbances of 1981', written account of 'Arena – Moss Side 5 Months On', *Piccadilly Radio*, Manchester, 1 December 1981, JS.

<sup>50</sup> Barri Potter, MSI, JS.

<sup>51</sup> 'Hytner Report'.

<sup>52</sup> Moss Side Defence Committee, 'The Hytner Myths: A preliminary critique of the Hytner Report', JS.

and scholarship' and 'the superficial appearance of a balanced and objective analysis'. They considered the report inconsistent, condescending, biased, avoided the central issues, and an attempt to influence Moss Side residents into tolerating largely unchanged policing methods.<sup>53</sup> The Moss Side People's Centre agreed it had 'evaded the main issues' and the Defence Committee concluded this justified their decision to boycott.<sup>54</sup> Although similar to Anderton's criticism of the report's content, boycotting the inquiry to then later criticise it for not focussing on the aspects they deemed most important may have been an expected consequence. Defence Committee Chairman Gus John subsequently rejected a proposed meeting with the police, thus reinforcing their belief that meeting with those representing the establishment was a pointless endeavour until real change had been seen.<sup>55</sup>

As in other situations the report's focus upon the criminality of the disorder was criticised, particularly when no police faced any form of retribution for their own alleged misconduct as discussed in detail below.<sup>56</sup> The Defence Committee's most stringent criticism was directed against the report's refusal to fully examine assertions of police harassment, instead focussing upon the hostility fostered by the belief of such persecution. Similarly they attacked labelling Anderton's limited submissions to the inquiry as simply 'disappointing', querying how the report could possibly hope to form any accurate conclusions without having investigated the policing situation in Moss Side. And if, the Defence Committee argued, the Hytner Report wished to refrain from passing judgement on Anderton's efficiency as they had stated, they should not have included references to praise he had received for his handling of the disturbances. This was seen, in contrast to the simplistic and reductive view of rioters, as supporting the establishment in detriment to those without such political powers. By not interviewing police officers or examining possible police racism and discrimination, the focus of the report was thus upon Moss Side itself, suggesting that this was where the problems lay.<sup>57</sup>

Where the report did attempt to make recommendations, such as a proposed community representative to mediate complaints against the police,

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<sup>53</sup> *Ibid.*

<sup>54</sup> *Ibid.*; Thompson, 'Moss Side Riots'.

<sup>55</sup> 'Arena – Moss Side 5 Months On'.

<sup>56</sup> Moss Side Defence Committee, 'The Hytner Myths'.

<sup>57</sup> *Ibid.*

this was dismissed as a superficial change intended to 'placate' the community and restore confidence in the complaints procedure rather than actually improve it.<sup>58</sup> The accusation and explanation forwarded by many, that the local black youth felt alienated from society and had no stake in surroundings they rioted within, was deemed 'deeply insulting'.<sup>59</sup> Unemployment, declining discipline, or divisions between young and old black people was not the cause; rather their continuing experience of a discriminatory society and police abuse led to a violent declaration that such a situation was unacceptable. Preceding the findings of the Stephen Lawrence murder inquiry by some seventeen years, which found the Metropolitan police to be 'institutionally racist', the Defence Committee claimed that police harassment was simply one of a number of acts 'designed to define black people as a sub-class in white society'.<sup>60</sup> They consequently concluded that local residents could not rely upon the system 'which has so badly let them down in the past' and that, as the actions of the 'powerless' rioters were a desperate but rational attempt following legitimate but ultimately unsuccessful protests to highlight problems that were not being addressed, the Hytner Report threatened to undermine and detract from that meaning.<sup>61</sup> This characterises the disturbances firmly within the 'bargaining by riot' framework, despite the implication that such actions were not as 'legitimate' as previous non-violent action.

This negative response had been predicted by members of the Hytner Panel, who noted the difficulty of convincing the public that the inquiry was not simply a means of covering the faults of the police and GMC.<sup>62</sup> As seen by the reaction from the Defence Committee, local community, and continuing unrest, it did not appear that the Hytner Panel achieved such an aim. The report itself ended with the statement that, as they believed Scarman's Report would make appropriate recommendations regarding policing and political changes, the worth of the Hytner Report lay in refuting some of the myths and misunderstandings which had arisen during the disturbances.<sup>63</sup> Accordingly the report was sent to Lord Scarman to further his investigations, although the

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<sup>58</sup> *Ibid.*

<sup>59</sup> *Ibid.*

<sup>60</sup> *Ibid.*

<sup>61</sup> *Ibid.*

<sup>62</sup> Wilner, 21 August 1981.

<sup>63</sup> 'Hytner Report'.

response noted it had been received late into their proceedings.<sup>64</sup> During the taking of evidence, it had been agreed by the panel that an inquiry which achieved nothing was worse than no inquiry at all.<sup>65</sup> It is debatable whether the Hytner Inquiry did in fact achieve any of its goals.

### **RUMOURS?**

As with the other disturbances discussed in this thesis, spread of information relating to the Moss Side disorder was characterised by a high degree of rumour. Such rumours are undoubtedly worthy of comment because, as Anderton summarised, 'The rapid spread of rumour and lies presents as many dangers as any realisation of the truth.'<sup>66</sup> They suggest the general feelings of the local community by highlighting what people were willing and disposed to believe and share with others. An anonymous witness agreed with the impact of these rumours, suggesting they made people more active and violent as a response to such speculations.<sup>67</sup> Numerous examples existed such as the bus depot being on fire, the attacked police station being taken over by local youths or actually going up in flames, alongside multiple accounts of police activity and alleged impropriety.<sup>68</sup>

If disorder spread around the country by word of mouth, as evidence suggests it did to some extent, it appears this was made easier by pre-existing views on the police aiding the dissemination and perceived credibility of allegations. For instance Father Sumner, of St. Wilfred's in Hulme, argued there was no smoke without fire and actual examples of police misconduct and brutality gave rise to further stories, more readily believed.<sup>69</sup> As summarised by Hytner: 'You only need 10% [of police] who harass, and the population would get the impression that everybody harasses.'<sup>70</sup> This, coupled with police officials such as Anderton displaying blind support for their officers, created the feeling amongst many within the local community that the police were not punished for widespread impropriety. Addressing the argument that complaints against the police were manufactured by those with political or ideological axes to grind,

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<sup>64</sup> P. J. C. Mawer to G. A. Harrison, 15 October 1981, TNA: HO 266/136.

<sup>65</sup> Thomas McClure, 27 August 1981, MOE, JS.

<sup>66</sup> James Anderton, 'Police/Community Relations in a Multi-racial Society: An interim memorandum by the Chief Constable of the Greater Manchester Police', 31 July 1981, TNA: HO 266/136.

<sup>67</sup> Anonymous witness, 17 August 1981, MOE, JS.

<sup>68</sup> David, resident of Moss Side, MSI, JS; Anonymous community worker, MSI, JS.

<sup>69</sup> Father Sumner, 20 August 1981, MOE, JS.

<sup>70</sup> Andrew Fender, 17 August 1981, MOE, JS.

Hytner identified that even if this was the case then the propensity of the local youth to believe the accounts, based upon their own experiences with the police, needed to be addressed.<sup>71</sup> Hytner concluded that whilst Anderton continued to staunchly dismiss accusations of police wrongdoing as fabrications, the situation would not improve because such 'fabrications' were widely believed throughout Moss Side.<sup>72</sup>

### 'COPYCAT'?

Relatedly Hytner and others often discussed whether the Moss Side events were 'copycat' disturbances and where ideas of rioting originated. Home Secretary William Whitelaw labelled many of the 1981 disturbances 'copy-cat', as youth nationwide attempted, in Timothy Brain's words, to get a 'piece of the action' themselves.<sup>73</sup> Richard Clutterbuck firmly maintained that disturbances following news coverage of Liverpool and Southall on 3 July 'can have no possible explanation other than the copycat phenomenon'.<sup>74</sup> Such arguments characterised collective violence as irrational and imitative and, as Peter Fryer summarised, if these were 'copycat riots' then they were 'Some cats – and some claws!'<sup>75</sup>

The idea that the media had played a significant role in the spread of disorder led the British Broadcasting Corporation and Independent Broadcasting Authority to commission a report from Howard Tumber of the British Film Institute.<sup>76</sup> After conducting interviews with young people, police, and broadcasters themselves, Tumber concluded that television played a minor role with less than ten percent of the twelve to nineteen age-group watching television news and having seen reports of the riots.<sup>77</sup> He instead argued that the youth heard about disorder due to information 'gathered in the classrooms,

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<sup>71</sup> Wilner, 21 August 1981.

<sup>72</sup> 'Hytner Report'.

<sup>73</sup> Timothy Brain, *A History of Policing in England and Wales from 1974: A Turbulent Journey* (Oxford, 2010) pp. 68-9.

<sup>74</sup> Richard Clutterbuck, 'Terrorism and Urban Violence', *Proceedings of the Academy of Political Science*, 34 (1982), 170.

<sup>75</sup> Peter Fryer, *Staying Power: The History of Black People in Britain* (London, 1984) p. 399.

<sup>76</sup> Howard Tumber, *Television and the Riots*, British Film Institute, April 1982, as cited in John Benyon, 'The Riots: Perceptions and Distortions', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 43.

<sup>77</sup> *Ibid.*

the streets and the pubs'.<sup>78</sup> However Graham Murdock contended that the media did play a role in the spreading disturbances:

Some observers have argued that this kind of coverage raised the consciousness of inner city youth and increased their readiness to take on the police. This is a possibility, but the coverage also had lessons for the police. It primed them to expect major trouble in the cities and strengthened the resolve to crack down on it early by stepping up their activities in inner city areas. This in turn cemented youth resentment at police behaviour and fed local rumours that a riot was imminent. As a result, both sides 'tooled up' for trouble, so that eventually it only took a minor incident on the streets to trigger a confrontation.<sup>79</sup>

This is certainly a view of the spreading of disorder shared by many, including the author of this thesis.

Within Moss Side, Charlie Harries summarised the thoughts of many by stating that the media multiplied the disturbances: 'I'm sure a hundred years ago, when communications were not so good, that riots would not have occurred simultaneously in various parts of the country in the way they did.'<sup>80</sup> Whilst countless previous examples exist of disorder spreading without relying upon the influence of mass media, it indisputably allowed information and images of disorder to spread quickly around the country. It was suggested the media 'glamourised' the violence, with television and newspaper images blamed for inspiring others to copy examples set and even showed them exactly how to do so.<sup>81</sup> The Hytner Report stated the previous years had seen 'almost weekly' television reports of street violence, again invoking comparisons with the influential Northern Ireland example and placing events within England in 1981 within a wider context of spreading disorder throughout the 1980s. Thus the Moss Side youth had 'become conditioned to those of their own age banding together to smash windows and throw petrol bombs'.<sup>82</sup> It was even suggested that the 1977 television miniseries *Roots*, centred upon an African family line's journey from enslavement to emancipation, had 'set a lot of black people against whites'.<sup>83</sup> Similarly a trend in popular culture over previous years had seen a growing attention awarded to apocalyptic themes, no doubt

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<sup>78</sup> *Ibid.*

<sup>79</sup> Graham Murdock, 'Reporting the Riots: Images and Impact', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 87.

<sup>80</sup> Charlie Harries, MSI, JS.

<sup>81</sup> McClure, 27 August 1981; Jack Bernstein, 24 August 1981, MOE, JS; 'Hytner Report'.

<sup>82</sup> 'Hytner Report'.

<sup>83</sup> Ann, Moss Side resident, MSI, JS.

influenced by nuclear weapons and the ongoing Cold War. Television dramas such as *Survivors* (1975), *The Changes* (1975), and *Threads* (1984), as well as films *Dawn of the Dead* (1978), *Mad Max* (1979) and the *Planet of the Apes* series (1968-73) all contained depictions of the apocalypse and visions of life after society had crumbled. Peter Hutchings highlighted that the growth of apocalyptic themes within British popular culture 'might in some instances be articulating in a covert or unconscious manner a socially and historically specific sense of despair and negativity'.<sup>84</sup> Living within such, it is perhaps not surprising this led to an explosion of violence around the country.

Conversely numerous witnesses maintained that events were made to look worse in the media; one example of a recounted visit to America supposedly largely consisted of assuring inquirers that England was not entirely 'in flames'.<sup>85</sup> It was also noted that the French press devoted a large amount of coverage to events.<sup>86</sup> This shows the level of influence that the media played in disseminating information worldwide, often magnifying rumours and misinformation on a much larger scale. Additionally Anderton blamed the media for spreading hostility towards the police, accusing them of often displaying a 'most noticeable bias against the police'.<sup>87</sup> Again, from a Chief Constable famed for his revulsion of anything approaching police criticism, this is not an unexpected stance. Using the example of the infamous 'sus' law, he suggested this small issue in a single community in South London had been 'fanned and fanned again with considerable help and attention from the media' until it had spread around the country and 'young blacks and Asians everywhere challenged the authority of the police often without really understanding why'.<sup>88</sup> He cited recent Manchester arrest statistics that just 0.13 percent of all recorded crimes in 1980 had fallen under 'sus', concluding that discontent at its supposed

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<sup>84</sup> Peter Hutchings, 'The Power to Create Catastrophe: The Idea of Apocalypse in 1970s British Cinema', in Paul Newland (ed.), *Don't Look Now: British Cinema in the 1970s* (Bristol, 2010) p. 112. For similar discussion of relevant trends in British television and film in this period, see: Paul Newland, 'We Know Where We're Going, We Know Where We're From: *Babylon*', in Paul Newland (ed.), *Don't Look Now: British Cinema in the 1970s* (Bristol, 2010) pp. 93-104; Brian McIlroy, 'The Repression of Communities: Visual Representations of Northern Ireland During the Thatcher Years', in Lester Friedman (ed.), *Fires Were Started: British Cinema and Thatcherism* (London, 1993) pp. 92-108.

<sup>85</sup> Ann, Moss Side resident, MSI, JS; Charlie Harries, MSI, JS.

<sup>86</sup> H. Warm, MSI, JS.

<sup>87</sup> Anderton, 'Police/Community Relations in a Multi-racial Society'.

<sup>88</sup> *Ibid.*

large use within Manchester was 'therefore, patently absurd'.<sup>89</sup> This characterisation of many participants in the collective violence as not understanding their own motives and the stark use of numerical statistics, which only recording arrests and not the continuous harassment of stops and searches, overlooked the nuances of dissatisfaction towards the police.

The media was also accused of exacerbating belief that violence would specifically erupt within Moss Side, and that disturbances were the realisation of that expectation.<sup>90</sup> This view was later espoused by Anderton:

Greater Manchester Police knew as long ago as May and June 1981 that there would be rioting in Moss Side...not for any sane or defensible reason, but to fulfil a much publicised prophesy. Yet there was nothing we could do to prevent it...There were frequent and – in my opinion – thoroughly irresponsible references in the national press and in television programmes to the likelihood of clashes between police and young blacks in Moss Side, although there was no compelling evidence to support it.<sup>91</sup>

The Defence Committee rejected this simplification that black people in Moss Side took to the streets simply because it was expected of them after Brixton and Toxteth; rather they did so because they were suffering under the same circumstances.<sup>92</sup> Committee member Eloise Edwards voiced her rejection of the idea of copycat disturbances, arguing that the disturbances began when they did because people had had enough.<sup>93</sup> An anonymous witness during the Hytner Inquiry furthered this point: 'Why does war happen one year and not the year before? It's just a certain point you reach and then it goes. It's like bottling something up inside you.'<sup>94</sup>

The Defence Committee drew comparisons with the example of early nineteenth century chartist protest erupting in sequence around England and Wales, stating that in both examples there was not a 'chain of expectation based on myth', but rather the 'chain reaction...was one which inspired courage: people who might not otherwise have openly protested were inspired

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<sup>89</sup> *Ibid.*

<sup>90</sup> Anonymous resident, MSI, JS.

<sup>91</sup> Draft of a speech that James Anderton was going to deliver at the second Lord Hewlett Memorial Lecture in 1982 but was never made as was the event was cancelled, as cited in Michael Prince, *God's Cop: The Biography of James Anderton* (London, 1988) p. 116.

<sup>92</sup> Moss Side Defence Committee, 'The Hytner Myths'.

<sup>93</sup> Edwards, MSI, JS.

<sup>94</sup> Anonymous witness, 17 August 1981, MOE, JS.

to do so by the example of others'.<sup>95</sup> They differentiated this from the sequence they believed had been suggested by Hytner, as 'there were real causes of grievance in each of the areas in which it was expressed'.<sup>96</sup> This explanation is consistent with the widespread belief that tensions had been growing in the area for years and the triggers for the violence were seemingly minor clashes with police which sparked a response of collective violence. This was similarly true of Brixton where Scarman concluded that 'Operation Swamp' built upon previous discontent, leading to the situation where any relatively minor event would have led to the collective violence witnessed.

Nevertheless events such as Bristol and Brixton markedly increased tensions in the area which undoubtedly influenced events.<sup>97</sup> An anonymous witness argued that events around the country had provided an example of a new way of making the point they had been attempting to make for years.<sup>98</sup> For many local residents who had felt let down by and marginalised in British society, St Pauls and especially Brixton had shown a method of collective violence towards a common goal and seemingly getting their voices heard. The positive outcomes, attracting attention and resources, of previous examples of 'bargaining by riot' showed that this was a strategy that could be successful in obtaining increased political participation. It had become commonplace for local residents to discuss the possibility of 'another Bristol', and a Moss Side schoolteacher confirmed that children were talking about events in Toxteth just before the disturbances spread to their area, with reactions ranging from fearing it would happen in Manchester to excitement at the possibility.<sup>99</sup> A news report after the first night of disturbances suggested that, during disturbances in Liverpool, many assumed Manchester would be next; 'and this morning they were proved right'.<sup>100</sup> In fact, as far back as May 1981, posters had appeared in the area suggesting that, after Brixton, Moss Side would be next.<sup>101</sup>

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<sup>95</sup> Moss Side Defence Committee, 'The Hytner Myths'.

<sup>96</sup> *Ibid.*

<sup>97</sup> Linbert Spencer, 23 August 1983.

<sup>98</sup> Anonymous witness, 17 August 1981, MOE, JS.

<sup>99</sup> Arthur Somerville Byfield, 19 August 1981, MOE, JS.

<sup>100</sup> 'Latest Riot Outbreak in Moss Side', 9 July 1981, LBC/IRN, <http://bufvc.ac.uk/tvandrado/lbc/index.php/segment/0015400395006> (last accessed 30 November 2014).

<sup>101</sup> 'Hytner Report'.

Whilst some argued this demonstrated that a riot was being planned, Hytner instead characterised this as consistent with the ‘mood of inevitability’.<sup>102</sup> Whether such disturbances would have occurred without such an expectation is of course impossible to know, but it is clear that such a widespread feeling encouraged many into action.

At least one vocal witness at the inquiry hearings blamed the spread of the disturbances on a perceived leniency towards previous rioters in other locations. Lee Lawrence claimed the police had been ‘absolutely hammered’ and that, by not making a sterner example of rioters in Brixton, ‘you might just as well have issued tickets – “Come to the riots on Wednesday”’.<sup>103</sup> This was an issue that the highest levels of government clearly felt could have been a factor in the multiplying disorder. Prime Minister Margaret Thatcher had telephoned Whitelaw after visiting Liverpool and Brixton police station to stress ‘the need to bring some of the rioters before the Crown Courts without delay’.<sup>104</sup> Whitelaw agreed, although he highlighted the ‘possible danger’ that they may be acquitted, as had happened following St Pauls.<sup>105</sup> It is clear that, fitting within their general response of focussing upon criminality aspects, authorities believed an immediate response to the events would calm those questioning whether British law and order had crumbled and act as a deterrent for others. The fact that such disorder spread around the country so quickly suggests it did neither.

Disturbances also spread throughout Manchester, similar to Southmead following St Pauls within Bristol. Councillor Paget noted that he had seen a message chalked on the wall which simply read ‘Wilmslow Road tonight’.<sup>106</sup> It was alleged that police observed a small car driving six black men from Moss Side to Wythenshawe, a district some five miles south of Moss Side, where disturbances subsequently occurred.<sup>107</sup> The Manchester Council for Community Relations had previously asked the Manchester Evening News not to over-report the incidents as it was feared this would escalate disorder.<sup>108</sup> However a

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<sup>102</sup> *Ibid.*

<sup>103</sup> Lee Lawrence, 17 August 1981, MOE, JS.

<sup>104</sup> Willie Rickett to Colin Walters, 13 July 1981, TNA: PREM 19/484.

<sup>105</sup> Rickett to Walters, 13 July 1981.

<sup>106</sup> Wilmslow Road is located just outside of Moss Side. Patrick Paget, 19 August 1981, MOE, JS.

<sup>107</sup> Lawrence, 17 August 1981.

<sup>108</sup> Town Clerk, ‘Civil Disturbances in Manchester’, 20 July 1981, TNA: HO 266/136.

radio news report after the first night of disturbances in Moss Side ended with the question: 'will the problems start once more and, if so, where will it happen next?'<sup>109</sup> Foreshadowing the recent 'twitter revolutions' and 2011 England riots which utilised social media to spread information regarding the disturbances, it was also claimed that Moss Side saw the use of CB short-distance radio communications allowing for the spread of information regarding police locations and tactics.<sup>110</sup> With such accusations originating from the police they may be incorrect or used to justify stricter police actions, but it appears that, as police were utilising new equipment to respond to the disturbances, so too were those participating in them.

The media was additionally accused by some of inherently supporting the authorities: 'In the struggle between oppressed and oppressors the decision to stay neutral is to side with the oppressor and this is the game that the media play when they claim to be neutral.'<sup>111</sup> Their focus upon violence and criminality, to the detriment of the people involved, was criticised, with it being suggested that a better headline might have been: 'Congratulations to the folk of Moss Side for saying things aren't going right, let's do something about it.'<sup>112</sup> Local community worker Barri Potter cited the example that the brief attack upon the well-protected police station caused only minor damage, but the way the media reported it characterised the police as innocent victims of a violent mob.<sup>113</sup> He continued to claim that many community workers and residents had purposefully not spoken to the media in the aftermath, as he 'knew they would mis-represent us any way'.<sup>114</sup> Such a media response was in-keeping with the broader summer disturbances. Murdock abridged the vast majority of newspaper reports into three main points: firstly that rioters were portrayed as an 'alien black presence threatening the property and safety of established residents'; secondly that the police were attempting to protect those residents and thus they were both mutual victims of the 'mob'; and thirdly the exceptional threat necessitated an exceptional response, i.e. heightened police equipment and weaponry.<sup>115</sup> He also cited both Tumber's study of television news and

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<sup>109</sup> 'Latest Riot Outbreak in Moss Side', 9 July 1981.

<sup>110</sup> Prince, *God's Cop*, p. 111.

<sup>111</sup> Barri Potter, MSI, JS.

<sup>112</sup> Anonymous resident, MSI, JS; H. Warm, MSI, JS.

<sup>113</sup> Barri Potter, MSI, JS.

<sup>114</sup> *Ibid.*

<sup>115</sup> Murdock, 'Reporting the Riots: Images and Impact', pp. 73-5.

Anders Hansen's analysis of newspaper reports, which established that senior police officers had received significantly more media attention than community leaders, rioters, or even government ministers.<sup>116</sup>

#### MOVEMENT OF PEOPLE – INCLUDING POLICE

In another parallel to other incidents, many alleged that outsiders had come into the area in order to create trouble. It was reported that groups from other cities had travelled to Moss Side and stories emerged of people with Liverpudlian accents attempting to convince local youths to riot.<sup>117</sup> Also political extremists, particularly those with left-wing leanings, were alleged to have been in the area manipulating the situation for their own political ends.<sup>118</sup> A black revolutionary had purportedly travelled from London some months previously to tell a public meeting that 'guns would soon be available', although Hytner did not believe many would find this an appealing prospect.<sup>119</sup> Some saw the suggestion of outsiders as an attempt to shift blame from the local community, but in other quarters it was seen as another example of people in Moss Side being deemed unable to think or act for themselves.<sup>120</sup> Removing the action of the Moss Side community rising against the police was insulting to many within the local community and considered another example of British paternalism.

Some 103 officers from the Greater Manchester Police had been drafted into Toxteth to provide support, returning with personal stories of the ferocity which had greeted them.<sup>121</sup> This meant the spread of, not just the idea of riots, but also of the police's own reactions. It was suggested that some of those involved in the Moss Side disturbances had travelled to 'settle a score' with the police after Toxteth.<sup>122</sup> Similarly that Moss Side was a means of enacting police payback towards rioters, either by officers involved at Toxteth or colleagues

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<sup>116</sup> In a study of the major evening bulletins shown on the two main channels from 14 to 16 July, Tumber recorded that whilst government minister received 373 seconds of air time and senior police officers 367, community leaders received only 147 and rioters themselves just 52 seconds. This was reflected in Anders Hansen's analysis of the *Daily Mail*, *Daily Mirror* and *The Guardian* 6-12 July where statements of senior police were awarded more space than the views of any other group, particularly participants themselves: Tumber, *Television and the Riots*, p. 38 and Anders Hansen, 'Press coverage of the summer 1981 riots', unpublished M.A. dissertation, University of Leicester, Centre for Mass Communication Research, 1982, as cited in Murdock, 'Reporting the Riots: Images and Impact', p. 78.

<sup>117</sup> Byfield, 19 August 1981; Lewis, 20 August 1981.

<sup>118</sup> Anonymous community worker, MSI, JS.

<sup>119</sup> 'Hytner Report'.

<sup>120</sup> Barri Potter, MSI, JS.

<sup>121</sup> James Anderton, 'Serious Incidents of Public Disorder in Greater Manchester 8th to 12th July 1981', 4 September 1981, Appendix 4B, 'Hytner Report'.

<sup>122</sup> Byfield, 19 August 1981.

who had heard of their exploits and were keen to see such action themselves.<sup>123</sup> It is highly unlikely that police were unaffected by previous disturbances, either through personal experience or accounts from media or word of mouth. As discussed in the previous chapter, Anderton altered police tactics to minimise police casualties and this was born out of witnessing officers sustain high levels of injury during Toxteth. It is likely that officers were also angered, excited, or worried by events elsewhere, leading some to overact in their handling of the Moss Side disturbances and generate a large number of accusations of police misconduct. Some of the allegations that emerged are examined below.

### **POLICE MISCONDUCT**

As with the other inquiries, one of the main criticisms of the Hytner Inquiry was that it did not examine the numerous allegations of police brutality. Such accusations were instead directed through the normal police complaints procedure, a method which had lost the faith of the community and was deemed a waste of time at best, and at worst a method of selecting oneself for further police prejudice. There were certainly many complaints of police misconduct during the disturbances emerging both during the inquiry and subsequently. These allegations, present during other disorders in 1981, should also be viewed within broader accusations of police brutality, corruption, and a lack of accountability for their actions throughout the 1970s and 1980s.

Numerous allegations emerged that police vans drove up and down streets, with officers threatening people with batons and riot gear, shouting 'Nigger, nigger, oi! oi!', calling people 'black bastards', and threatening a man that they would 'kick his fucking black face in'.<sup>124</sup> Police taunts such as 'you blacks are soft' and 'you've not got the guts of them in Liverpool' were also recorded, further highlighting how knowledge of other disorders spread and influenced subsequent situations.<sup>125</sup> Multiple graphic stories emerged during the inquiry, such as police kicking and beating a young boy, causing his grandmother whom he had been supporting to fall to the ground, and another of

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<sup>123</sup> Paget, 19 August 1981.

<sup>124</sup> Edwards, MSI, JS; Anthony Doab, 17 August 1981, MOE, JS; Paget, 19 August 1981; Martin Kettle and Lucy Hodges, *Uprising!: The Police, the People and the Riots in Britain's Cities* (London, 1982) p. 164; Michael Nally, 'Eyewitness in Moss Side', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 60.

<sup>125</sup> John Nicholson, 26 August 1981, MOE, JS; McClure, 27 August 1981.

a five year old boy being punched by an officer.<sup>126</sup> A priest even felt he had to pull an officer off a civilian in order to prevent harm.<sup>127</sup> Local GP Doctor Donald Bodey stated he had treated a number of injured youths in the days following the disturbances, recording cuts and bruises, suspected broken ribs, and an instance of a man's dreadlocks being ripped from his head.<sup>128</sup> He believed many Moss Side residents were simply too frightened of repercussions to discuss the abuses they had been put through.<sup>129</sup> This again suggests why many felt that collective violence was their only recourse against such police actions, as they perceived there to be no other way of reporting such abuse.

Local musician DJ Wizzy Dan recalled returning to Moss Side late on Friday night in a car of four young black men, which was surrounded by three vans full of police officers. They were beaten both in the police van and at the station, with Dan being hit with a police helmet which punctured his eardrum, having his face held under the sink tap by police, and having his dreadlocks forcibly detached. After a four year campaign the men were later awarded damages totalling £9,000, but Dan labelled this 'peanuts' in comparison to the treatment they had received.<sup>130</sup> Even for those who did achieve some kind of compensation for the manner in which the police treated them, it was insufficient to excuse a lack of punishment for those officers.

It was widely alleged that there was often no attempt to arrest those unfortunate enough to be caught by the police, they were simply beaten.<sup>131</sup> Officers were accused of wielding riot shields and visors before warning the assembled crowds to retreat.<sup>132</sup> Another story told of a mother and her three teenage children being chased into their house by three officers emerging from a van yelling 'You black bastards' and waving their batons.<sup>133</sup> The officers

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<sup>126</sup> Anonymous witness, 17 August 1981, MOE, JS.

<sup>127</sup> Sumner, 20 August 1981.

<sup>128</sup> It has been suggested that officers would routinely 'collect' black people's dreadlocks and display them in police stations as trophies. Amy Glendinning, 'Moss Side Riots: Doctor Who Had to Help despite the Risks', *Manchester Evening News*, 6 July 2011, <http://www.manchestereveningnews.co.uk/news/greater-manchester-news/moss-side-riots-doctor-who-864800> (last accessed 21 October 2014).

<sup>129</sup> *Ibid.*

<sup>130</sup> It is unknown whether Dan was the same man that Dr Bodey had treated for such injuries. 'Moss Side Riots: Bitter Memories Remain - But "Things Have Improved"', *Manchester Evening News*, 5 July 2011, <http://www.manchestereveningnews.co.uk/news/greater-manchester-news/moss-side-riots-bitter-memories-864660> (last accessed 21 October 2014).

<sup>131</sup> Paget, 19 August 1981.

<sup>132</sup> Arnold Spencer, 17 August 1981.

<sup>133</sup> Paget, 19 August 1981.

kicked at the closed door to attempt entry into the house and, in the words of the woman, 'it looked as if they were just trying to terrorise us'.<sup>134</sup> To a community already believing the police were discriminatorily violent towards a section of the population they considered 'alien' from British society, this appeared a continuation of that approach.

Stories of incidents involving members of the public deemed more 'respectable' than black youths gave credence to claims the police acted improperly. An Irish baker was reportedly badly beaten by police whilst walking alone when four officers simply leaped out of a car and attacked him, surprising the eyewitness with their blatancy.<sup>135</sup> Similarly local youth leader Hartley Hanley was arrested outside his own club after attempting to intervene between police and local youths, and Councillor Paget believed these actions signalled to many that police were not using standard methods: 'The Police, it struck us, must be in a mood of arresting everything that moves on the street, rather than just arresting people who are caught in the act of doing something if they would do something like that.'<sup>136</sup> Another local youth worker was beaten, one more was arrested for purportedly distributing bombs, and a father was told his son was being arrested because 'The good have to suffer for the bad'.<sup>137</sup> It was claimed that police indiscriminately targeting people, including respected members of the community, combined with high levels of blatant misconduct, led to an increased willingness to believe accusations of past police brutality towards the youth.<sup>138</sup> As discussed previously, such accounts would likely not have been so readily believed or spread if there had not already existed common accusations against the police.

Indeed this was allegedly merely a continuation of the treatment the local population received at the hands of the police. Accusations of previous police brutality were linked with unpopular tactics such as stop and searches, and extremely unpopular use of dogs; accusations reminiscent of the other locales discussed in this thesis.<sup>139</sup> Black youths in the area had even begun wearing

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<sup>134</sup> *Ibid.*

<sup>135</sup> Edwards, MSI, JS; Barri Potter, MSI, JS.

<sup>136</sup> Paget, 19 August 1981; 'Arena – Moss Side 5 Months On'.

<sup>137</sup> Anonymous resident, MSI, JS; Councillor Arnold Spencer 20 August 1981, MOE, JS.

<sup>138</sup> Anonymous resident, MSI, JS; Barri Potter, MSI, JS.

<sup>139</sup> Charles Frederick Starkie, 18 August 1981, MOE, JS; Mrs L. S., resident of Moss Side, MSI, JS.

badges declaring: 'Help the police, beat yourself up'.<sup>140</sup> An anonymous local teacher later recounted the ease with which they had begun to share animosity towards the police since moving to Moss Side, but also how difficult it was for others to believe the stories:

I know family and friends who don't live in the inner-city, who just disbelieve me. They think I've exaggerated it. You see they take the line, well there's no smoke without fire. They must cause trouble and therefore the police are only doing their job...The resistance, by people who know me really well, to believe me has really shocked me.<sup>141</sup>

The teacher concluded by drawing comparisons to the complacency which saw the growth of Nazism and Fascism.<sup>142</sup> Whilst such comparisons could be seen as hyperbolic, it shows just how serious many people believed the situation to be and those who took to the streets to violently protest the police clearly shared this view.

Even after the disturbances died down, it was alleged that officers were driving around shouting at black youths, drinking alcohol, and indiscriminately beating innocent people.<sup>143</sup> A press statement from the Moss Side Community Action Committee accused the police of transforming Moss Side into a 'no-go' area and harassing and arresting innocent local inhabitants: 'WE ARE IN EFFECT A COMMUNITY UNDER SIEGE, LIVING THROUGH WHAT AMOUNTS TO MARTIAL LAW!'<sup>144</sup> This juxtaposition of the term 'no-go', previously used to describe areas where police feared to tread but here used to accuse police of inhibiting the local population from accessing their own neighbourhood, shows the very different viewpoint of many in these black communities to that of the general populace.

As repeatedly noted previously, Anderton had historically been dismissive of reports of complaints against police being stifled or ignored, despite Hytner pointing out that it was likely to have been occurring.<sup>145</sup> Likewise Superintendent Robin Oake also refuted such suggestions of police racism or brutality, claiming that if he had been aware of such an incident, the officer

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<sup>140</sup> H. Warm, MSI, JS.

<sup>141</sup> Interview with anonymous Moss Side teacher, MSI, JS.

<sup>142</sup> *Ibid.*

<sup>143</sup> Lewis, 20 August 1981.

<sup>144</sup> Moss Side Community Action Committee, Press Statement, Appendix B, 'Civil Disturbances in Manchester', 20 July 1981, TNA: HO 266/136; emphasis in original.

<sup>145</sup> 'Hytner Report'.

would have been disciplined.<sup>146</sup> However, similar to Anderton's statements, this does not address the possibility of such behaviour occurring either unseen or after a senior officer had turned a blind eye. To the local community there was ample evidence that police officers had acted improperly and they were resolute that something needed to be done.

#### POLICE COMPLAINTS

During the inquiry Hytner made it repeatedly clear that it was not the place for individual complaints against specific officers and that a Court of Law or disciplinary tribunal, where appropriate statutory safeguards were provided, should be utilised for those accusations.<sup>147</sup> Although as George Green, who had appeared at the inquiry to attempt to make such a complaint, summarised; to the people of Moss Side the complaints system was so ineffective it might as well not exist.<sup>148</sup> Other witnesses claimed that those who attempted to make complaints soon found themselves victims of police targeting, and one individual detailed how over 500 personal complaints had been made without a single positive outcome.<sup>149</sup> This was taken as evidence that 'the law supports its own'.<sup>150</sup> The situation appeared no better for those backed by larger organisations or public office. Youth Worker Dorothy Lewis claimed that community workers 'feel a bit like the coloured youths' when attempting to make complaints, as they were not listened to or ever saw the complaints have any positive outcome.<sup>151</sup> The fact that comparison with black youths was seen as a shorthand way of saying that their complaints were not acknowledged speaks volumes for how those black youths themselves must have regarded the complaints system. City Councillor Jeffrey Wilner stated his experience over the preceding years led him to advise individuals not to pursue a complaint, as 'it is a waste of time, there is frustration and the net result is that simply time has passed and the complaint is not listened to'.<sup>152</sup> Similarly Moss Side Ward Councillor Patrick Paget and local Labour MP George Morton complained of

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<sup>146</sup> Dan Thompson, 'Moss Side People Were on OUR Side during Riots, Says Police Chief', *Manchester Evening News*, 8 July 2011, <http://www.manchestereveningnews.co.uk/news/greater-manchester-news/moss-side-people-were-on-our-side-865064> (last accessed 21 October 2014).

<sup>147</sup> George Green, 17 August 1981, MOE, JS.

<sup>148</sup> *Ibid.*

<sup>149</sup> David George Williams, 19 August 1981, MOE, JS; Doab, 17 August 1981.

<sup>150</sup> Doab, 18 August 1981.

<sup>151</sup> Lewis, 20 August 1981.

<sup>152</sup> Wilner, 21 August 1981.

achieving nothing through the complaints system, and Paget's conclusion likely reflected the thoughts of the local community: 'if the MP cannot get any change out of the situation I am not very likely to be able to do either'.<sup>153</sup> It is difficult to believe much faith was put into a system where even those elected within it could not achieve anything, making collective violence more probable.

Councillor Peter Kelly, Chairman of the Greater Manchester Police Authority, additionally confirmed Hytner's belief that the majority of people were unaware of a higher authority to complain to regarding the police, describing the numbers of civilians who had approached the police authority as 'a little below nil'.<sup>154</sup> City Councillor Arnold Spencer, when questioned why he had not discussed the high level of police complaints with the Chief Constable, suggested that Anderton would represent such action as politicians interfering with police operations and thus 'it was just not worth the bother'.<sup>155</sup> He continued that politicians of 'a certain hue, which is not particularly liked by Mr Anderton', would most likely do more damage than good by addressing issues with the complaints system.<sup>156</sup> Again this is both a case of the local systems of government and political oversight of the police having failed and alienating those who needed it the most, and a Chief Constable who portrayed any questioning of the police as an attack upon their independence and undermining of their authority.

The published Report documented the 'great deal' of evidence alleging police misconduct during the disturbances, noting that some of this was being investigated by the police complaints system.<sup>157</sup> They summarised that it alleged officers had used excessive force and arrested people indiscriminately whether they were involved in the disturbances or not, citing a repeated charge that 'you got arrested for not running fast enough', and officers were 'actively spoiling for trouble with young blacks'.<sup>158</sup> Evidence directly relating to Thursday 9 July, when the police initiated invasive hard-policing tactics, was deemed by the Hytner Panel 'unhappy listening'.<sup>159</sup> Despite this Hytner still refrained from passing judgement on the police's activities, preferring to leave that to the

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<sup>153</sup> Paget, 19 August 1981.

<sup>154</sup> Kelly, 19 August 1981.

<sup>155</sup> Arnold Spencer, 17 August 1981.

<sup>156</sup> *Ibid.*

<sup>157</sup> 'Hytner Report'.

<sup>158</sup> *Ibid.*

<sup>159</sup> *Ibid.*

Police Committee. They believed there was sufficient evidence to warrant an 'effective and searching police enquiry', either to prevent recurrences or to redeem the widely-established negative police reputation.<sup>160</sup> To the local community who had hoped Hytner's Inquiry would be an 'effective and searching' inquiry into the police, it was another disappointment. Hytner later summarised that the Inquiry was also 'satisfied' it was true that, prior to the disturbances, a number of officers had misused powers to stop and search and had racially abused black youths.<sup>161</sup> Seemingly addressing previous accusations that Anderton was unwilling to entertain such accusations against his officers, the Report recommended that the Police Committee initiate 'suitable enquiries within the statutory machinery to ascertain the truth of the allegations'.<sup>162</sup> Lastly they stated that, as they had not allowed officers to be identified, there was no chance to initiate disciplinary proceedings against specific officers; however they hoped the police would not simply discount the amount of evidence that had been given to them.<sup>163</sup> It is not hard to see why, when an inquiry supposedly investigating the background situation leading to collective violence against the police resulted in the hope that the police address general dissatisfaction, this would not appease those protesters.

Anderton detailed that twenty-four complaints against the police were received relating to the disturbances alleging assault, criminal damage, or abuse of authority.<sup>164</sup> Of these, twelve related specifically to incidents within Moss Side and three withdrew their complaints when interviewed by an Investigating Officer.<sup>165</sup> The remaining twenty-one were investigated and submitted to the Director of Public Prosecutions and Police Complaints Board.<sup>166</sup> Additionally a police inquiry was launched, largely on the strength of evidence provided to Hytner, which was conducted by Greater Manchester

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<sup>160</sup> *Ibid.*

<sup>161</sup> *Manchester Evening News*, 8 January 1982, as cited in Nally, 'Eyewitness in Moss Side', p. 60.

<sup>162</sup> 'Hytner Report'.

<sup>163</sup> *Ibid.*

<sup>164</sup> Anderton, 'Serious Incidents of Public Disorder'.

<sup>165</sup> *Ibid.*

<sup>166</sup> *Ibid.*

Police's Assistant Chief Constable John Stalker.<sup>167</sup> After a 10-month investigation, the police were cleared of brutality when the Director of Public Prosecutions deemed the evidence submitted to him by Stalker worthy of no further action.<sup>168</sup> Considering the strength of evidence discussed in this thesis, it is hard to believe that this did not add to feelings of discontent.

It seems clear how such a lack of response to seemingly abundant evidence of police misconduct further weakened the local community's confidence in the machinery for making complaints against the police or holding them accountable for their actions. This was combined with statements from central government and local City Council that the entire community should give the police their full support after such 'difficult circumstances'.<sup>169</sup> Local youth worker Dorothy Lewis aptly questioned, after the level of police brutality and discrimination that had gone unpunished, how anybody could thus seriously tell black youths to respect the police.<sup>170</sup>

### **FURTHER DISTURBANCES**

Timothy Brain, and Mike and Trevor Phillips listed just a selection of areas home to violent disturbances during July 1981: Battersea, Birmingham, Blackburn, Blackpool, Bradford, Cirencester, Crewe, Derby, Fulham, Gloucester, Halifax, Huddersfield, Hull, Leeds, Leicester, Lewisham, Luton, Nottingham, Portsmouth, Preston, Reading, Sheffield, Slough, Southall, Southampton, Wolverhampton, and Woolwich.<sup>171</sup> As Brain concluded; 'It was, to say the least, a very tense time for police officers across the country'.<sup>172</sup> Fryer detailed how the 'size and scope and ferocity of the rebellion astonished everyone, including the youth themselves', criticising the resultant turn towards 'hard' policing and concluded that the authorities should not underestimate the

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<sup>167</sup> Glendinning, 'Moss Side Riots'. Whilst in 1986 Stalker would infamously be suspended and removed under dubious circumstances from an investigation into shootings by the Royal Ulster Constabulary in Northern Ireland, there appeared to be no such animosity between him and Anderton at this stage. Stalker described how Anderton was 'undoubtedly born to be a policeman' who wore 'the cloak of authority...with supreme confidence'. This is consistent with other characterisations of Anderton as authoritative to a fault. John Stalker, *Stalker* (London, 1988) p. 18.

<sup>168</sup> Glendinning, 'Moss Side Riots'.

<sup>169</sup> All Party Statement by Councillor Norman Morris on behalf of Manchester City Council, 10 July 1981, TNA: HO 266/136.

<sup>170</sup> Lewis, 20 August 1981.

<sup>171</sup> Brain, *A History of Policing*, pp. 68-9; Mike Phillips and Trevor Phillips, *Windrush: The Irresistible Rise of Multi-Racial Britain* (London, 1998) p. 365.

<sup>172</sup> Brain, *A History of Policing*, pp. 68-9.

‘intelligence, determination, and proud traditions of those they desire to control’.<sup>173</sup>

In addition to the disorder spreading, violence also returned to many of the areas it had previously appeared. Brixton once more erupted on 15 July as, in Mike and Trevor Phillips’ words, ‘incredibly, the police staged a raid on eleven houses in the heart of the front line in Brixton’s Railton Road where the hottest fighting had taken place’.<sup>174</sup> 176 police officers, with 391 waiting in reserve, descended upon properties ostensibly searching for unlawful drinking and petrol bombs that were never found.<sup>175</sup> Commissioner of the Metropolitan Police Sir David McNee, who agreed to the application for the warrants ‘in the full knowledge that tension in the area was running high’ and this ‘was a potential flashpoint for further disorder’, nonetheless believed to not have acted upon information received would have been ‘tantamount to burying my head in the sand’.<sup>176</sup> These raids, resulting in five charged with possession of cannabis and one with obstruction, ignited a further night of rioting and damaged the houses to the extent of the Metropolitan Police paying compensation of £8,500.<sup>177</sup> Such a poorly planned raid, so soon after Brixton’s first disturbance and whilst the rest of the country was engaged in similar disorders, clearly highlights a police force that were slow to learn lessons or, as seen by Anderton’s previous response, did not believe any continuing problems were of their own making.

When Whitelaw informed the House about damage caused during the raids he stated it would not be appropriate for him to comment, to which other members loudly inquired ‘Why not?’<sup>178</sup> Whitelaw subsequently pointed to the ongoing investigations that he did not wish to pre-empt, although it is likely he just did not wish to answer questions about why the police had carried out such an operation.<sup>179</sup> Local MP John Fraser described the scene: ‘I could come to no conclusion other than that a large number of policemen had deliberately set out

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<sup>173</sup> Fryer, *Staying Power*, p. 399.

<sup>174</sup> Phillips and Phillips, *Windrush*, p. 365.

<sup>175</sup> John Benyon and John Solomos, ‘British Urban Unrest in the 1980s’, in John Benyon and John Solomos (eds.), *The Roots of Urban Unrest* (Oxford, 1987) p. 4; Michael Keith, *Race, Riots and Policing: Lore and Disorder in a Multi-Racist Society* (London, 1993) pp. 131-2.

<sup>176</sup> David McNee, *McNee’s Law* (London, 1983) p. 120.

<sup>177</sup> Phillips and Phillips, *Windrush*, p. 365; Benyon and Solomos, ‘British Urban Unrest in the 1980s’, p. 4.

<sup>178</sup> HC Deb 16 July 1981, vol. 8, c. 1398.

<sup>179</sup> *Ibid.*

to wreck the houses, to make them uninhabitable'.<sup>180</sup> Due to the level of police involved and their general tactics, it can certainly be suggested that this raid was in fact 'revenge' for anti-police violence and an attempt to reassert police authority upon an area where it had violently been challenged just three months previously.<sup>181</sup> Indeed even McNee later stated that such actions 'smacked of revenge'.<sup>182</sup>

An internal inquiry was established and concluded that, whilst compensation would be paid, officers involved were essentially absolved of any blame.<sup>183</sup> The Director of Public Prosecutions likewise decided to take no action regarding formal complaints.<sup>184</sup> However a Police Complaints Board investigation found 'serious lapses from professional standards' and an 'institutional disregard for the niceties of the law', concluding that improprieties shown in this operation could have mirrored a similar lack of professionalism in general.<sup>185</sup> Many sharply questioned why the internal police inquiry and Director of Public Prosecutions had not reached similar conclusions, and what this suggested about their investigations into previous accusations against the police.

Similarly rioting also returned to Toxteth on 26 July whilst Michael Heseltine was visiting Liverpool.<sup>186</sup> During these renewed disturbances twenty-six officers were injured, twenty-one rioters were arrested, and a disabled man, David Moore, was killed when hit by a police Land Rover.<sup>187</sup> This was attributed to the Merseyside Police's adoption of the same Northern Irish crowd dispersal techniques employed successfully in Moss Side.<sup>188</sup> Copying examples established in the battlegrounds of Northern Ireland, which seemingly placed more emphasis on maintaining law and order than protecting the public, displayed a more hard-line policing approach towards British disorder.

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<sup>180</sup> *Ibid.*, c. 1425.

<sup>181</sup> Keith, *Race, Riots and Policing*, pp. 131-2.

<sup>182</sup> McNee, *McNee's Law*, p. 120.

<sup>183</sup> HL Deb 29 October 1981 vol. 424 cc. 1127-32.

<sup>184</sup> John Benyon, 'The Riots, Lord Scarman and the Political Agenda', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 7.

<sup>185</sup> As cited in Benyon and Solomos, 'British Urban Unrest in the 1980s', pp. 4-5.

<sup>186</sup> Phillips and Phillips, *Windrush*, p. 365.

<sup>187</sup> 'More Riots in Liverpool', *The Daily Telegraph*, 28 July 1981; 'Merseyside Police Officer Recalls 1981 Toxteth Riots', *BBC News*, 3 July 2011, <http://www.bbc.co.uk/news/uk-england-merseyside-13956652> (last accessed 25 November 2014).

<sup>188</sup> Phillips and Phillips, *Windrush*, p. 365.

Merseyside Chief Constable Kenneth Oxford defended his adoption of stronger tactics: 'To put it crudely the people have spat in my face. It is the only way that I can protect them from themselves.'<sup>189</sup> Moore's death can hardly be seen as protection, tragically answering the Hytner Inquiry's question of what would have happened if a member of the public was unable to get out of the way of oncoming police vehicles. Michael Smith, then a 13 year-old local, witnessed Moore's death:

The police were getting a lot more violent, a lot more equipped. They were calling it dispersal at the time; it was basically ramming people...We were running to the fence, thinking they couldn't get past this bollard, and this guy just went that way and, well, the [police vehicle] just flattened him, and went right over him. I think he died there and then.<sup>190</sup>

A further two men narrowly avoided the same fate, both sustaining very serious injuries.<sup>191</sup> In response, Oxford bluntly stated: 'They can see the vehicles coming and they know what will happen if they get in the way.'<sup>192</sup> The policemen involved in Moore's death were charged with manslaughter but found not guilty in April 1982, with the police van apparently having disappeared from police custody days after Moore's death.<sup>193</sup> With the seemingly unending spread of disorder and violence around the country, coupled with a more aggressive and well-equipped police response, it had seemed inevitable that there would be a fatality. The fact that those officers involved in Moore's death were not punished was consistent with the belief that police were not held to the same standards of accountability that the general public were.

There were other areas which did not see such violence and the disturbances notably stayed within England. The Hytner Panel posed such a question, citing the example of Glasgow with similar, if not worse, conditions and questioning why disorder had not followed suit there.<sup>194</sup> No satisfactory answer was offered, short of suggesting that conditions were not quite right. As previously noted in Chapter Three, although it was blamed for initiating the following disturbances, St Pauls remained peaceful in 1981. In fact, during the weekend that Toxteth was embroiled in conflict, more than 15,000 people

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<sup>189</sup> Kettle and Hodges, *Uprising!*, p. 173.

<sup>190</sup> Ed Vulliamy, 'Toxteth Revisited, 30 Years after the Riots', *The Observer*, 3 July 2011.

<sup>191</sup> Kettle and Hodges, *Uprising!*, pp. 172-173.

<sup>192</sup> *Ibid.*, p. 173.

<sup>193</sup> *Ibid.*, pp. 172-173; 'Riot Police "Lose" Killer Van', *Morning Star*, 1 August 1981.

<sup>194</sup> Wilner, 21 August 1981.

attended the climax of the annual St Pauls festival and witnessed local police constables joining in with the dancing.<sup>195</sup> Seemingly a more integrationist police policy, as opposed to a combative one, avoided similar violence. Additionally David Waddington, Karen Jones, and Chas Critcher detailed a confrontation between black youth and police in Haymarket, Sheffield in August which did not lead to similar collective violence.<sup>196</sup> They noted that the altercation contained many conditions present in other rioting locations such as use of police dogs, arrest of a local youth worker, allegations of police brutality, and officers taunting youths with comparisons to disorder in other areas.<sup>197</sup> Nevertheless they reasoned that less visibly segregated black districts meant an absence of the belief that a whole community was under siege, which thus prevented the situation from escalating as it had in other locations.<sup>198</sup> As they eloquently concluded: 'The flashpoint sparked but it did not ignite. The environment was not conducive to a fire.'<sup>199</sup>

#### NATURE OF DISORDER

Attempting to understand why some areas did not riot touches upon larger questions of the nature of those disorders themselves. The explanations for the disorder spreading around the country were almost as many as the number of locations they reached:

To some they were the revolt of the underclass and a precursor of the revolution. To some they were race riots, to others they were youth riots or anti-police affrays. To some they were universal events, to others they were highly differentiated outbursts. To some they were a continuation of the American Black ghetto revolts of the 1960s, to others they were a response to a uniquely British situation. To some they were the mindless hooliganism of the unemployables, to others they were a protest against unemployment. Some saw working class insurrection, others criminal vandals enjoying themselves.<sup>200</sup>

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<sup>195</sup> Julie Hendry, 'Police Triumph at St Paul's Parade', *Bristol Evening Post*, 6 July 1981.

<sup>196</sup> David Waddington, Karen Jones and Chas Critcher, *Flashpoints: Studies in Public Disorder* (London, 1989) pp. 115-23.

<sup>197</sup> Waddington, Jones and Critcher, *Flashpoints*, pp. 116, 118.

<sup>198</sup> As Mackillop points out, identifiable areas with relatively large black populations, but no concentrations of wholly black communities in one particular inner-city area or council estate: Mackillop, J. (1981) *Ethnic Minorities in Sheffield*, Sheffield, Sheffield City Council, as cited in Waddington, Jones and Critcher, *Flashpoints*, p.122; Waddington, Jones and Critcher, *Flashpoints*, pp. 115-22.

<sup>199</sup> Waddington, Jones and Critcher, *Flashpoints*, p. 123.

<sup>200</sup> Keith, *Race, Riots and Policing*, p. 52.

John Benyon summarised the various responses and explanations of the disturbances into two broad groups, liberal/radical or conservative.<sup>201</sup> He characterised the liberal/radical perspectives as both focussing upon 'basic flaws' in society and politics, although the liberal views believed improvement could be achieved working within the current framework, whereas the radical view advocated a more fundamental restructuring.<sup>202</sup> The analysis of the disturbances in this thesis places many of those involved within a radical perspective; they believed no advancements would or could be achieved by using the current framework of politics and law and order, hence they moved violently outside of it. Benyon also abridged the interpretations categorised as conservative, which tended to focus more upon aspects of law and order as opposed to social disadvantage or political power.<sup>203</sup> He stated how these in America were termed 'riff-raff-theories', as they perceive the rioters as representing the most worthless and disreputable aspects of society: 'If the liberal and radical perspectives focus on the basic flaws in social and political arrangements, the conservative interpretation stresses the basic flaws in human nature.'<sup>204</sup> In these assessments rioters were rationally choosing to engage in criminal activity, either through a desire to loot, excitement or fun.<sup>205</sup> Whilst undoubtedly there were those who participated in the disorders because of these stimuli, especially within the largely unconnected looting often focussed upon more heavily than the discontent which initiated the violence, this thesis maintains that the initial disturbance in each case examined here was a rational response to perceived continuing unfair actions and a desire for increased political participation.

Unsurprisingly, as highlighted throughout this thesis, many of those in government favoured conservative explanations of the disturbances which focussed upon a rejection of law and order. Fryer highlighted how baffled politicians and sensationalist media described and focussed upon the looting and illegality, but that using the word riots 'to describe what were in fact

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<sup>201</sup> John Benyon, 'Interpretations of Civil Disorder', in John Benyon and John Solomos (eds.), *The Roots of Urban Unrest* (Oxford, 1987) pp. 28-32.

<sup>202</sup> *Ibid.*, pp. 28-30.

<sup>203</sup> *Ibid.*, pp. 30-2.

<sup>204</sup> *Ibid.*, p. 30.

<sup>205</sup> G. Tullock, 'The Paradox of Revolution', *Public Choice*, Vol. 11, 1971, pp. 89-100; E. Banfield 'Rioting Mainly for Fun and Profit', in J. Q. Wilson (ed.), *The Metropolitan Enigma*, (Cambridge, Mass., 1968) *supra* note 35, as cited in Benyon, 'Interpretations of Civil Disorder', p. 30.

uprisings by entire inner-city populations, black and white together, served to obscure the true nature and causes of these events'.<sup>206</sup> Benyon considered that Thatcher's repeated comments contended that any explanation other than 'sheer criminality' was an attempt to excuse the violence.<sup>207</sup> Similar to Anderton's believing any criticism of the police was a determined effort to undermine their authority, Thatcher appeared to believe any attempt to explain the violence was in fact wishing to exonerate those involved. This was supported by others in her cabinet, such as Whitelaw: 'No reason, no explanation, for recent troubles justifies what has occurred.'<sup>208</sup>

### **SCARMAN REPORT**

Thus by the time Scarman produced his report of the disturbances, many had already made up their own minds about what had happened. Similarly claims were made that Scarman's Inquiry was established purely as a political exercise in being seen to be doing something, but his eventual report, published after public interest had waned, would not actually be taken notice of. As Lawrence Marks stated in *The Observer* on 13 September 1981:

The scenario was familiar. Both the law-and-order lobby and its liberal critics would be reassured that the outbreak was not being ignored, the politically weak black community would be divided, the media would soon lose interest - and in the autumn there would be a judicious report on race relations in the inner city to place along side all the other judicious reports on the same subject in the Home Office library.<sup>209</sup>

However Benyon argued that, due to the level of continuing disorder occurring around the country in July 1981 and Scarman's ability to inspire the confidence of many Brixton locals during his inquiry, it was impossible for the government not to respond to its findings.<sup>210</sup> Acknowledging and responding to findings is different than actually implementing real changes in policy, as discussed below.

Although the terms of reference for the ongoing Scarman Inquiry were widened in order to include discussion of the spreading disorder, in reality these disturbances did not achieve the level of examination that many people desired.

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<sup>206</sup> Fryer, *Staying Power*, p. 395.

<sup>207</sup> HC Deb 9 July 1981, vol. 8, c. 575; HC Deb 7 July 1981, vol. 8, c. 25; HC Deb 9 July 1981, vol. 8, c. 576, as cited in Benyon, 'The Riots, Lord Scarman and the Political Agenda', pp. 4-5.

<sup>208</sup> HC Deb 16 July 1981, vol. 8, c. 1399.

<sup>209</sup> *The Observer*, 13 September 1981, as cited in John Benyon, 'Going through the Motions, the Political Agenda, the 1981 Riots and the Scarman Report', *Parliamentary Affairs*, 38 (1985), 415.

<sup>210</sup> Benyon, 'Going through the Motions', 415.

Cursory visits were undertaken to Birmingham, Coventry, Wolverhampton, and Liverpool but, whilst evidence was collected from other locations, they did not receive the same level of scrutiny awarded to Brixton.<sup>211</sup> John Rex unfavourably compared Scarman's Inquiry to the American Kerner Inquiry into disorders in 1967, which had collected vast quantities of social science evidence.<sup>212</sup> This included teams of researchers interviewing those actually involved in riots, allowing their voices to be added to the analysis.<sup>213</sup> Rex pointed out that Scarman was not a social scientist and was 'totally unequipped' to consider all of the English disturbances, so his resultant attempts to obtain similar evidence were 'both random and trivial'.<sup>214</sup> Scarman later attempted to defend his report in comparison to Kerner's, highlighting the comparatively small number of people and short timeframe.<sup>215</sup> Whilst these are undoubtedly significant points and accusations that should be levelled against the government who did not deem Scarman's Inquiry worthy of a fuller team or expanded budget, it is unlikely that such explanations would appease those disappointed with his inquiry.

Before his report was published, Scarman discussed its probable contents with Permanent Under Secretary of State for the Home Office, Sir Brian Crossland Cubbon.<sup>216</sup> Despite the inquiry being touted as including examination into events in July, it was noted that Scarman 'clearly was, and feels he was' more comfortable with investigations into Brixton than elsewhere.<sup>217</sup> This unease was apparently due more to the nature of such materials being more like 'opinion evidence', as opposed to any issue of geographical location.<sup>218</sup> It is unclear whether such a meeting prior to the publishing of Scarman's findings could have or did affect them in any way, but public knowledge of such a meeting may well have resulted in further

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<sup>211</sup> Lord Leslie Scarman, *The Scarman Report: The Brixton Disorders, 10-12 April 1981* (Harmondsworth, 1981) p. 16.

<sup>212</sup> O. Kerner *et al.*, *Report of the National Advisory Commission on Civil Disorders*, US Government Printing Office, 1968, as cited in John Rex, 'Disadvantage and Discrimination in Cities', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 191.

<sup>213</sup> Benyon, 'The Riots: Perceptions and Distortions', pp. 37-8.

<sup>214</sup> Rex, 'Disadvantage and Discrimination in Cities', p. 191.

<sup>215</sup> Lord Leslie Scarman, 'An Epilogue', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 259.

<sup>216</sup> Record of discussion between Lord Scarman and Sir Brian Crossland Cubbon, 5 October 1981, TNA: PREM 19/484.

<sup>217</sup> *Ibid.*

<sup>218</sup> *Ibid.*

accusations that it was a case of the establishment conspiring and protecting its own.

#### CONTENTS AND RECOMMENDATIONS

The Scarman Report was published on 25 November 1981 and the tone was largely that described by Benyon as liberal, as Scarman concluded that the disorders emerged out of political, social and economic disadvantage, and widespread racial discrimination. He also acknowledged some aspects which would be categorised as a more conservative response, such as suggesting the thrill of participation and reward of looting as possible motives, maintaining there could be no excuse for the violence.<sup>219</sup> Kenneth Oxford, unsurprisingly, supported this view that there could be no defending or tolerating the 'grave criminal offences which society cannot condone'.<sup>220</sup>

Scarman also hinted towards the radical interpretation of the disturbances when stating that some rioters believed the violence was an effective way of protesting and making their voices heard in a way they had previously not.<sup>221</sup> This has been a recurring theme of this thesis, that collective violence was undertaken by some as a last resort when it appeared that no other method of voicing their discontent would be acknowledged. However Benyon also highlighted how Scarman's Report further perpetuated the interpretation that these were exceptional threats to British law and order, demanding exceptional responses which focussed upon issues of police training, tactics and equipment for responding to outbreaks of public disorder.<sup>222</sup> John Clare supported this by critiquing Scarman's language: 'That, in case you are confused, is no media hype...Those are the measured words of a High Court judge...far from stepping back from what happened and judging it coolly, he has propelled himself into the very thick of it and been overcome by the smoke'.<sup>223</sup> This played into the hands of those who had been appealing for and obtaining changes in the way police dealt with the disorder, often to the detriment of addressing the original causes.

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<sup>219</sup> Scarman, *The Scarman Report*, p. 118.

<sup>220</sup> Kenneth Oxford, 'Policing by Consent', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 119.

<sup>221</sup> Benyon, 'Interpretations of Civil Disorder', p. 28.

<sup>222</sup> Benyon, 'Going through the Motions', 415.

<sup>223</sup> John Clare, 'Eyewitness in Brixton', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) pp. 47, 50-1. See also Martin Barker and Anne Beezer, 'The Language of Racism: An Examination of Lord Scarman's Report on the Brixton Riots', *International Socialism Journal*, 2 (1983), 108-25.

At the time the report received a generally favourable response. Muhammad Anwar cited an Opinion Research Centre poll which showed 'massive support' for Scarman's proposals amongst respondents who had heard of the report; however the majority of respondents were white.<sup>224</sup> Mary Venner summarised the newspaper reaction, which was largely positive but seemingly in agreement that some aspects could have been improved such as suggestions for preventing further disturbances, solving policing issues, or regarding positive action to counteract racial discrimination.<sup>225</sup>

Zig Layton-Henry described it as a 'diplomatic report' in which everyone concerned could find things with which they both agreed and disagreed.<sup>226</sup> Due to this the common reaction of politicians was also generally positive, as they could all seemingly focus upon aspects with which they agreed; although Vice-Chairman of the Police Federation Basil Griffiths criticised this seeming impossible aspiration to 'be all things to all people'.<sup>227</sup> Darcus Howe described the report a 'failure' that was 'way off beam' due to the lack of radical suggestions to address the level of police power, and Russell Profitt claimed that most Scarman's conclusions had been said before and Scarman had neglected to discuss certain aspects, such as obstacles to progress.<sup>228</sup> Devon Thomas dubbed Scarman's Report 'the most successful diversionary mechanism that the state could have constructed', creating the 'false sense of hope' that the underlying issues of the disturbances would be investigated and addressed, whereas the method of its construction made this unlikely.<sup>229</sup> The constant criticism and widespread belief that the police were not being held

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<sup>224</sup> These interviews were carried out on 27 and 28 November in Brixton and ten other areas using non-probability (quota) sampling; 320 whites and 301 non-whites were interviewed. Among the respondents, 24 percent of whites, 23 percent of Afro-Caribbeans and 38 percent of Asians were unaware of the Scarman Report. See Muhammad Anwar, 'Public Reaction to the Scarman Report', *New Community*, 9 (1981), 371-3.

<sup>225</sup> Mary Venner, 'What the Papers Said About Scarman', *New Community*, 9 (1981), 354-63.

<sup>226</sup> Zig Layton-Henry, *The Politics of Race in Britain* (London, 1984) p. 163.

<sup>227</sup> Basil Griffiths, 'One-Tier Policing', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 125.

<sup>228</sup> Darcus Howe, 'My Fears After This Failure', *The Times*, 26 November 1981, p. 14, as cited in Benyon, 'The Riots, Lord Scarman and the Political Agenda', p. 10; Russell Profitt, 'Equal Respect, Equal Treatment and Equal Opportunity', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 200.

<sup>229</sup> Devon Thomas, 'Black Initiatives in Brixton', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 190.

accountable for their actions either to the public or local government was not addressed in a manner to appease those most fervently objecting.

There were many political and social aspects and policies examined and criticised by Scarman, but the focus of the report's recommendations was largely for the police. Although much of the discontent at the heart of the disorders involved the police, this focus was criticised by some as it appeared to be concentrating upon the consequences, rather than causes, of disadvantage.<sup>230</sup> As highlighted previously, the inquiry's establishment under the Police Act 1964 led to that organisation being the main focus of investigation. A handwritten note by Thatcher on a summary of its contents clearly summarised the authority view, claiming: 'I'm afraid the report seems highly critical of the police'.<sup>231</sup> Despite this Brain reasoned that, in light of the level of criticism directed at the Metropolitan Police from many angles, Scarman was not overcritical.<sup>232</sup> As during his 1974 Red Lion Square Inquiry, Scarman refused to advise the dissolution of the infamous SPG, much to the disappointment of their opponents, and also allocated some blame to the local community leaders.<sup>233</sup> This was viewed by some as a continuation of a pro-police bias that refused to deal with the real areas of discontent and problems.

Scarman stated that the Metropolitan Police's policies were not racist, but that 'racial prejudice' and 'harassment' existed in some officers.<sup>234</sup> He suggested a specific disciplinary offence be introduced to tackle racist conduct, but the government did not accept the need for such a measure. Layton-Henry noted that the Police Federation and Police Superintendents' Association were opposed to this introduction because they believed it was already covered under the existing Police Disciplinary Code, and 'They were not prepared in the interests of fostering good community relations to allow the offence to be specifically incorporated in the Code.'<sup>235</sup> Benyon deemed this response 'difficult to understand', but Griffiths recorded the police argument that the proposed automatic dismissal of any police found guilty of racial discrimination was a 'Draconian punishment', and it was 'particularly unfair that policemen should be

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<sup>230</sup> Profitt, 'Equal Respect', p. 204; Rex, 'Disadvantage and Discrimination in Cities', p. 191.

<sup>231</sup> Note to Margaret Thatcher, 2 November 1981, TNA: PREM 19/1521.

<sup>232</sup> Brain, *A History of Policing*, p. 72.

<sup>233</sup> Scarman, *The Scarman Report*, pp. 97-8, 144-5.

<sup>234</sup> *Ibid.*, p. 98.

<sup>235</sup> Layton-Henry, *The Politics of Race*, p. 164.

placed in jeopardy in this way when the same complaint is so often levelled against members of other public bodies'.<sup>236</sup> Echoing previous arguments resulting in their exclusion under Race Relations Act legislation from 1968-2000 it appeared that, despite their position and responsibility within a broader society struggling to achieve racial equality, the police appeared unwilling to be held to a higher standard. Scarman concluded that "Institutional racism" does not exist in Britain: but racial disadvantage and its nasty associate, racial discrimination, have not yet been eliminated.<sup>237</sup> Herman Ouseley, Lambeth's principal race relations officer, retorted that such a rejection meant the report was 'fundamentally flawed' and later discussion by Simon Holdaway and Megan O'Neill questioned how individual racism could be isolated from institutional racism, when individuals make up those institutions.<sup>238</sup> Many have criticised the lack of a detailed definition of 'institutional racism', claiming that Scarman focused upon it as a 'knowingly, as a matter of policy' action rather than an unwitting consequence of years of predominantly white institutions.<sup>239</sup> Scarman's view was thus deemed characteristic of 'the blinkered approach to matters about race which can affect even well-meaning white people'.<sup>240</sup>

Discarding suggested quotas for black recruits, Scarman did believe more effort needed to be made to increase numbers of black people into the police, which in October 1981 stood at just 326 officers and 0.3 percent of the entire force.<sup>241</sup> After criticism that this would not improve relations between black communities and the police until widespread societal discrimination had been addressed, Scarman later further clarified this point stating that 'I certainly do not regard it as a panacea', but related it to social issues and claimed more black policemen would be attained by encouraging participation of 'black people

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<sup>236</sup> John Benyon, 'The Policing Issues', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 104; Griffiths, 'One-Tier Policing', pp. 131-2.

<sup>237</sup> Scarman, *The Scarman Report*, p. 209.

<sup>238</sup> *The Times*, 26 November 1981, p. 5; Simon Holdaway and Megan O'Neill, 'Institutional Racism after Macpherson: An Analysis of Police Views', *Policing and Society*, 16 (2006), 358.

<sup>239</sup> Scarman, *The Scarman Report*, p. 28; Layton-Henry, *The Politics of Race*, p. 163; Robert Reiner, *The Politics of the Police*, Fourth edition (Oxford, 2010) p. 162; Phil Scraton, *Power, Conflict and Criminalisation* (London, 2007) p. 30.

<sup>240</sup> George Greaves, 'The Brixton Disorders', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 71.

<sup>241</sup> Scarman, *The Scarman Report*, pp. 122-23.

into the whole of British public life'.<sup>242</sup> This, he believed, could counteract the largely negative effect that black officers received from many others within the black community; which again highlighted the intense level of dislike of the police, as joining their ranks was seen as some form of betrayal.<sup>243</sup> Scarman's Report also advocated that police training be extended to a minimum of six months, including a focus upon 'an understanding of the cultural backgrounds and attitudes to be found in our ethnically diverse society'.<sup>244</sup> Griffiths deemed the current training structure, discussed in the introduction, as inadequate to the point of 'a scandalous state of affairs'.<sup>245</sup>

Scarman also encouraged more consultation and connections with the local community and that the highest levels of police work closely with the police authorities. Michael Keith argued the reasoning behind such a recommendation was the provision of an arena in which grievances of the black community could be addressed, thus removing the need for the 'bargaining by riot' actions of 1980-81 and to 'institutionalize conflict, taking it off the streets and into the committee room'.<sup>246</sup> A Home Office Circular was later published which required chief constables and police authorities to work together to form 'community-based consultation bodies', however it was left vague as to the membership and whose responsibility their establishment actually was.<sup>247</sup> Alan Goodson, President of the Association of Chief Police Officers 1979-1980, argued that the law was not a suitable tool to persuade collaboration and preferred to see such a system emerge from the community.<sup>248</sup> A Chief Constable who did not wish to see their position and authority limited and regulated in such a statutory manner is, in context of the general attitudes shown throughout, unsurprising. Anderton criticised the 'unfortunate impression' that had emerged that the police were insufficiently aware of the problems of the local community and that this had played a role in the spreading disorders: 'What a lot of silly nonsense that is. And how unfair. What other organised public body exists with such a wide

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<sup>242</sup> Lord Leslie Scarman, 'The Quest for Social Justice', in John Benyon and John Solomos (eds.), *The Roots of Urban Unrest* (Oxford, 1987) p. 128; Paul Boateng, 'The Police, the Community and Accountability', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 154.

<sup>243</sup> Scarman, *The Scarman Report*, pp. 122-23.

<sup>244</sup> *Ibid.*, p.128.

<sup>245</sup> Griffiths, 'One-Tier Policing', p. 132.

<sup>246</sup> Keith, *Race, Riots and Policing*, p. 173.

<sup>247</sup> Brain, *A History of Policing*, p. 73.

<sup>248</sup> Alan Goodson, 'Police and the Public', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 145.

outreach to the people? None.<sup>249</sup> Another government attempt to allow increased black political participation, given the failures of the past, did not appear likely to appease either senior police officials or the black communities and was subsequently widely deemed ineffective.<sup>250</sup>

### POLICE RESPONSE

Nonetheless it was noted in some quarters that the police responded positively to the report. McNee conceded that 'some of the criticisms must be right' and current President of the Association of Chief Police Officers, Barry Pain, accepted that mistakes had been made in policing - but similarly criticised local and central government.<sup>251</sup> The December issue of the Police Federation magazine *Police* even stated that the report was fair.<sup>252</sup> For those who had been so angered by police misconduct that they had violently taken to the streets to highlight such wrongdoing, it is hard to imagine that they were pleased by the police's response. The Police Federation had pre-empted the report by stating that it would back a new independent body to investigate complaints against the police.<sup>253</sup> However it was believed by many police that the complaints system was already one of the most extensive in the world and Goodson stated that police recognised the need for a procedure to assess complaints, but they believed no system would ever fully satisfy their critics.<sup>254</sup> Griffiths even suggested that rank and file officers felt the 'oppressive' complaints procedure was actually unfair against the police themselves.<sup>255</sup> For those who had taken to the streets to protest the system's repeated failure to address allegations of police misconduct, such a response would not be viewed sympathetically.

The police repeatedly displayed the belief that discontent with the system was largely from politicians and the media, whereas the 'average man' was not particularly concerned: 'It also seems that much of the criticism comes from certain small and articulate groups whose access to the media creates a

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<sup>249</sup> Draft of speech, as cited in Prince, *God's Cop*, p. 117.

<sup>250</sup> Rod Morgan, 'Policing by Consent: Legitimizing the Doctrine', in Rod Morgan and David J. Smith (eds.), *Coming to Terms with Policing: Perspectives on Policy* (London, 1989) pp. 220-33.

<sup>251</sup> Sir David McNee interview on Thames Television, 25 November 1981, and Barry Pain quoted in *The Times*, 26 November 1981, p. 5, as cited in Benyon, 'The Riots, Lord Scarman and the Political Agenda', pp. 8-9.

<sup>252</sup> Benyon, 'The Riots, Lord Scarman and the Political Agenda', p. 9.

<sup>253</sup> Runnymede Trust, *Bulletin*, December 1981, as cited in Layton-Henry, *The Politics of Race*, p. 164.

<sup>254</sup> Goodson, 'Police and the Public', p. 147.

<sup>255</sup> Griffiths, 'One-Tier Policing', pp. 130-1.

misleading impression of the strength of this concern.<sup>256</sup> This attitude fails to recognise that the collective violence of 1980-81 was criticism of the situation by a marginalised group who did not have such access to the media or other forms of political participation. The Police Federation had initially opposed an outside body investigating complaints against the police, ostensibly not because of the 'unlikely' fear it would increase verdicts against police but rather the difficulty of creating a body with necessary expertise and impartiality to conduct such investigations.<sup>257</sup> They would later reverse this position following the scale of events.<sup>258</sup> Scarman deemed the only way to restore faith in the complaints system and appease the critics was through a costly independent investigations service.<sup>259</sup> Whilst some balked at the potential expense, Paul Boateng retorted that this was not a reason to avoid reforms, citing the damage costs of the 1981 riots and concluding that 'when one looks at the question of cost, one must bear in mind the costs of the crisis of confidence which the present arrangements have generated'.<sup>260</sup>

The police themselves, as discussed throughout, focussed their attention upon calls for better equipment and powers to combat social unrest and were largely averse to attempts to increase sensitivity and accountability to the local communities they policed.<sup>261</sup> An extreme example of this response was summarised by Inspector Basil Griffiths, Vice-Chairman of the Police Federation, who proclaimed at a Conservative Party Monday Club meeting in October 1982: 'There is in our inner cities a very large minority of people who are not fit for salvage...the only way in which the police can protect society is quite simply by harassing these people and frightening them so they are afraid to commit crimes'.<sup>262</sup> Whilst the Monday Club was known for long-held controversial beliefs such as the voluntary repatriation of ethnic minorities, leading to its links with the Conservative Party being severed in 2001, such a vocal pronouncement of targeted harassment did little to improve relations with the local community and further suggested the police and Conservatives at this

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<sup>256</sup> Goodson, 'Police and the Public', p. 147; Griffiths, 'One-Tier Policing', p. 130.

<sup>257</sup> Griffiths, 'One-Tier Policing', pp. 130-1.

<sup>258</sup> *Ibid.*

<sup>259</sup> Scarman, *The Scarman Report*, p. 183.

<sup>260</sup> Boateng, 'The Police, The Community and Accountability', p. 156.

<sup>261</sup> Layton-Henry, *The Politics of Race*, p. 164.

<sup>262</sup> Inspector Basil Griffiths, speech to the Conservative Party Monday club, as quoted in *The Times*, 7 October 1982.

time were converging.<sup>263</sup> Conversely Kalbir Shukra framed this as an actual advance in police tactics as a 'targeting of specific black individuals rather than blanket repression'.<sup>264</sup> A Police Federation spokesman would further clarify their position the following month: 'There are two conflicting demands. One is to stop harassing young blacks in inner cities. The other is to stop young blacks harassing other people in the inner cities. Which demand do you respond to? It has to be the second.'<sup>265</sup> Such a viewpoint was central to the outbreak of collective violence in 1980-81 where black communities, particularly youths, took to the streets to protest continued harassment and discrimination through the only action they perceived open to this politically marginalised group. The fact that police officials seemingly maintained such an approach following the disorders suggested the events had limited success in changing the attitudes of the police towards black youths.

Scarman himself later noted the criticism his report had received, including that of not inquiring into specific incidents of alleged police misconduct.<sup>266</sup> One memorable example of such allegations was a photograph of a police constable carrying a pickaxe handle being published in *The Sunday Times*. The Director of Public Prosecutions, however, decided not to initiate criminal proceedings and, despite the constable pleading guilty to a charge of discreditable conduct and a sergeant and detective inspector both pleading guilty to charges of neglect of duty, they all simply received reprimands.<sup>267</sup> As one of the original complainants, Archdeacon Wood of the Diocese of Southwark, remarked: 'If the reprimand means that their police careers can proceed as normal, it does not augur well for policing in this country'.<sup>268</sup> Scarman also agreed his recommendations regarding 'positive discrimination' should have been more explicit and more forthright about the need for affirmative action to combat and surmount racial disadvantage: 'Perhaps I did not see far enough, or maybe for once in my life I was mealy-mouthed, and for that I do indeed apologise.'<sup>269</sup> He later criticised the lack of implementation of

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<sup>263</sup> Nicholas Watt, 'Tories Cut Monday Club Link Over Race Policies' *The Guardian*, 19 October 2001; Layton-Henry, *The Politics of Race*, p. 165.

<sup>264</sup> Kalbir Shukra, *The Changing Pattern of Black Politics in Britain* (London, 1998) p. 116.

<sup>265</sup> Police Federation spokesman, as quoted in *The Guardian*, 20 November 1982.

<sup>266</sup> Scarman, 'An Epilogue', p. 259.

<sup>267</sup> Benyon, 'The Policing Issues', p. 109.

<sup>268</sup> *The Guardian*, 20 January 1983, as cited in Benyon, 'The Policing Issues', pp. 109-10.

<sup>269</sup> Scarman, 'The Quest for Social Justice', pp. 127-8.

social and economic recommendations, concluding it was 'sadly so' that there had been 'a misdirection of effort, as well as in some respects a lack of effort'.<sup>270</sup> Many of the contributions to a later conference discussing the Scarman Report and its outcomes criticised the report for, having placed a number of issues on the political agenda, failing to ensure that appropriate action would subsequently be taken.<sup>271</sup> Scarman countered that the report continued to have an influence and, although he believed it had actually accomplished more than this, 'Even if the Report has achieved no more than an awakening, it would have served a useful purpose.'<sup>272</sup> Stuart Hall later concluded that the Report 'was no panacea', but that it 'broke the prevailing law-and-order consensus'.<sup>273</sup> However, if Scarman's Report was a 'call for action', there was little evidence such action had taken place.<sup>274</sup>

## **CONCLUSION**

By the end of August 1981, several hundred incidents of disorder around the country had been recorded. Police forces had largely switched their tactics relating to outbreaks of public unrest to be more consistent with those seen on the streets of Northern Ireland, largely in response to their apparent effectiveness in Moss Side. As seen throughout, the impact of Northern Ireland upon the streets of Britain was considerable, whether through constant images of street violence flooding the public consciousness, examples of violence such as use of petrol bombs, and police experience of responding to public disorder. The tragic death which such tactics led to in Toxteth did not make police reconsider. Many theories have been put forward for how and why the disturbances had spread around the country, with the media being given the largest proportion of that responsibility. This thesis has argued that media did play a role, but also personal links and movement of people and police themselves played an arguably larger role in the disturbances spreading. Every inquiry established into the events had been accused of either not addressing the main issues, seen as an implicit defence of the authorities, or had specifically defended them. Similarly there had been no disciplinary action

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<sup>270</sup> *Ibid.*, p. 128.

<sup>271</sup> Benyon, 'The Riots, Lord Scarman and the Political Agenda', p. 11.

<sup>272</sup> Scarman, 'An Epilogue', p. 261.

<sup>273</sup> Stuart Hall, 'From Scarman to Stephen Lawrence', *History Workshop Journal*, 48 (1999), 189.

<sup>274</sup> John Benyon, 'Scarman and After', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) pp. 234-5.

against the numerous reports of specific police officers overreacting or acting in an improper manner. Due to the fundamental distrust and dissatisfaction with the police and local systems of government, it came as no surprise to many that the inquiries did not examine specific cases of police misconduct or really fundamentally change anything. It still appeared that the current constraints and inequalities of the British system would not help the situation of local black communities, and further violence would spread around the country again in 1985 as frustrations and anger once more spilled over in an attempt for increased political participation. Elements of local communities had violently stated that they were no longer prepared to suffer what they perceived as unfair and discriminatory circumstances, but authorities remained slow to listen.

## **CONCLUSION**

This concluding chapter summarises the main arguments of this thesis and its contribution to the existing historiography related to the 1980-81 England disturbances. It will briefly address subsequent developments, such as further disorder occurring around the country in 1985 and 1999 Stephen Lawrence murder inquiry which branded the Metropolitan Police 'institutionally racist', as well as suggesting possible areas of further research.

### **SUMMARY CONCLUSIONS**

Throughout this thesis has argued that a growing feeling of discontent by sections of the black community within Britain towards the state, and specifically the police, was enlarged by the governmental refusal to acquiesce to repeated requests for full independent inquiries and the police's connected refusal to relinquish some of their power to and engage in operational discussions with locally elected police authorities. In every major event discussed throughout this thesis a full public inquiry into events was requested or demanded, but in most they were also steadfastly rejected. Although it would be unreasonable in the extreme to suggest that the Home Office grant a full public inquiry into every single request received, due to logistics as much as expenditure, the fact that it took the shock and violence of Brixton to deem one advisable suggests the low level of accountability felt by the British state towards members of ethnic minority communities. Even the subsequent inquiry, established within the limits of the Police Act 1964, was restricted in terms of its scope and personal which arguably affected its conclusions. Other inquiries had been previously established into the circumstances of the deaths of Kevin Gately and Blair Peach, but these were criticised as not providing sufficient answers and in fact covering up police misconduct.

Indeed in those examples where inquiries were established, they broadly fell into three categories: a government-led inquiry that was mistrusted by large sections of the local community and accused of either not addressing the major issue or actively covering up police wrongdoings; a local inquiry which lacked the statutory provisions to compel police and governmental officials to attend or provide evidence; or a local organisation's inquiry whose recommendations were ignored by the government and police in turn believing that such an inquiry

was itself biased. The local inquiries which were established were often boycotted by members of the local community or organisations which purportedly represented them. Despite attempts being made by the inquiries to negate these omissions or even claim such absences nullified accusations of radical infiltration, such boycotts affected the results of the inquiries and further highlighted the lack of trust and respect awarded by many of the local community towards any representatives of British authorities.

It is however interesting to note that, whilst some members of local black communities rejected continued peaceful attempts at participation and engaged in 'collective bargaining by riot', there remained a strong and continuous attempt to work within the British legal system and that a full independent inquiry was the answer, despite growing discontent with the British state. For members of ethnic minorities in Britain, in this case specifically black communities, attempts to obtain a public inquiry to further their situation within established British traditions, such as democracy and fair play, was seen as a 'badge of honour' and would legitimise their place within British society. Additionally the establishment of numerous local organisations and 'pressure groups' to campaign against perceived injustices suggest an attempt from sections of black communities, feeling disempowered and marginalised from the political process, to impact police and governmental policies and tactics through the political process. Increasing examples of police engagement with such organisations and community representatives throughout the period discussed appeared to show willingness on behalf of the police to improve the poor relations with those who had lost trust in the service. Despite seemingly acknowledging the importance of policing by consent, the fact that police clearly did not envisage this relationship being as influential as those community representatives appeared to desire led to a breakdown of such connections. For example in the case of Brixton this was a staunch refusal by the police to inform the local community of the use of the SPG or to discuss operational matters, and in Moss Side it was the belief that local community representatives had been exploited as stooges in order to initiate a stronger police response to the disorder. Such actions led to the furthering of discontent towards the police and authorities, often leading to the boycotting of local inquiries as discussed above.

The Institute of Race Relations journal *Race & Class* declared in October 1981 that the summer disorders 'marked a turning point in British politics' as the 'actions of black youth on the streets destroyed at a stroke the myth of police invincibility'.<sup>1</sup> Despite the Scarman Inquiry seemingly answering the appeals of many who believed such an investigation would improve the situation, no systematic governmental inquiry into allegations of police misconduct or brutality during the disturbances was undertaken. As this thesis has shown, such allegations were often grave and extensive. If it is agreed that the collective violence undertaken by predominantly black youths against the police was a conscious attempt to improve their situation and counteract the level of police harassment being exercised against them, it had seemingly failed. Such 'bargaining by riot' did lead to some advances, such as increased attention (although not always positive) and resources awarded local communities and the seeming increase of black political participation leading to the first three black British MPs being elected in 1987, but had failed in the short-term to address specific incidents of police brutality that had characterised life for black youth. Such failures to address and appease the accusations of police misconduct by many of those who participated in the violence arguably led to increased anger and violence being exhibited throughout the decade, discussed below.

Many have suggested that disorder spreading around the country in 1981 was due to 'copycat' disturbances, where youths had observed previous events publicised in the media and decided they wanted to engage in similar actions; either through following an example of an uprising against the police or desire for the 'reward' of rioting and looting. This was not the only method in which ideas of disorder spread. It can be seen to have been furthered by the movement of people, including police themselves, which often played a role in shaping the disturbances. Such discussions invariably lead to questions of why certain areas produced violent scenes and others did not. It appears from this study that in the areas where violence erupted there were specific incidents of police action or misconduct that built upon pre-existing tensions and discontent which 'lit the fuse' where in other locations conditions did not force escalation in the same manner. It also must not be disregarded that such arguments can tend towards being overly deterministic, and phenomena such as pure chance

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<sup>1</sup> 'The "Riots"', *Race & Class*, 23 (October 1981) 225.

cannot be overlooked. This thesis has demonstrated that the pervasive influence of events within Northern Ireland influenced both participants' attitudes and tactics towards street violence as well as the police and authorities' response. Indeed it was no coincidence that Lord Scarman had previously chaired an inquiry into Northern Irish disturbances before his examination of events in 1981.

### **SUBSEQUENT DEVELOPMENTS**

In order to make any constructive conclusions, events discussed in this thesis must be viewed within the broader environment of Thatcherism and 'the Long 1980s'. Harry Goulbourne argued that the disturbances, Brixton especially, led to an increased interest in the police and desire for them to be more accountable to the communities that they served.<sup>2</sup> The Scarman Report, although criticised for not being strong enough or going far enough, did make a number of recommendations for ways in which the situation might be improved; however a number of these were either ignored or not effectively implemented, which is hardly surprising from a government based on supporting the police and rejecting conciliation. For example after Home Secretary Douglas Hurd claimed, during a trip to Handsworth in Birmingham following the 1985 riots, that Scarman's recommendations had been largely implemented, John Clare deemed this 'such patent breath-taking nonsense'.<sup>3</sup>

Such an apparent lack of response from the authorities led to further disturbances occurring around the country in 1985, which included the violent death of PC Keith Blakelock during disturbances at the Broadwater Farm estate in Tottenham, north London, the first constable to be killed in a riot in Britain since 1833. Similarly to events of 1981, it was argued that a breakdown of relations and absence of local community leaders with whom local police regularly liaised had contributed to the outbreak of violence.<sup>4</sup> Thus during the conference convened to discuss the 1985 disturbances, similar to the one after

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<sup>2</sup> Harry Goulbourne, *Race Relations in Britain since 1945* (Basingstoke, 1998) p. 69.

<sup>3</sup> John Clare, 'The Ratchet Advances Another Turn', in John Benyon and John Solomos (eds.), *The Roots of Urban Unrest* (Oxford, 1987) p. 63.

<sup>4</sup> Jennifer Davis, 'From "Rookeries" to "Communities": Race, Poverty and Policing in London 1850-1985', *History Workshop Journal*, 27 (1989), 77.

1980-81, a main theme emerged at how little progress had been made.<sup>5</sup> The government refused to hold another inquiry in the mould of Scarman's, further highlighting the difficulty of obtaining such public inquiries and inherent expectations on Scarman to have achieved more. Even Liverpool, an area which had received a 'Minister for Merseyside' and some level of governmental expenditure, continued to have issues relating to race; for example a report on Liverpool headed by Lord Gifford in 1989 concluded that racial discrimination was 'uniquely horrific' in the city.<sup>6</sup> William E. Nelson, Jr, argued that violence returned in 1985 because, after 1981, 'many of the most basic issues remained unresolved'.<sup>7</sup>

The true situation of the police in the 1980s is only recently fully coming to light. Recent revelations regarding police misconduct and attempts to pervert the course of justice during the miners' strike of 1984-85 and the 1989 Hillsborough disaster suggests a continuation of the belief amongst many officers that they had free rein to do as they pleased without personal negative consequences. It is thus hard to argue that the events of 1980-81 significantly altered the entire police forces' attitude towards accountability in such circumstances. Moreover the report in 1999 of Sir William Macpherson's public inquiry into the death of Stephen Lawrence, established some four years after the racially motivated murder of the young black man on 22 April 1993, found that there had been a failure of leadership by senior Metropolitan Police officials and many recommendations from the Scarman Report had been ignored.<sup>8</sup> It also confirmed that the police were 'institutionally racist'; nearly twenty years after Scarman had rejected such accusations. Macpherson's definition of 'institutional racism', much broader and far ranging than Scarman's, was:

The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture, or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance,

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<sup>5</sup> John Benyon, 'Interpretations of Civil Disorder', p. 35; Usha Prashar, 'Too Much Talk and Not Enough Positive Action', pp. 116-17; and John Benyon, and John Solomos, 'The Roots of Urban Unrest', pp. 191-2; all in John Benyon and John Solomos (eds.), *The Roots of Urban Unrest* (Oxford, 1987).

<sup>6</sup> Ed Vulliamy, 'Toxteth Revisited, 30 Years after the Riots', *The Observer*, 3 July 2011.

<sup>7</sup> William E. Nelson, Jr, *Black Atlantic Politics: Dilemmas of Political Empowerment in Boston and Liverpool* (Albany, 2000) p. 207.

<sup>8</sup> Sir William MacPherson, *The Stephen Lawrence Inquiry* (London, 1999).

thoughtlessness and racist stereotyping which disadvantages minority ethnic people.<sup>9</sup>

In June 1982 Scarman defended his definition, which addressed only knowing discrimination, by stating criticism and debate around the issue was 'a matter of semantics'.<sup>10</sup> However public acknowledgement that the Metropolitan Police were institutionally racist was the result that many had been waiting decades to hear; although for countless members of the black community, such as Lawrence and his family, it had come too late.

The public's relationship with systems of police accountability remains problematic. When police authorities in England and Wales were abolished by the coalition government in November 2012 and replaced with directly elected Police and Crime Commissioners, seemingly allowing greater levels of accountability from the local communities which they served, the British public's reaction was far from enthusiastic. Jenny Watson, Chair of the United Kingdom Electoral Commission expressed disappointment at voter numbers, concluding that 'the extremely low turnout – at just 15.1% – must be a concern for anyone who cares about democracy'.<sup>11</sup>

This thesis began with reference to the 2011 England riots and comparisons with 1980-81 are indeed apt.<sup>12</sup> Both waves of disorder began the year following a Conservative return to government, albeit in a coalition with the Liberal Democrats in 2010, with a background of economic crisis which saw economic neoliberalism, either through the economic policies of Thatcherism or cuts to public spending, affecting most those at the margins of society. Many aspects of 1980-81 can be seen as a direct parallel with 2011, where a protest march in Tottenham against the contentious police killing of Mark Duggan, a local black male, was met with a questionable police response, increasing tensions, and later escalated into violence and looting.<sup>13</sup> The police, similarly to Moss Side in 1981, attempted to use low-profile policing tactics to avoid

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<sup>9</sup> *Ibid.*, p. 28.

<sup>10</sup> George Greaves, 'The Brixton Disorders', in John Benyon (ed.), *Scarman and After: Essays Reflecting on Lord Scarman's Report, the Riots and Their Aftermath* (Oxford, 1984) p. 69.

<sup>11</sup> The Electoral Commission, *Police and Crime Commissioner Elections in England and Wales: Report on the Administration of the Elections Held on 15 November 2012* (London, 2013) p. 3.

<sup>12</sup> For a comparison of disturbances in Manchester in 1981 and 2011, see: Neil Wain and Peter Joyce, 'Disaffected Communities, Riots and Policing: Manchester 1981 and 2011', *Safer Communities*, 11 (2012), 125-34.

<sup>13</sup> Paul Lewis, 'Tottenham Riots: a Peaceful Protest, Then Suddenly All Hell Broke Loose', *The Guardian*, 7 August 2011; Hugh Muir, 'Tottenham Riots: Missteps in the Dance of Police and a Frustrated Community', *The Guardian*, 5 September 2011.

provocative confrontation with the rioters; although, like Moss Side, these were deemed a failure.<sup>14</sup> Similarly the focus of the events, response, and media coverage again appeared to be concentrated more upon subsequent criminal acts of looting, largely from unrelated persons not involved in the disturbances themselves, rather than the underlying social issues. Interestingly on 8 August 2011 Home Secretary Theresa May, when questioned whether criminals had hijacked a 'genuine cause' in order to 'steal trainers and steal TV's', utilised the exact language of thirty years previously in a blanket condemnation of the riots as 'sheer criminality'.<sup>15</sup>

In the same way, many examples emerged of shocking accusations of police misconduct and racism during the riots. For example a black youth recorded audio of officers telling him they had strangled him during his arrest 'because you're a cunt', before concluding: 'The problem with you is you will always be a nigger'.<sup>16</sup> The officer in question was later sacked for gross misconduct, despite twice facing trial for racially aggravated public disorder and in both cases jurors being unable to reach a verdict.<sup>17</sup> In the aftermath of the violence similar police equipment arguments and debate about the use of water cannon, baton rounds, and possibility for police curfews and 'no-go' areas for the public suggested that little had changed in the intervening thirty years.

Although the 1981 disturbances seem to have, in some quarters at least, taken on an air of legitimacy and respectability as an attempt to utilise collective violence within the framework of legitimate responses to achieve a political goal, their 2011 counterparts seem to have been dismissed purely as, in the recurrent words of Conservative politicians, 'sheer criminality'.<sup>18</sup> This of course could be due purely to historical proximity to events, suggesting time and distance is

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<sup>14</sup> Paul Lewis and Ben Quinn, 'London Riots: How Did the Metropolitan Police Lose Control of the Capital?', *The Guardian*, 8 August 2011.

<sup>15</sup> 'Theresa May: London Rioters "Will be Brought to Justice"', *BBC News*, 8 August 2011, <http://www.bbc.co.uk/news/uk-politics-14449979> (last accessed 12 December 2014); echoing exactly the words of Conservative MP for Putney David Mellor thirty years previously: HC Deb 13 April 1981 vol. 3 c. 26.

<sup>16</sup> Paul Lewis, 'Police Face Racism Scandal after Black Man Records Abuse', *The Guardian*, 30 March 2012.

<sup>17</sup> Paul Lewis, 'Met Police Officer Who Used Racial Slur against Suspect is Sacked', *The Guardian*, 3 July 2013.

<sup>18</sup> Diane Frost and Richard Phillips, 'The 2011 Summer Riots: Learning from History - Remembering '81', *Sociological Research Online*, 17 (2012), <http://www.socresonline.org.uk/17/3/19.html> (last accessed 2 February 2015). As a personal example; a recent university seminar on the topic showed how, whilst no student could remember the community discontent and protest march regarding the controversial police shooting of Mark Duggan, every student recalled and condemned the subsequent looting.

needed from events before such objectivity or perspective can be achieved – however it is also due to the framing of the 1981 disturbances as successful uprisings against oppression within a broader movement of political participation and liberation for black Britons which was not, or has not yet been, the case of the 2011 disturbances. Despite advances being made in some aspects since 1981 relating to police accountability, black political participation, and relations between the two groups, there is clearly still a lot that needs to be addressed.

### **FURTHER WORK**

As has been described in this thesis, the proximity of events suggests that there is still much work that can be done on this topic. For instance this thesis has shown the utilisation of two dichotomous tactics of attempted political participation, namely collective bargaining by riot and continual demands for a state-initiated public inquiry. More investigation is needed into the extent this was a replication of tactics utilised by other groups in society, such as from Northern Ireland or America, and the impact of the understudied Black Power movement within Britain. There is scope for similar examination of the 1985 disturbances, especially as government and organisational records and papers relating to those events become similarly available. There existed many examples of similar themes as has been discussed in this thesis; examples of police misconduct or errors which exacerbated existing tensions on part of the local black community, the spread of protest between various locations, and the involvement of organisations established to defend black people after the disturbances. For example the shooting of Dorothy ‘Cherry’ Groce by the Metropolitan Police whilst attempting to question her son in relation to a suspected firearm offence in Brixton, and the death of Cynthia Jarrett who had a heart attack as police were searching her home in relation to the arrest of her son, led many in the area to believe that the police were still not accountable for their actions. No public apology materialised from the police for their role in Jarrett’s death, and it was only three years after Groce’s death that the police accepted liability for their failings. In comparison six people were immediately charged with the murder of PC Blakelock in 1985; three juveniles who all had their cases dismissed due to confessions being deemed inadmissible owing to the inappropriate conditions they were subjected to during interrogations, and three adults sentenced to life imprisonment despite a lack of eyewitnesses or

forensic evidence.<sup>19</sup> The subsequent Broadwater Farm Defence Campaign to exonerate 'The Tottenham Three' bore many similarities to organisations established during the events discussed in this thesis as the black community attempted to participate in their own form of local politics that they felt that they had been excluded from, eventually leading to their exoneration by the Court of Appeal.

As this thesis has argued throughout the dissimilar treatment within British society of those within the political establishment and those outside, particularly through political and social discourses which portray black communities as more predisposed to criminality, appears to have persisted into the twenty-first century. Political participation remains an ongoing issue for black communities within Britain, and thus the dual strategies of collective violence and appeals for the perceived legitimacy of public inquiries of this period must be considered to have failed to achieve its aims.

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<sup>19</sup> David Rose, 'They Created Winston Silcott, the Beast of Broadwater Farm. And They Won't Let This Creation Lie Down and Die', *The Observer*, 18 January 2004.

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