
by

Zoë James

Submitted for the degree of Doctor of Philosophy

Department of Sociology
School of Human Sciences
University of Surrey

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ABSTRACT

This thesis is an empirical piece of research that analyses policing by answering the question: what happened when the police applied the Criminal Justice and Public Order Act 1994, with particular reference to the policing of New Travellers? In order to answer the research question an analytic framework is developed that applies both micro and macro analyses to the issues raised by the data, resulting in a meta level analysis. The thesis explores New Traveller culture to provide context for police action. It goes on to address police culture as a determinant of action and examines the process of the application of the CJPOA by police. It then develops these micro analyses by considering a macro analysis of police action via spatial theorising and late modern perspectives. It thus engages with debates on the degree to which policing has changed in late modernity. Overall, the thesis finds that the police act according to traditional notions of their role which is structured by their occupational culture and social service function. Some changes are evident in police policy and related practice that reflect late modern concerns, but these are minimal as the police respond pragmatically to the competing and conflictual requirements of the State and the public.
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1. INTRODUCTION

This thesis will answer the question: what happened when the police applied the Criminal Justice and Public Order Act 1994 (CJPOA) to New Travellers? My principal aim in answering this question is to present an analysis of contemporary policing of public order by the public police in England and Wales. In carrying out this task I also aim to analyse the public order provisions of the CJPOA and its application to New Travellers. Likewise I aim to analyse New Traveller culture and deviance as defining of police action. In this chapter I will initially identify the context for the research presented in this thesis, very briefly outlining the New Travellers, CJPOA and police issues that gave rise to this research. The issues presented here will be discussed in depth throughout the thesis. Having determined the problematic that this thesis analyses, I will go on to place it in a sociological understanding of the social world and social research, defining my purpose of study. Finally I will outline the forthcoming chapters to describe how my purpose of study has been facilitated through an analytic framework which answers my research question.

The New Travellers, who have commonly been described in the popular news media as ‘New Age Travellers’, are a social group who have been travelling around Britain since the mid-1970s when festival culture developed and young people began to ‘turn on, tune in and drop out’ (Leary, 1999). The first wave of New Travellers in the 1970s was associated with such youth culture and ‘new age’ ideals. However, the descendents of these young people are now in their third and fourth generation of travelling and the culture has grown, developed and diversified. Some New Travellers’ biographies originate in a familial history of travelling, but many have entered the lifestyle as a ‘do-it-yourself’ response to unemployment and homelessness (Martin, 1998). Therefore New Travellers are a
diverse and complex group who are deviant by nature of their nomadism, rather than their relationship to unconventional 'new age' philosophies or ideals. The New Travellers are a distinct group who are not connected to Traditional Travellers of commonly Irish decent or Gypsies who claim to descend from Romany parentage. The commonality between these groups is their nomadism and the criminal justice system's response to it.

The CJPOA is a wide ranging piece of legislation which created new laws to deal with a number of different matters; from terrorism to Travellers. This thesis addresses the application of the public order provisions of the CJPOA that are designed to deal with trespass by Travellers. These provisions sit alongside others that are aimed at managing protesters and 'ravers'. As a Research Officer in the Home Office Research and Statistics Directorate (now Research Development and Statistics Directorate) I carried out research on the application of all the public order provisions of the CJPOA (Bucke and James, 1998). In that research it was found that the most effective sections of the public order provisions of the CJPOA were those relating to Traveller trespass. However, the research did not distinguish between the application of the law on New Travellers and Traditional Travellers, despite the fact that the law was originally described as intended to deal with the New Traveller 'problem' (Hester, 2000). The application of this law on Traditional Travellers and Gypsies has been addressed in research and debate (Clarke, 1998, Clements and Cambell, 1997, Ashworth, 1995, Smith, 1995, Campbell, 1995, Morris and Clements, 2002). However, its application on New Travellers has not been effectively analysed. The deviant status of New Travellers as nomads, who can not gain status from their racial origins (which Gypsies and Traditional Travellers can and do) means that the law is applied by the police in a particular fashion that must be addressed and which
sheds light generally on police practice and particularly on police handling of deviance.

The police are constantly under pressure from the public and the State to manage crime and public order in England and Wales as they are considered responsible for any such problems. This places a broad remit in the hands of the police that is commonly confused by conflicting and contradictory requirements from the public and from State institutions via the media, policy and legislation. For example, in the last three decades of the twentieth century, as late modernity has developed, the police have been required by governments to orient their action towards crime control strategies, rather than order maintenance, and the public have been 'responsibilised' (Garland, 2001) to manage their own risk. However, the order maintenance role of the police continues to define much of their function as a large proportion of their time is spent dealing with public order problems ranging from football hooliganism to domestic violence.

When managing public order the police are increasingly required to measure risk to ensure efficiency and effectiveness in their practice. There has been a consequent development of policing techniques to aid the measurement and management of risk which include the use of new technology, surveillance and inter-agency working. Some studies of policing (Bayley and Shearing, 1996, Ericson and Haggerty, 1997) have suggested that these developments represent a significant shift in police practice in late modernity, including a dispersal of the policing role to multiple agencies. The degree to which such a shift has occurred will be explored by this thesis through an analysis of the application of the CJPOA on New Travellers. Traditional notions of determinants of policing will also be addressed here because research evidence (Chan, 1997, Reiner, 2000)
continues to show the relevance of police occupational culture and traditional structures of police forces as defining police perceptions and actions.

Public order policing is carried out by the police in a range of circumstances and settings upon numerous individuals. As noted above the maintenance of order in society incorporates a broad spectrum of actions. However, specific discussion of 'public order policing' is generally understood to refer to police management of 'dissent, demonstration and protest' (King and Brearley, 1996:5). The incorporation of Travellers into legislation that deals with such actions implies that nomadic living is an expression of such dissent, demonstration or protest. This defines and determines the conflict between nomadism and sedentarism in industrial capitalist western societies. Public order policing in England and Wales had bifurcated by the end of the 20th century into use of pre-emptive strategies such as negotiation and surveillance and paramilitary strategies when pre-emptive ones fail or the deviance of groups is deemed too risky to tolerate. New Travellers have experienced both of these forms of policing throughout the 1980s and into the 1990s. This thesis will go on to analyse the interaction between the police, the New Travellers and the legislation which can inform and develop our knowledge of public order policing methods that manage deviance.

The police, New Travellers and the CJPOA are social phenomena whose interaction interests me as a sociologist. It is the interpretation of such interaction that gives me purpose as it provides meaning to the social world and can affect future action (O'Brien, 1993). The 'sociological imagination' (Wright Mills, 1970) provides us with an ability to look beyond common sense evaluations of the social world which work to provide us with security rather than innovation (Bauman, 1990). In studies of deviance, criminality and the criminal justice
system, common sense notions preside over our knowledge via media presentations of apparent 'facts' of criminality, the causes of crime and necessary police responses to them. New Travellers and the police have been affected by this directly because the moral panic that the media created regarding the ability of the police to manage New Travellers influenced the creation of the CJPOA (Hester, 2000). Rather than accepting common sense notions of criminal justice necessities, as a sociologist I can use my imagination to fully conceptualise the policing of New Travellers.

Giddens (1986) presents Wright Mills' (1970) work as a threefold exercise of the imagination: historical, anthropological and critical. By understanding the historical nature of relations between New Travellers and police I am able to be sensitive to their interaction. I can then gain insight to the interaction by recognising the diverse nature of human societies that should not be judged in relation to each other, but rather as an anthropological exercise. This anthropological knowledge of the policing experience of New Travellers accompanied by our historical knowledge of their experience results in recognition that there are multiple determinants of future realities. As a sociologist then I am able to critically analyse the phenomena of New Travellers, the police and the CJPOA. In order to critically analyse these phenomena I have carried out empirical research that has then been explored via an analytic framework which is informed by the data collected and by existing research and theorising in this academic field. I will now outline the chapters of this thesis to describe the process of the research and analysis.

The next chapter of this thesis, 'Literature Review' presents and describes the existing literature on New Travellers and Policing. By presenting the literature in the area it is possible for the reader to conceptualise the context
for this study which aims to add to this literature. The academic literature on New Travellers is ordered according to the general themes of research in the area and which focus on spatial theorising, social control, health and planning. I have also outlined the non-academic literature which has been particularly informative on New Traveller lifestyles. The policing literature is broad as studies of the police have developed over many years, covering all aspects of police work. I have therefore centred my account of police studies on two areas that this thesis addresses: public order policing and police occupational culture. Although this thesis addresses literature in police studies beyond these narrow fields, it is principally these areas that are affected by my research. Other literature pertaining to theories of policing in spatial terms and in late modernity is addressed in the ensuing chapters.

Chapter 3, 'Methodology' presents the way that the empirical research for this thesis was carried out and analysed. A methodological explanation of the research design is provided here which incorporates a critical analysis of the tools used. The chapter is largely divided into two sections which describe the sets of data analysed: police data gained from Home Office research (Bucke and James, 1998) and New Traveller data collected for the purpose of this thesis. In each of these sections I have considered the sampling, access and fieldwork requirements of the research. I have then gone on to discuss the analysis and finally, the ethics of the study.

Chapters 4 through 8 of this thesis represent the analytic framework that answers the research question described in my methodology. It is through these chapters that my sociological purpose is realised. I present my findings in these chapters which are analysed and discussed in relation to literature on theory and empirical research.
In Chapter 4, 'New Traveller Culture' I present a detailed description of the New Travellers' social world from the perspective of the New Travellers themselves and the police. This chapter is vital in placing the rest of the thesis in context, providing much of the historical and anthropological information that allows a critical analysis of the policing of New Travellers. By initially describing the deviant status of the New Travellers and going on to discuss their experience of travelling and their social organisation I am able to provide some insight into the police perception of the New Travellers generally and the interaction between the two groups. The way that New Traveller lives are organised, their use of space, behaviour and choice of when to move and where to go determines much of the policing and use of law on them. Having provided this description I am able to reflect on this throughout the thesis in analysing policing.

In Chapter 5, 'Police Culture' I likewise set the historical scene and provide anthropological knowledge of the police from the perspective of the police themselves and the New Travellers. This chapter begins with a discussion of the history of the policing of New Travellers and goes on to discuss the police occupational culture. A clear distinction arises in this chapter between policing practice in the 1980s and the 1990s which is analysed as an artefact of police procedures and cultural understanding.

Chapter 6 of the thesis is titled 'Application of the CJPOA'. This chapter directly addresses the tools used by police to apply the CJPOA. In doing so it explores the legislation itself, case law and policy. It provides a backdrop to the legislation by outlining the origins of the CJPOA public order provisions and follows the procedure through which the trespass sections of the law have been applied by the police. It is necessary in this chapter to address the ease or
difficulty of such application and the influence that New Traveller culture and police occupational culture have on such application, drawing from the two previous chapters. The chapter also examines policing where the CJPOA is not used and the implications this has for due process. In this analysis the informal tools used by the police are discussed, particularly the negotiation tactics used to manage New Travellers and landowners.

‘Policing Space’ is Chapter 7 which takes the analysis of police application of the CJPOA forward by considering the spatial nature of policing nomads in sedentary society. In this chapter I begin by presenting an examination of New Traveller and police spaces. I then go on to consider the displacement of New Travellers that occurs as a result of policing, the different police force treatment of New Travellers and the lack of communication between them. The bounded nature of policing evidenced in this chapter is influential on the following chapter which discusses late modern policing methods that rely on good communication and information flow between forces and agencies. Finally this chapter presents an analysis of public order policing which evidences the use of paramilitary tactics in the policing of New Travellers and ‘guerrilla tactics’. The identification of guerrilla tactics as a tool in conceptualising policing incorporates three particular methods used by police: disruption, destabilisation and spatial exclusion.

In Chapter 8, ‘From Police to Policing’ I have presented a discussion of policing in late modernity. The chapter begins with a description of the changes in policing that have occurred during the last three decades. Having established the key areas of change that have been identified by academics I use three of Jones and Newburn’s (2002) categories to carry out the analysis of my data: reorganisation and management of the police, use of risk based strategies and
use of new technology. Initially discussion focuses on the nature and extent of inter-agency working in the police. I then go on to explore intelligence, surveillance and use of new technology. A discussion of these areas provides an understanding of the degree to which policing has changed in late modernity or continues to be defined by our traditional concerns.

Finally, the 'Conclusion' of this thesis, Chapter 9, draws together the analytic chapters and considers the implications of their findings. The process of critical analysis that is presented through the chapters identified here results in my ability to conceptualise possible future social action and organisation. Overall the thesis critically analyses policing by finding out what happened when the police applied the CJPOA to New Travellers.
2. LITERATURE REVIEW

2.1 New Travellers

The literature on New Travellers is limited. It contains some reports, books and articles written by the New Travellers themselves and some academic articles and books. The academic literature in this area is multi-disciplinary. Research comes from various origins: sociology, geography, psychology, criminology, social policy, cultural studies and health studies. The nature of New Traveller publications are as historical accounts of New Traveller lives which gives them an importance and relevance in New Traveller culture that academic books alone would not be able to provide. Similar to the spoken history of Gypsies, New Travellers have written, drawn and photographed accounts of their lives for books. Akin to the life history genre, these books play a central role in keeping New Traveller culture and history alive for future generations.

Academic studies of New Travellers have been carried out by some new academics and not at all by established writers on Gypsy lives. In fact most studies of New Travellers exist quite separately from those on Traditional Travellers. Well known authors such as Acton (1974), Okely (1983) and Fraser (1992) concentrate their research in the Gypsy field rather than straying into discussions of New Travellers. It is only in compilation works such as that by Acton (1997) Gypsy Politics and Traveller Identity where discussion of New Travellers takes place alongside discussion of Gypsies. There is a degree of antagonism between Gypsies and New Travellers due to the introduction of the CJPOA, which was debated in the House of Commons as a tool to reduce numbers of New Travellers, but has been equally used against Gypsies (Bucke and James, 1998). The discrimination suffered by Gypsies for centuries has been
magnified in recent years by the media focus on New Travellers. Thus relations between the two groups of Travellers are commonly tense and their division is felt in the academic community.

Of course, there is always an exception to stereotype and there are accounts of New Travellers living in harmony with Gypsies in texts such as Lowe and Shaw's (1993) *Voices of the New Age Nomads* which presents some New Travellers who describe themselves as living happily with Gypsy families. I belong to the Traveller Net e-mail group in which there has been recognition of New Travellers living on illegal sites with Gypsies. Another source of unified information is the Friends, Families and Travellers Support Group (FFT) whose main focus is on supporting and reporting on New Travellers' lives, but who are also committed to and helpful to Gypsies. The Traveller Law Research Unit based at Cardiff University has produced literature, most notably Morris and Clements (1999) *Gaining Ground: Law Reform for Gypsies and Travellers* that is aimed at all Travelling or nomadic communities. This book is particularly important to the plight of Travellers in the UK as it proposes law reforms and has been used to lobby the Government for change. The subsequent publication by Morris and Clements (2002), *At What Cost? The Economics of Gypsy and Traveller Encampments*, provides a cost benefit analysis of providing sites for Travellers using a 'best value' approach.

A number of studies of the culture and control of New Travellers have been carried out, but this has generally been at the undergraduate (Graves, 1999) or postgraduate Masters level (Brown, 1995) without publication or presentation for public consumption. As Thomas Acton once said to me at a Surrey University conference when I proudly stated my intent to study New Travellers at postgraduate level, such study is relatively common and unhelpful
for the plight of New Travellers. He felt strongly that all Travellers should not be regarded as a small project of interest for dissertations, but as a community requiring a lifetime commitment from academics. Those who have taken their interest in New Travellers beyond PhD have contributed most to our understanding in the academic arena as Acton predicted. For the purposes of this literature review I will initially outline the academic work in the area of New Travellers and go on to discuss the non-academic, equally important, published material.

Colin Clark is one of the more prominent academics publishing in the area of New Travellers. It is Clark who commonly writes about New Travellers in the context of Gypsy studies as he does in Acton's (1997) edition of Gypsy Politics and Traveller Identity where Clark writes on "New Age" Travellers: Identity, Sedentarism and Social Security'. In this chapter Clark gives a definitive account of the benefits system available to New Travellers and contests the image of such people as 'Sponging Scum' (Daily Star, 1992). He argues that sedentarist principles have structured the benefits system making it either unavailable or too inflexible for New Travellers to make claims. He suggests that the media frenzy surrounding New Travellers in the late 1980s and early 1990s has resulted in 'misrepresentations of New Traveller identity' (1997:125) and thus created the divide between mobile communities and settled ones. Clark suggests that it is this misrepresentation which has resulted in the extreme lengths that the Benefits Agency will go to in order to ensure no fraudulent claims are made, e.g. the Department of Social Security National Task Force monitoring New Travellers movements.

Clark's other work again sits New Travellers alongside a discussion of Gypsy issues in Moving On: The Gypsies and Travellers of Britain by Donald
Kenrick and Colin Clark (2000). Clark's particular chapter on New Travellers is rather all-encompassing, with little depth. A brief history of New Travellers is provided along with a consideration of health, wealth and legal issues, including the introduction of the CJPOA. Otherwise Clark has written on British acceptance of human rights issues barring those relating to Travellers (1999) and he has collaborated with Alan Dearling to write 'Romanies, Gypsies, Travellers or Nomads' for *Criminal Justice Matters* (1999/2000). This article breaks down the argument between those who believe ethnicity is the cultural signifier of Travellers as opposed to nomadism. Clark and Dearling conclude that nomadism is the best label under which Travellers can work together to fight racism and anti-nomadism. As they say, 'Let us put our heads together and try to start a new debate focusing on nomadism, as well as ethnicity' (1999/2000: 15).

Colin Clark is particularly well known in the study of Travellers due to his setting up of the e-mail discussion list 'Traveller Net'. It is within this discussion group that many issues are raised regarding both New Travellers and Gypsies and it is this forum which provides space for unfettered debate.

As I have outlined above, Clark brings forth some interesting issues in his work, but it is other academics that have taken these up and considered them in some depth. Kevin Hetherington's book entitled, *New Age Travellers: Vanloads of Uproarious Humanity* (2000) details his findings from Doctoral research in this area. This is a comprehensive and illuminating text which theorises on the position of New Travellers in relation to 'normal' people in society. Hetherington suggests that New Travellers provide an affirmation of the moral standards and organisation of 'normal' society simply by existing. He says that they challenge order in a place symbolically and thus confirm the need for social order reflecting Erikson's (1964) boundary maintenance function of deviance. New Travellers
have a conception of the countryside that is idealised — they have created a 'utopic' according to Hetherington's earlier chapter in Skelton and Valentine (1998a). 'Utopics are a type of spatial play whereby a utopian outlook on society and the moral order that it wishes to project are translated into spatial practice through the attachment of ideas about the good society onto representations of particular places' (Hetherington, 1998a:328). So, New Travellers have made a utopic of the countryside in which they live that is different to the normal conception of the countryside by its residents and directly conflicts with it. This conflict serves to preserve order ultimately by symbolising difference.

Hetherington uses his book to theorise in some depth, utilising aspects of New Travellers' lives to explain his ideas. He discusses the meaning of festivals to New Travellers, their lives on the road, their ethnicity and, of course, their relationship to the countryside, using the particular example of the New Travellers attachment to Stonehenge. This book is unique in its depth of description of New Travellers in an academic, theoretical context.

Other writers who have used the concept of space as an analytic framework are Halfacree (1996) and Kendall (1997). Halfacree provides a very useful account of space as defined by sedentarism in the Antipode journal article entitled, 'Out of Place in the Country: Travellers and the Rural Idyll'. He suggests that sedentarists striate space - making it hard to move through but easy to settle in, on the other hand nomads see space as smooth through which movement is easily achieved. By striating space sedentarists create boundaries which are both physical and ideological. Halfacree says that the striation of the countryside space has resulted in an ideological concept of the 'rural idyll'. This 'idyll' has strict boundaries which define its character. It does accept some nomadic travellers such as traditional Gypsies in a horse drawn painted wagon or an
itinerant tramp in a battered bowler hat, but generally nomads are considered disruptive of social space. Disruption occurs because nomads move freely through their 'smooth' space into the 'striated' space with no recognition of boundaries. By doing this they threaten to expose the striated space as unrealistic and partisan. 'New Age Travellers...can attack sedentary society. Hence the rigorous attempts to suppress them shown by the British State in control measures such as the Criminal Justice and Public Order Act 1994. These measures attempt to re-striate rural space and keep it the land of Philo's Mr Average' (1996:55).

Kendall uses spatial theorising in a different manner to Halfacree and Hetherington as she uses it to describe the result of discrimination against Travellers in her chapter of Acton (1997) entitled 'Sites of Resistance: places on the margin – the Traveller 'homeplace". She argues that Travellers occupy 'marginal spaces' in society which reflect their cultural and physical status. She says that Travellers have been marginalised by sedentary society in a number of ways and have subsequently become a threat. This threat has manifested itself as society has become preoccupied with protecting space: ordering and controlling the environment. In the same way that Hetherington suggests that the mere presence of New Travellers can enforce control over them, Kendall says that the presence of 'outsiders' promotes a xenophobic attitude from society and Travellers are considered a threat in need of control.

David Sibley (1994) approaches the issue of space from a control perspective in an article in the journal Area entitled, 'The Sin of Transgression'. He suggests that control of New Travellers is carried out by controlling space at the boundaries of society. Writing at the time of Major's Conservative government Sibley suggests, 'A government which is having some difficulties with the
economy is focusing on the margins in order to maintain the support of its traditional constituency' (1994:300). The 'traditional constituency' being the Conservative middle classes living in the 'rural idyll'. The 'protection' of this constituency occurs by the control of particular spaces, specifically control of any space upon which New Travellers wish to stop. Such control occurred according to Sibley via the creation of legislation which allows agents of the state to remove Travellers from land: the CJPOA public order provisions.

So, New Travellers have been considered by academics from a spatial perspective which has led to a better understanding of why and how they are controlled. Such control is commonly discussed in terms of the CJPOA: the main focus of this thesis. Richard Hester (2000) has written his PhD on the control of New Travellers via the CJPOA. He agrees with Sibley that space is the main tool used by the state to control New Travellers, though he suggests that their overall control is further dispersed. He argues that sedentarism is maintained by the police, benefits agency and local authorities who determine planning permission and controls of environmental health. He suggests that the application of control by these agencies is swift, commonly employs force and fails to recognise the needs of vulnerable groups. Using Cohen's (1989) 'checklist' of social control Hester goes on to describe the influence of the media on the control of New Travellers via the creation of anti-nomad myth and support for the legislation. He then suggests that the purpose of this control of New Travellers is multiple: more newspapers are sold; mainstream society confirms itself with a sense of solidarity; political gains are made by the Conservative party who passed the legislation; the way is paved for exclusion of other deviant groups and finally; a group of people are effectively 'exterminated' akin to the removal of Gypsies and Jews in Nazi Germany. Ultimately Hester says that the CJPOA serves to protect private property and land ownership.
Hester's thesis is extensive, involving empirical research which produced numerous interviews and a large survey. He attempts to address many issues relating to the application of the CJPOA and the lives of New Travellers in general. The result is at times confusing and is best broken down to its component parts and considered as such. Had this work been published as a number of separate journal articles, dealing with one issue at a time comprehensively it would have been a great addition to our understanding of New Travellers as a whole and how they are controlled, particularly via legislation. Unfortunately this has not happened and as a whole the thesis fails to deal comprehensively with each issue. It does provide the first empirically based account of the application of the CJPOA on New Travellers however, which has informed the analysis of this thesis.

The final chapter I will draw from Acton (1997) is written by Robbie McVeigh entitled, 'Theorising Sedentarism: the Roots of Anti-nomadism'. McVeigh brings the discussion of why and how New Travellers and Gypsies are controlled back to basics by considering sedentarism as the root cause of anti-nomad discrimination. He says, 'the sedentary/travelling nexus remains one of the key power interfaces in every European social formation' (1997:17). So, rather than simply discussing space as a control mechanism used by the state, McVeigh argues that the very structure of our society as based on sedentarism creates anti-nomadism. New Travellers have re-introduced the potential for a nomadic existence that sedentarists believed they had wiped out by generally assimilating the Gypsy population into sedentary society. New Travellers have thus become a threat to sedentary society and as such need to be controlled via legislation and possession of space by the state. McVeigh sums up his ideas with great clarity; 'Nomadism illustrates alternatives to the order and control exercised
through settlement and individual property rights. Thus the political and cultural resistance of the nomads continues to subvert deep-seated beliefs about the normalcy of settlement and wage labour and private property, which pervade the whole of sedentary society. This is precisely what New Travellers have achieved. In a period of Thatchite/Blairite hegemony they represent the continued possibility of alternatives; indeed the continued possibility of resistance' (1997:22).

An article produced in Space and Polity called, "No Interest in Land': Legal and Spatial Enclosure of Gypsy – Travellers in Britain' by Bancroft (2000) uses spatial theorising and sedentarism to discuss the legal position of Travellers. Here the author draws on spatial theory to explain the control of Travellers via the Caravan Sites Act 1968 and the CJPOA. He contends that the criminal justice system is discriminatory towards Travellers due to its 'ingrained "sedentarist" assumptions about what constitutes a normal way of life' (2000:41). So, this study diversifies the discussion of control by suggesting the system of justice in England and Wales is institutionally discriminatory. This means that the justice system itself is playing a part in control, rather than being a passive tool for the sedentarist state to apply its principles. The issues raised by this article are particularly interesting as they introduce socio-legal theorising to the study of Travellers in relation to state control.

It is now necessary to move on to consider academic work in the field of New Travellers that is less theoretical. Martin (1998) considers 'Generational Differences Amongst New Age Travellers' in Sociological Review. He argues that the New Travellers are made up of two distinct groups defined by age. The older generation of New Travellers moved onto the road as an ideological project in the 1970s and are closely tied to new social movements and 'new age' spirituality. Essentially they chose to travel as a lifestyle. The younger generation of New
Travellers can be defined very differently according to Martin as they were forced onto the road by homelessness and unemployment in the 1980s. Martin's ideas are based on PhD work during which he completed a number of interviews with New Travellers. He goes on in another article in Sociology (Martin, 2002) to describe the New Travellers as a diverse and differentiated group, in part due to their generational differences. He provides a clear account of how New Travellers are divided in a number of ways: according to their ownership of a vehicle, the drugs they use, the social movement they align themselves with and their generation. This breakdown of the New Travellers lives is a great aid to our understanding of their culture and thus their response to the control mechanisms previously outlined by other authors.

As mentioned at the beginning of this section the study of New Travellers is multi-disciplinary. This can explain why there is little cohesion in our description and understanding of New Travellers. In 1993 Vicki Stangroome published her research on New Travellers' access to health care provision in, Investigation into Policies, Priorities and Resources Available to New Age Travellers (The Hippy Convoy). She found that New Travellers receive less health care provision than other social groups and concluded that this was in part due to their ideology of 'under consumption' and in part due to their inability to settle on legal sites and obtain provision in that area without being moved on by police. Matthews and Velleman (1997) attempted to gain access to New Travellers in order to measure their sexual health. In an article in Bulletin de Methodologie Sociologique entitled, "New Age" Travellers, Urban Slum Dwellers, Aborigines and Drug Users: Experiences of Collecting Sensitive Data from Marginalised Communities', they note the difficulties they had attempting to speak to New Travellers and gain valid data (as discussed later in the Methodology chapter of this thesis). These studies, though helpful in providing further knowledge of New

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Travellers in a broad sense, are not useful in gaining a better understanding of policing New Travellers. They do provide information on methodological issues which have been helpful to this thesis and the concept of 'under consumption' is useful to describe New Travellers lives generally.

Hawes (1997) again writes about health provision for Travellers in 'Gypsies, Travellers and the Health Service'. This report considers specifically the effects of the CJPOA on Travellers' health and is broken down to assess the difference between New Travellers and Gypsies. It finds that Travellers generally have a poorer health status than settled people and links this with many facets of traditional travelling life, for example the use of small spaces to house larger numbers of people. Hawes identifies many reasons why particular aspects of Gypsy and New Traveller cultures impact on their health. So, it is suggested that a higher use of drugs amongst New Travellers affects their health detrimentally. But, it is the way in which the health of Travellers is further diminished by lack of access to the health care system that Hawes is particularly interested in. He found that the CJPOA has resulted in more evictions of illegal Traveller sites and it is New Travellers that generally occupy these sites. So, New Travellers have had their access to health care diminished by the CJPOA and they are less healthy as a consequence. Interestingly, Hawes also found that New Travellers were younger, more articulate and more prepared to argue for their right to health care than Gypsies, thus they still gain access to some health care despite evictions.

George McKay produced Senseless Acts of Beauty: Cultures of Resistance Since the Sixties in 1996. He is now a Professor in English and American Studies at the University of Central Lancashire. His interest in radical culture and popular music resulted in this book which considers the subcultures
and counter cultures of the post 60s era. In the book he discusses the arrival of festivals into British culture, the New Travellers who grew out of those festivals, their politics of anarchy and subsequent cultures of resistance such as environmental protesters and 'ravers'. This presentation of New Travellers as a core feature of subsequent counter cultures is interesting, though open to debate. McKay presents a coherent account of the history of New Travellers here including recognition of their diversity. He writes in an informal manner which brings his work to a wider than academic audience, yet it contains references from the previously mentioned academic sources and theorises to some degree on the policing of New Travellers. For example McKay suggests that the strategies used to police free festivals in the 1970s and 1980s were very similar to those used in industrial action at that time. He says that the initial action against New Travellers could have been due to an initial failure on the part of the police to exercise their power effectively and thus they showed their forceful abilities in policing the New Travellers.

Finally, academics Morris (2000) and Webster and Millar (2001) provide further accounts of New Travellers' lives which are useful in giving a better understanding of New Travellers' experiences. Morris presented a paper to the Annual Meeting and Conference on Gypsy Studies of the Gypsy Lore Society on, 'Gypsies, Travellers and the Media: Press Regulation and Racism in the UK'. Here she presents evidence and discussion on the discrimination against all Travellers in the British media, particularly the news press. She says, 'Groups which are readily and easily stereotyped, such as Travellers, are likely to experience layers of discrimination in their lives which leads to entrenchment'. (2000:2). Webster and Millar present a report, Making a Living: Social Security, Social Exclusion and New Travellers in which they describe the working practices of New Travellers that conform surprisingly to the rest of society's values. They
found that most New Travellers worked on a regular basis, though commonly with breaks due to the seasonal nature of their employment. Some claim benefits - most commonly lone parent families who found claiming difficult due to the nature of their lifestyle. Webster and Millar concluded that more access to secure employment and the benefits system would be obtained if employment programmes worked flexibly to incorporate the travelling nature of New Travellers' lives and if they could gain access to stable and secure sites.

In order to gain a complete picture of the literature relating to New Travellers it is important that we look at the published material which does not have an academic source. First though I will turn to an examination of the work done by Alan Dearling. Dearling is a Research Fellow at the Vauxhall Centre for the Study of Crime at the University of Luton. I have separated his work out here for a particular purpose: he writes from the perspective of a New Traveller, rather than an academic. He is a prolific writer and campaigner on behalf of New Travellers. He is viewed as a 'member' of the New Traveller community and is an academic. Dearling has created his own publishing company and uses this to publish his own work and that of those he supports. He has produced work in a number of areas relating to alternative cultures and young people, but his abiding interest is with New Travellers.

Dearling has collaborated in the past with Clark as previously mentioned in this chapter, but his own work on New Travellers has been extensive and covers a number of issues. In 1997(a) he produced an article for *Criminal Justice Matters*, 'Rebels with a Cause? Travellers, Protesters and DIY Culture', in which he considers the role of the CJPOA in drawing subcultures together in protest. He pictures New Travellers here as central to this collaboration. He then turns his attention to the culture of the New Travellers themselves and writes a descriptive
account of the Travellers School Charity (1997b) including a breakdown of its funding and finances. This report was placed on the internet for public perusal. In 1998 Dearling changed focus again, publishing a book: No Boundaries: New Travellers on the Road (Outside of England). This book contains numerous accounts, photographs, poems and cartoons of travelling experiences from people around the world. The accounts are written by the New Travellers themselves and put together with a little commentary by Dearling. This book aids our understanding of how and why many New Travellers have gone abroad. Many attribute this to the difficulty of travelling and stopping in England with constant harassment and eviction by the police. They write of easier travelling in Europe and more tolerant policing.

In 1999 Dearling presented a paper at the University of Greenwich, "Get a life" or "Got a life": New Travellers as a Problem or a Solution’ which questions the relationship between New Travellers and academia. This paper suggests that academia has problematised New Travellers, failing to recognise them as a ‘real’ group of people who are diverse in interest and background. He presents himself here as ‘researcher activist’, using his research to support New Travellers and make changes in their lives: this moves some way from the traditional perspective of researcher as objective observer.

Dearling changes tack again in 2000 with a chapter in Factor et al Companion to Working with Young People entitled, ‘New Travellers Helping Themselves’. This chapter focuses on the do-it-yourself nature of New Traveller lives and suggests that such a self-help mentality is useful when working with young people generally. He discusses a number of issues relating to New Travellers in order to explain how their culture is self-sufficient. For example he discusses the Travellers School Charity and describes some New Traveller
history. Finally, Dearling presented a paper at the 2001 (a) Zegg International Communal Studies Association conference in Germany. This paper takes Dearling down the academic route again, in which he considers the New Travellers as an 'intentional community' despite their geographical dispersion.

So, Alan Dearling has produced a number of interesting articles, conference papers and a book. He stands on the boundary between academia and New Traveller culture, but he looks to the direction of the New Travellers with his self-ascription as 'researcher activist'. He has not produced any research of particular depth, nor has he analysed his research in the light of theoretical work by people like Hetherington, Halfacree, Sibley or Martin. He has however raised the profile of New Travellers within academia and introduced them to the public in his publications in a positive light (rather than the negative media portrayal they receive). His work leads us neatly to publications written by New Travellers or compiled by New Traveller organisations. A particularly important text in the New Traveller literature is *A Time to Travel? An Introduction to Britain's Newer Travellers* (1994) written by Earle, Dearling, Whittle, Glasse and Gubby. Here Dearling writes with New Travellers producing a comprehensive picture of New Traveller history, culture, occupations and origins. The book focuses particularly on the importance of festivals to New Travellers' lives: the festivals provide work for New Travellers and bring them together in the summer months to celebrate their lives and culture. The informal style of this text and the cartoons provided by Gubby which litter its pages have made this a book for New Travellers themselves rather than those who comment on them. It is a written history of commonly told New Traveller stories.

The FFT organisation has produced some interesting reports. Firstly they published, *Confined, Constrained and Condemned* in 1996a. This report is
comprehensive, providing a description of New Travellers' history, including a month by month account of eviction incidents in 1994 and 1995. It provides a New Traveller response to the CJPOA and goes on to explain how the New Travellers are 'confined, constrained and condemned' by the planning system, government policy and local authority policy. It describes the ways in which New Travellers are prevented from staying on both public and private land and how this stops them from living effective and productive lives. Media issues are considered here, the police, human rights and politics. This small, yet all-encompassing report puts the case forward for New Travellers in their own words and on their own terms. It is the key text that has informed my understanding of New Travellers.

FFT have published a number of other small books which give information to New Travellers on how to travel around Britain and how to get planning permission. They have also produced policy documents that suggest new central and local government policies towards Travellers and planning permission. The book entitled Traveller (Thompson, 1997) is another FFT publication which raises the issues addressed in 'Confined, Constrained and Condemned'. This text, written by Tony Thompson, is a particularly ideological piece that outlines a lengthy history of nomadism and concludes that the State has demonised Travellers in order to divert society from a consideration of the real problems of homelessness and poverty in Britain. This piece presents a model for the introduction of sites for New Travellers including their cost. It is again a comprehensive account of New Travellers' lives and difficulties and would warrant broader publication and consideration within studies of Travellers' lives.

A commonly used resource amongst subcultures is the internet. Strangely enough (nomads homes rarely have access to much electricity) such
groups have taken up this technical resource as it provides an open, free and equitable space in which to speak and present ideas. One user of the internet is Alan (Tash) Lodge who has produced a comprehensive website which presents information, history, photographs and comments on New Travellers and environmental protesters (Lodge, 1998). Tash has been travelling with New Travellers since their inception in the early 1970s and has produced a photographic catalogue of his experiences. These photographs and his written accounts are contained in his website and have been an invaluable resource in my research. Tash’s website gives a detailed account of the history of the New Travellers, including the police action used against them. His website also acts as a centre point for the networked community of New Travellers and thus provides access to many people.

As I have already stated here, the resources for New Traveller research and accounts range far and wide. The Childrens Society produced a particularly interesting study into New Travellers lives in their report, Out of Site, Out of Mind by Davis, Grant and Locke (1994). This study focuses on many unanswered questions in the field of New Traveller research. Rather than addressing theories of nomadism or the history of New Travellers, their health or relationship to other subcultural groups, this research asks the basic questions regarding their travelling status: why individuals became New Travellers, what ability they have to choose to stop travelling, what sites are available to them and what effect new legislation (CJPOA) is likely to have on their travelling status. Ninety-eight New Travellers were interviewed in the study which is a very high number in comparison to other research. As the study was carried out prior to the introduction of the CJPOA it acts as an excellent comparative piece for this thesis. The research concludes that two thirds of the New Travellers interviewed felt that they had been forced into travelling, most commonly by homelessness.
One third of those interviewed felt that they had chosen to travel, though their only alternative to this was to squat a fixed property. Only two of the ninety-eight people interviewed had alternative accommodation to travelling and many said that they were in a better community living as New Travellers than they would be in local authority housing. These New Travellers' main problem was in finding sites to live on without the fear of eviction and confrontations with police. A great deal of concern was expressed over the impact of the CJPOA on access to healthcare provision, education and safe and secure sites. I will return to this research in Chapter 4, 'New Traveller Culture'.

Finally, I turn to a text which has impacted on both the academic and non-academic communities interested in New Travellers' lives. Journalists Richard Lowe and William Shaw published, *Voices of the New Age Nomads* in 1993. This book presents a number of descriptions of New Travellers lives by the New Travellers themselves. The text simply contains transcriptions of New Traveller accounts and some brief information on their living environment. The book is compelling, as each New Traveller recounts their story in detail. The different people incorporated into the book is evidence of the diversity of the New Travellers as a community: there is a member of the Dongas Tribe, a hippy family, a tepee dweller, a member of Spiral Tribe and a more traditionally styled New Traveller. The accounts put forward by this book have been used in numerous other texts, including as the main source in McKay's, *Senseless Acts of Beauty* (1996). There is no analysis of what is said, or consideration of the context of accounts, but the lack of such a breakdown is compensated because the accounts provide a window to the world of experiences of New Traveller lives and their diversity.
Overall then, the literature on New Travellers is broad and based in many sites, both academic and non-academic. Principally the literature centres on lifestyle issues, addressing the living circumstances of New Travellers and describing them as inequitable to those in sedentary society. This inequity is based in a lack of provision of sites, health care, education, employment and planning permission. In addressing these issues the literature critiques the New Travellers perceived difference to mainstream society that is commonly mooted by the mass media.

Within the academic literature explanation is sought for the inequitable position of New Travellers in spatial theory. The CJPOA is commonly cited in the literature as a tool for repression of New Travellers by police and local authorities. The impact of the legislation has been addressed by the literature here to some degree, but with limited depth in terms of policing. In order to fully analyse the impact of the CJPOA on New Travellers lives its use must be addressed with recognition of issues that affect policing. Hence I will now go on to outline the policing literature, focusing on the themes relevant to the policing of New Travellers: public order policing and police occupational culture.

2.2 Policing

Police studies in criminology did not emerge until the early 1960s when the discipline began to directly address the construction of deviance, rather than the causes of crime. Accusations of corruption in the police in the late 1950s led to the 1960 Royal Commission on the Police and consequently the police were newly viewed as 'corruptible' and 'corrupted' having the ability to abuse their powers. In 1964 Michael Banton wrote *The Policeman in the Community* which was a sociological study of the police concluding that their formal control is
mediated by informal control mechanisms. This research was seminal, addressing themes which continue to dominate policing studies today – particularly the use of discretion by police officers and their role as peace keepers, rather than law enforcers.

As crime rates appeared to rise through much of the last forty years and complaints against the police likewise rose, so criminology’s interest in policing has grown. Research is now carried out on the police by numerous groups and agencies: undergraduate and masters dissertations, PhD’s, university research and government research consider how the police manage their role in society. The Home Office has had a dedicated research unit since 1957 that is currently called the Research, Development and Statistics Directorate. This unit contains the Policing and Reducing Crime Unit (formerly Police Research Group) which produces reports on police practice. The police also research themselves within individual forces and via agencies such as Her Majesty’s Inspectorate of Constabulary. Thus academics, Home Office researchers and police have developed a distinct area of study within criminology which addresses policing and which produces voluminous amounts of books, articles and reports.

There are a number of current text books which describe the key issues in policing including *The Politics of the Police* by Reiner (1992a & 2000), *Core Issues in Policing* by Leishman, Loveday and Savage (1996), *The Future of Policing* by Morgan and Newburn (1997), and *Policing Britain* by Johnston (2000). These texts present the history of public policing, debate over the use of discretion and thus accountability, the organisation of the police service and the function of the police. They also address late modern themes such as the impact of risk assessment on policing strategy and tactics, the governance of police, the conceptual implications of the use of ‘policing’ as opposed to ‘the police’, and
globalised policing. I will discuss some of these issues in depth in Chapter 8. Here I will consider the literature on public order policing and police culture which are key to understanding the application of the CJPOA on New Travellers.

2.2.1 Public Order Policing

One of the functions of the police is to maintain order in society and to that end they have been given numerous powers. How those powers have been gained and developed via strategy, tactics and legislation has been addressed by police researchers and considered as 'public order policing' (though Waddington, P.A.J, 2003:395 has referred to this area of police work as 'policing contention'). The key debate in this area surrounds the use of 'paramilitary tactics' in an effort to maintain order. Order maintenance is generally required when a group of individuals come together for some sort of cause, so such policing may be relevant to manage a group of protesters, a sports event or a riot for example.

The policing of New Travellers is considered a public order issue within the legislation as they are dealt with by the Public Order Act 1986 and the CJPOA. Also the command structures and 'paramilitary' tactics used to remove Travellers from land are commonly similar to those used in large public order events and thus it is appropriate to consider previously published literature on public order policing here. As Fielding states, 'A prime form of social conflict arises from public order incidents. Their definition is broad, ranging from ad hoc disturbances and disputes policed by tactical support in small numbers under local command, to major set-piece confrontations between organised groups controlled by paramilitary policing' (1991:67).
Brewer et al (1988), King and Brearley (1996), D. Waddington et al (1989, 1996), Morgan and Newburn (1997) and Reiner (1998) amongst others have noted the change in public order policing in the last 25 years. They say that the traditional 'pushing and shoving' technique of the police to maintain order in crowd situations has been replaced with more 'paramilitary' style tactics. Such tactics came to the fore in the policing of the miners strike in 1984-5, having been initially used in colonial policing and perfected in Northern Ireland. The police were given more powers to control public order via the Public Order Act 1986 and the 'law and order' rhetoric of the post 1979 Conservative government promoted the increased use of paramilitary organisation and tools in policing public order problems.

The most prolific writer in academia on public order policing methods is P. A. J. Waddington (1987, 1993, 1994, 1996a, 1996b, 1999a, 2003). He broadly writes in support of the use of paramilitary policing methods. In his *British Journal of Criminology (BJC)* article, 'Towards Paramilitarism? Dilemmas in Policing Civil Disorder' (1987) P. A. J. Waddington sets out his general argument. He says that the democratic rights of citizens are protected by effective policing which he defines as the use of paramilitary tactics such as a military command structure. In subsequent books, chapters and articles he continues this argument. For example, in the texts *Liberty and Order: Public Order Policing in a Capital City* (1994) and *Policing Citizens: Authority and Rights* (1999) P. A. J Waddington presents the practical application of public order policing tactics and discusses their ability to protect the majority in society: those who have full citizenship rights. He actually uses the example of New Travellers to present his description of individuals and groups who cannot claim full citizenship rights as they exclude themselves by living an unconventional lifestyle. 'Police do not control the
commission of crime, they contain criminality: that is, they keep the excluded in their place' (1999:41).

P.A.J. Waddington suggests that the traditional methods of policing via 'pushing and shoving' is rightly replaced by paramilitary practice as targeted policing manages those people who should be excluded without inflicting damage or pain on those who are innocent. He says that the police are actually 'remarkably benign' (1994:206). He notes that the police are far more powerful when they do nothing as opposed to when they act and thus they have the power to maintain order without acting, so long as they have the tools at their disposal to act when required. Thus he says that they focus their efforts on having a consensual relationship with the public whereby arrangements are clearly planned between police and organisers prior to any public event. If this arrangement breaks down with a resultant public disorder, contingency plans have been made by the police to manage it. So, the police do not have to act unless disorder occurs and in the majority of occasions with potential for significant disorder they have maintained control of the situation by careful planning and by 'incorporation' of the organisers of the protest, demonstration or other event. The police are therefore carrying out their civic duty of protecting the rights of all citizens in an effective manner using a minimum amount of resources.

Jefferson (1987, 1990, 1993) has countered P.A.J. Waddington's argument. In his BJC article which follows directly on from Waddington's, 'Beyond Paramilitarism' (1987). Jefferson suggests that the use of paramilitary tactics, tools and organisation changes the very nature of British policing as it applies a more provocative philosophy that goes against the original intentions of the police force. In his 1990 text The Case Against Paramilitary Policing Jefferson says that the use of paramilitary organisation can result in increased levels of disorder and
this occurs in four stages. Firstly large numbers of officers who are heavily armed and protected to allow for a 'worse case' scenario are more likely to act according to this scenario even when circumstances do not call for it. Secondly the control of space by the police by moving individuals around may cause resentment from the crowd, confirming theirs and the police's suspicion that the 'worse case' scenario may occur. If the police then begin to control particular members of a group via the use of 'snatch squads', for example, the crowd will become more resentful and sense injustice as they see apparently innocent individuals attacked. Finally Jefferson says that the use of clearance tactics involving aggressive paramilitary force will result in anger from a crowd and thus elicit disorder.

So, P.A.J. Waddington suggests that use of paramilitary policing provides individual citizens with protection by targeting police methods against those who cause disorder. Jefferson responds to this by saying such methods provoke disorder and are thus part of the public order problem. D. Waddington (1989, 1992, 1996) presents another way of understanding public order policing. He suggests that the police are the tool of a strong state and thus used for political ends. Their occupational culture, commonly described as 'canteen culture' (Holdaway, 1983) or 'cop culture' (Reiner, 1992a), results in police officers judging individuals and groups via broad stereotypes and aiming to 'win' any conflictual situation. This cultural definition of groups is coupled with the political will of a strong State and the law resulting in the police 'controlling the activities of the young and/or black and/or unconventional' (1989:190).

D. Waddington has developed a 'Flashpoints model' to explain the occurrence of disorder (1992). He suggests that there are 'particular circumstances most conducive to disorder' (p.205). Structurally, society may
contain a group of people who believe they are missing out on something; politically, that group may feel separated from the State institutions; culturally, that group may partake in behaviour deemed unacceptable to the police; contextually, the police and the group have poor relations; situationally, the group or the police may want to protect a particular space, and; interactionally, a particular incident or 'flashpoint' occurs which typifies the poor relationship between the group and the police. This incident results in, 'A spiral of mutual recrimination...and violence progressively escalates' (p. 206). D. Waddington describes particular periods of social unrest such as the 1991 summer riots across the UK to identify flashpoints which result in serious disorder.

In his chapter in Critcher and Waddington's (1996) *Policing Public Order: Theoretical and Practical Issues* D. Waddington goes on to recognise the changes occurring in modern policing that are affecting the policing of public order. He particularly recognises the influence of private policing agencies in managing disorder and their use as the new 'strong arm' of the State. Using the example of the policing of the building of the Newbury Bypass he says that the police role has changed so that they are 'to ensure order but without themselves confronting protesters' (p.30). Such changes in policing methods and styles will be discussed further in Chapters 7 and 8, particularly focusing on spatial awareness in policing and the change from notions of 'the police' to 'policing' (James & Innes 2002).

Fielding (1991) in *The Police and Social Conflict: Rhetoric and Reality* presents a general text on how the police manage social conflict. He recognises the distinction made in the literature between traditional and paramilitary forms of public order policing and discusses this within a framework of community policing and proactive paramilitary policing. He is thus able to sum up this issue within the
continual debate in police studies between the importance of order maintenance and crime control. He notes the inability of a culture 'confused and riven by faction' (p.78) to police fairly, protecting the freedom of individuals. He says that, 'the consensual fiction on which British police ideology rests is endangered' (p.78). The police may end up as the 'repressive arm of the State' but only because they are trying to maintain the freedom of individuals within an un-free society. So, the police are trying to take account of their democratic audience by 'balancing out sectional demands in the interests of broad consensus' (p.78). Thus officers policing public order are 'protecting freedom' for some rather than all people. Also part of this book's aim is to take a longer historical view of policing public order which recognises the enduring problem of aggressive policing styles over time. There is a history of ambivalent relations between the police and all class factions.

King and Brearley (1996) present their own research in Public Order Policing: Contemporary Perspectives on Strategy and Tactics. Here they consider the structure and behaviour of the crowd and suggest that the police have acted proactively in response to changed formations of crowd behaviour. They utilise Waddington's 'flashpoints' model to understand particular policing situations. They say that 'there is little doubt that the method of policing public order situations has changed dramatically over the last 25 years' (p.99) and they are simply trying to catalogue that change and recognise it as a dynamic process of a developing relationship between the crowd and the police. King and Brearley particularly note the increase in surveillance techniques in policing public order, rather than simply the use of paramilitary tactics. So, the police are using a two pronged approach which aims to pre-empt public order problems via intelligence and negotiation and contain them via paramilitary tactics. I will specifically address the concept of a two pronged approach in policing in Chapter 7 of this
thesis and in Chapter 8 I will consider the use of intelligence based policing in managing New Travellers as part of a broader analysis of late modern policing.

King and Brearley note the requirement of police to represent a consensual society, as do Fielding and P.A.J. Waddington. They also note the difficulty of maintaining such consensus in a late modern society where dissent has diversified. Indeed they cite the example of the New Travellers as a group policed according to the two pronged approach — via intelligence, negotiation and paramilitarism. They suggest that the diversification of dissent may result in such tactics being used against less demonised members of society: 'it is emerging that in a developing society the interests against which they are designed to operate are less and less seen as socially and politically marginal' (1996:104). Thus the legitimacy of the police may be reduced as more members of the public are controlled via surveillance or contained via paramilitary policing techniques.

2.2.2 Police Occupational Culture

As previously mentioned in this chapter, Michael Banton's (1964) *The Policeman in the Community*, was a seminal work in police studies. Indeed, he introduced many themes recurrent in police research today, including the idea that the discretion held by police officers should be considered in light of their practice. Holdaway (1989) suggests that this work was followed by articles and books written by authors such as Cain (1973, 1979), Westley (1970) and Skolnick (1966) who began to define the study of police occupational culture. Other authors, Punch and Naylor (1973), Chatterton (1979), and Holdaway (1983) himself continued this interest by developing their research on policing and utilising the concept of a police occupational culture to address the relationship
between the mundane reality of police work and its common perception as an exciting occupation.

A key text presenting policing issues is Reiner's (1992a, 2000) *Politics of the Police* in which he defines a 'cop culture'. He suggests here the continuing relevance of the idea put forward by Skolnick (1966), that police officers are under a constant pressure to produce while experiencing the risk of danger and applying their authority, resulting in the need to produce a 'police personality'. Reiner says that the job of policing produces a general culture of policing in which officers have a strong sense of mission and orientation towards action, a suspicious nature, isolation which results in solidarity amongst the group, a general conservatism, machismo, racial prejudice and pragmatism. These general traits of the 'cop culture' can result in sexist, racist and homophobic attitudes and behaviour. They lead officers to categorise individuals within stereotypical groups that are easy to manage in routine police work.

Using his typology of the 'cop culture' Reiner suggests that the police group individuals according to their ability to cause the police a problem. The New Travellers would come under a police stereotype of 'Police Property' in Reiner's categorisation: 'They are low-status, powerless groups whom the dominant majority see as problematic or distasteful' (p.93). Reiner argues that the police's main aim in managing such a group is to maintain order, 'using the law as one resource among others' (p.93). Thus the 'cop culture' is determining the application of laws and use of other resources in policing different groups of individuals.

Numerous other research studies have been carried out on the subject of police culture that have confirmed the typology set out by Reiner (Fielding,
1994, Kleinig, 1996, Choongh, 1997, Brown, 1998). However, the main argument in this area is over the degree to which police culture defines police action. In Fielding's 1989 'Police Culture and Police Practice' chapter (in Weatheritt, 1989) he notes the importance of recognising 'the delicate and continual interplay of formal organisational charter, local variants of occupational culture, and officers' own experience' (p.86) in defining action. P.A.J. Waddington presents an article in the BJC entitled 'Police (Canteen) Sub-Culture' in which he says that police occupational culture offers an insubstantial way of accounting for police action. He says, 'If we wish to explain (and not just condemn) police behaviour on the streets, then we should look not in the remote recesses of what officers say in the canteen or privately to researchers, but in the circumstances in which they act' (1999:302). However, in Bowling and Foster's (2002) chapter 'Policing and the Police' (in Maguire et al, 2002) they suggest that work carried out by Shearing and Ericson (1991) shows that an individual's talk can foreshadow their action. They also note the patterns of differential treatment of minorities by police (Bowling and Phillips 2002) which coincides with racist attitudes evidenced in studies of police organisational culture.

Janet Chan's 1997 book, *Changing Police Culture: Policing in a Multicultural Society*, has been particularly influential in this area. Chan does not doubt the influence of police occupational culture on their action. As she says, 'not only is the police culture responsible for racist attitudes and abusive behaviour, but it also forms the basis of secrecy and solidarity among police officers, so that deviant practices are covered up or rationalised' (p.225). However, Chan says that the traditional police researchers' view of cop culture is too deterministic, failing to allow for differences between officers and forces or the possibility of change in the culture. She suggests that the cop culture be viewed as an interaction between cultural knowledge gained by officers and the specific
conditions of the job of policing. Perceiving cop culture as such an interaction does not deny its existence or influence on action, but recognises the active part officers take in defining their own culture and thus allowing for change in that culture.

Research on police occupational culture then, is principally concerned with identifying the key characteristics of the culture and ascertaining the degree to which such characteristics influence action. The literature on public order policing identifies two particular ways that the police manage public order problems, via paramilitarism or negotiation and intelligence.

2.3 Conclusion

In this literature review I have outlined the key texts on New Travellers and policing that are relevant to this thesis. The New Traveller literature provides a detailed portrayal of New Traveller lives and their history. The policing of New Travellers has influenced their experience of 'life on the road' and defined their cultural character to some degree. However, the analysis of this policing is limited in the literature. This thesis will consider the policing of New Travellers under the CJPOA, taking account of the literature and incorporating an understanding of its main themes. Thus this research addresses the lifestyle of New Travellers and analyses of the police perception of New Travellers. It then goes on to explore the occupational culture of the police including the New Traveller perception of police. These chapters link the literature on New Travellers and police occupational culture with empirical data which allows a deeper analysis of police action on New Travellers than has previously been carried out. The thesis then goes on to analyse the actions of the police in applying the CJPOA as a tool in managing
public order and empirically shows how this analysis must incorporate new issues in policing such as spatial theorising, as identified by the New Traveller literature as relevant, and late modern policing techniques such as intelligence-led policing that the public order policing literature notes as relevant. The original themes of this literature review retain their potency throughout the thesis however, with the final analysis returning to the policing of New Travellers being best understood as a type of public order policing carried out within the context of police occupational culture and the New Traveller culture.
3. METHODOLOGY

In this chapter I will outline the methods used in my research. I will initially describe my research design before the chapter is divided into two parts, describing the methods used for the collection of the police data carried out at the Home Office, followed by those used to collect the New Traveller data. I will then go on to describe the process of analysis adopted in the research, finishing with a discussion of ethics.

This research is based on two distinct sets of data. As stated above, the initial 'police data' was collected when I worked at the Home Office as a Research Officer and carried out a large project analysing police use of the CJPOA public order provisions (Bucke and James, 1998). This data set was collected during the first seven months of 1996. The second set of data was collected by myself during the summer of 1998 and will be described as the 'New Traveller data'. Although these data sets are now six and eight years old respectively, an analysis of them remains worthwhile for reasons I will briefly describe here.

As historical studies of social phenomena show (for example; Drakeford, 1999), it is not the contemporary nature of enquiry that provides its validity. This thesis addresses policing of New Travellers during an important period of change in the law applied on them and as such is relevant to our understanding of the New Travellers themselves, particularly as their culture is so defined by their experience of policing (see Chapter 4, 'New Traveller Culture') which has rarely been addressed by academic enquiry (see Chapter 2, 'Literature Review'). During this period policing also underwent change in definition, policy and practice as late modernity developed (see Chapter 8, 'From Police to Policing'), and public
order policing represents a key area of that change (see Chapter 7, 'Policing Space'). The law relating to New Travellers has not been revised since the fieldwork for this thesis was carried out and although new research by Taggart (2003) and Morris and Clements (2002) shows that all Travellers continue to be disenfranchised by society they do not specifically address the experience of New Travellers or policing. Therefore this thesis is applicable and relevant to furthering knowledge as it provides insights to New Traveller and police cultures that aid our understanding of a particular point in history and current issues of policing in late modernity.

3.1 Research Design

This study has been wholly qualitative in design. Despite being made up of two distinct data sets the research is informed by a consistent perspective due to the fact that I carried out the majority of data collection for the Home Office study. I also designed the interview schedules for both data sets and analysed the resultant transcripts and notes. My predisposition in research is to view the world from an ethnographic viewpoint. The Home Office research aimed to evaluate the CJPOA from a policy perspective, but my ethnographic orientation led to a research design and set of questions that also had a strong conceptual dimension. Therefore the police data and the New Traveller data constitute research texts which address individuals' social worlds as well as their actions in that world and they aim to 'be full, nuanced and non-reductive, incorporating change and process without resorting to simplistic aetiological models' (Taylor, 2002:1-2). The Home Office research remit left large portions of the data unanalysed, and I have been able to analyse them subsequently in this research.
It was decided in the original Home Office study that a qualitative piece of research would be most applicable to any consideration of police use of the public order provisions of the CJPOA. With the application of a new law it is essential to understand the entirety of its application, including the officer in charge's understanding of that law. The application of a direction to leave land by a police officer may involve a long procedure, possibly including many visits to one incident site and the co-ordination of a number of police units. A questionnaire could not fully anticipate the scenarios which may occur on such an occasion, only a direct account taken from officers involved in cases would suffice. When the fieldwork was carried out for the study with the police we found that our decision to use qualitative methodology was confirmed as different officers had used the law in many different ways and for a number of differing incidents. A questionnaire could not have captured this diversity.

In designing the research tools to explore New Traveller culture and experience of policing it was similarly necessary to use qualitative method. As will be discussed further in this chapter, the deviant lifestyle of New Travellers meant that a qualitative research design was needed to gain access to their culture. A tradition of ethnography in studies of subculture has been developed in the 20th century and I was able to fully apply my ethnographic understanding of research to the collection of this data set. My aim therefore was to carry out interviews with the New Travellers that would elicit a depth of information on the New Travellers' culture and their experience of policing.

Qualitative research is able to interpret the social world by exploring the depth of individual experience and attempting to place social phenomena in context (Becker, 1963). Sociological ethnography is the practice of qualitative research which originated in the USA at the University of Chicago between 1910
and 1935. Heavily influenced by anthropology, the Chicago researchers (commonly known as the Chicago School) began investigating deviance from a sociological perspective which was grounded in systematic empirical enquiry. In other words, according to those in the Chicago School, research should be carried out in the field, where the social action was occurring, by 'getting the seat of your pants dirty' in the 'real' world off campus (Fielding, 1993). The key method of investigation used by Chicago ethnographers was participant observation. However, methods employed by ethnographers range from non-standardised interviews, analysis of personal documents, discourse analysis and participant observation. Commonly a reflexive combination of methods is used that ground themselves in the 'field', by virtue of the researcher being in the natural setting of their subject (Brewer, 2003). Ethnography has commonly been associated with studies of subculture and deviance that can be accessed by its methods and whose social meanings are unknown and can be explained by 'thick description' (Geertz, 1973).

Although the police and New Traveller data sets are similar in their design – both using qualitative methods incorporating interviews and traditional ethnographic concerns - they also differ in four particular ways that should be addressed here. Firstly, the time at which the data was collected was different, being two years apart. The police and New Travellers were asked questions about their experiences of policing, but the different timing of the interviews meant that the context for these discussions was altered, with the police interviews occurring nearer to the implementation of the law than the New Traveller interviews. Secondly, the original purpose of the research was different, with the aim of policy evaluation defining the police data as discussed above. Thirdly, the setting of the research was dissimilar; with the police interviews carried out in formal office settings, as opposed to the interviews with New
Travellers that were completed informally. Each of these settings could be described as providing a ‘field’ experience of research, but the formality of the police interviews should be noted as providing a less conducive environment for social interaction than the New Traveller sites visited. Finally, the interview schedules were differently designed, though similarly carried out. The Home Office research used an interview schedule (see Appendix A) that had particular questions on it, while the New Traveller research used an interview guide (see Appendix B) that simply listed the areas of interest to be discussed. In both cases however, the interview style was non-standardised in practice, with no predetermined order of questioning followed or specific format of question used.

The research for the thesis was therefore carried out as a qualitative investigation informed by ethnographic traditions, but mediated by the practical concerns of policy evaluation. I will now go on to describe in detail each of my data sets and the specific methods used to attain them.

3.2 Police Data

The Home Office data analysed for this thesis was provided to me in its raw form: as full transcripts of interviews. Having carried out the original project myself I was able to gain access to the data by speaking informally to my ex-colleagues and senior staff who then formally requested the access for me from a higher authority. Finally I received written consent from the Home Office (Appendix C) and was given the data on a number of computer ‘floppy disks’. No stipulations were made by the Home Office on how the data should be used.

Having received raw data collected mainly by myself from the Home Office my research avoids many of the epistemological difficulties that secondary
analysis invokes, such as concern over the scope, validity and method used in the original research. The main drawback of obtaining this data was that its original purpose had been to evaluate the law, rather than to analyse police action. However, as already stated above, in the original research I incorporated analytically-oriented topics that provided data beyond the remit of the Home Office research requirement. Also, the data was collected for a similar purpose to this thesis and is descriptive in character, allowing for analysis which is not previously influenced by an explanatory framework in the data itself (Procter, 1993). On the rare occasion that the secondary nature of the data has affected the analysis of action in this thesis I have noted this in the text. A second drawback of obtaining this data set was that it incorporated interviews with police on all aspects of the public order provisions of the CJPOA, rather than simply those relating to New Traveller trespass. This problem was resolved by a simple procedure of elimination whereby the interview transcripts were read through and those containing any information on New Travellers were selected for analysis. This review process was a vital stage in the initial analysis of the data as will be discussed later in this chapter.

I will now outline the original Home Office study's methodology. As an author of that project and the person who carried out the majority of the fieldwork I am able to describe in some detail how the research was carried out.

3.2.1 The Sample

The sample of police officers for the Home Office study involved non-standardised interviews with a total of 64 officers in 14 police forces around the country. These officers were interviewed on all aspects of the public order provisions of the CJPOA. For the purpose of this research only those interviews
carried out that mention New Travellers are included: there are eighteen police interviews included in my analysis. Each of these interviews lasted for over an hour and some include discussion of other parts of the CJPOA. The majority of officers interviewed were Inspectors or Chief Inspectors and all were men. A detailed description of the sample is contained in Chapter 5, 'Police Culture'.

The original Home Office project did not follow a formal sampling procedure. Due to the limited number of cases involved an attempt was made to contact as many officers as possible who had applied the CJPOA public order provisions. By liaising with the Southern Intelligence Unit (SIU) in Wiltshire my Home Office colleague, Tom Bucke, and I were able to gain information on who had applied the CJPOA provisions and we contacted them directly. The SIU was a central information policing unit based in Wiltshire for the collection, collation and dissemination of information relating to all aspects of the public order provisions of the CJPOA: New Travellers, environmental protestors, hunt saboteurs and 'ravers'. The Northern Intelligence Unit (NIU) also helped us with our research, though the SIU was responsible for the coordination of both units. An attempt was being made by the SIU to record all use of the public order provisions.

3.2.2 Gaining Access

Gaining access to the police as a Home Office Researcher was relatively easy. Senior officers were informed of our project by senior Home Office staff and then individual officers were asked for interviews by us. The only complication to gaining these interviews was arranging them around police timetables. Although the police are suspicious generally due to the nature of their job (Reiner, 1992a, see also Chapter, 5, 'Police Culture') and are particularly suspicious of those who
attempt to penetrate their culture (Holdaway, 1983) such as police researchers, we appeared to pose less concern to them than complete 'outsiders' may have done. The officers spoke to us extensively on their practice, attitudes and beliefs in a relaxed and informative fashion. Previous experience of interviewing and observing police behaviour for Home Office research purposes had prepared us for the fieldwork for the Home Office project by providing us with knowledge of the police station environment and the norms and traditions of police culture.

3.2.3 Fieldwork

The fieldwork for the Home Office study took seven months. In-depth non-standardised interviews were carried out with police officers. Each interview lasted for at least an hour. As with the New Traveller data, the analytic design of the interviews and their non-standardised nature meant that it was necessary to use prompting and probing skills to elicit the richest data (Lofland, 1971) and cover all the relevant issues. The use of interviews as the research tool was suitable for the project as officers were familiar with their use and able to have them conducted in their own environment. Non-standardised interviews, for which schedules had not been previously provided to officers, gave them the opportunity to speak freely without a prepared response. This, in turn, meant that the data gained was flowing and detailed.

The interview schedule was designed as a set of questions that covered all aspects of the CJPOA public order provisions. These questions were not asked in any particular order or necessarily as they were written. Generally an officer would be encouraged to tell the story of any incident in which he (no women were interviewed) had been involved. This meant a detailed description of the police decision-making process and action was obtained. The incidents
described had generally occurred during the twelve months prior to the interview – this was the period that the Home Office research was particularly interested in as it represented the time since the CJPOA had been implemented. However, the officers were also asked about action previous to the CJPOA so that some comparative analysis could be carried out. Although recall of action during such events could have been distorted by time to some degree, officers appeared fully confident in describing situations and were quite willing to say when they could not recall an action, implying that they did not feel a need to embellish or falsely fill gaps in their memory. Obviously any interview which requires recall over a period of time is possibly distorted by the subjective presentation of memory by the interviewee (Cockcroft, 1999), but the detailed flow of data gained from the interviews for this research suggests that the data gained was not distorted by memory lapses. By allowing the officers a narrative response many of the scheduled questions were unnecessary and all that was required then was a filling in of any gaps in the story or use of the law unaccounted for by the officer in their description.

All the police interviews were tape recorded and later transcribed in full. The transcription was carried out by Home Office administrative personnel, but each transcription was subsequently checked and corrected by listening to each tape and reading through the written transcript. Full transcription of the interviews has proved invaluable to the analysis of the data. Reading through full transcripts of the interviews meant that themes emerged from the data which may have been missed by partial transcription (Fielding, 1993). Two lots of data from the Home Office study were in note form, having been taken at the SIU and NIU conferences which I attended and where I took notes on police presentations. I will discuss the analysis of the data later in this chapter.
3.3 New Traveller Data

The New Travellers are a social group who exist on the very outskirts of 'normal' society. As described in Chapter 2, 'Literature Review', there has been little research done on the New Travellers in the past as they are hard to access and maintain contact with. Qualitative method was flexible enough to cope with the ever-changing New Traveller community.

In this part of my research I was able to apply ethnographic method as described at the beginning of this chapter. Due to the New Travellers' complex and informal culture I found it necessary to be more reflexive and chose to use two methods, which might be used in isolation in other research but are commonly drawn together in sociological ethnography, in order to gain the most detailed, valid and reliable picture of the New Travellers' lives I could. My principal method of enquiry remained the non-standardised interview, as in the Home Office research, but I also carried out observation of the New Travellers. Importantly, the interviews took place in the field on New Traveller sites in an informal manner. The details of how these methods were used, and their effect, are described below in my discussion of gaining access and carrying out fieldwork.

3.3.1 The Sample

My sample of New Travellers constitutes 8 men and 6 women, the majority of whom were aged between 25 and 40. I spoke to New Travellers living on site and some who had moved into housing. I did not speak to anyone living on a permanent site. There are very few permanent sites housing New Travellers, the organisation FFT says that it is only aware of 18 permanent sites in Britain
which house New Travellers (Staines, 1998). A detailed description of the sample of New Travellers, the range of sites and housing researched for this thesis is placed in Chapter 4, 'New Traveller Culture'.

My sample was gained using the 'snowball' sampling technique. This method meant that I was led around the New Travellers community by the New Travellers themselves. A gatekeeper introduced me to a single New Traveller in one group who led me to other New Travellers in other groups. I also went to three sites near festivals and asked people who looked as if they lived with their vehicles permanently if they were 'living on the road'. (Some people on sites near festivals will be 'weekenders', simply living from a vehicle for the festival period). This direct approach was very successful and I achieved a number of interviews. At the end of each interview I asked the New Traveller if they knew of anyone else whom I might contact and talk to.

The use of snowball sampling is particularly relevant to accessing deviant and hard to reach populations (Patton, 1987). Snowball sampling is not a statistically verified method producing a random representative sample. I recognise that my sample may not be representative of the whole New Travelling community. Gaining a statistically representative sample of the New Travellers would be an impossible task. A sampling frame would be required which does not exist; there is no list which New Travellers sign to when they choose to live in a vehicle. They are a transient community, moving all the time, changing who they travel with and where they travel to. There is little known even of the number of people living in vehicles around the country and any statistics which do exist are understood to heavily underestimate the New Traveller numbers as opposed to the numbers of Traditional Travellers or Gypsies (Niner, 2003). It is reported that there are around 13,000 vehicle dwelling people in England. This number
fluctuates according to the seasons and I have taken an average here (Staines, 1998). For further discussion of New Traveller numbers and recording practices see Chapter 6, 'Application of the CJPOA'. Sampling the New Travellers is not a tried and tested application. Those studies which have been carried out have generally (barring Matthews and Velleman, 1997, further discussed below) been small scale relying on a limited number of cases (Stangroome, 1993, Hester, 2000) or are non-academic studies which do not adopt a systematic method and sampling procedure (Lowe and Shaw, 1993, Earle et al, 1994, Thomson, 1997, FFT, 1996a, FFT, 1996b).

Qualitative research aims to understand the social process of action, rather than infer the likelihood of action from sample to population (Mason, 1996). My sampling procedure did not employ systematic randomization but did aim for a comprehensive coverage of New Traveller sites. I am not implying here that there is a requirement for a stringent random sampling method or that a qualitative study must necessarily justify its non-statistical basis. I am simply considering the method used in terms of other research. I am aware that the bias of a non-random sample can not be measured statistically and I make no claims that my sample is representative of all New Travelling communities.

I believe my sampling method was ultimately quite random as I used a number of access routes to gain my interviews. I gained interviews through my key informant, through FFT and by simply turning up on site. I had never previously visited any of the New Traveller sites attended for this research. I had little idea of the size of each site or its general ethos – different sites have different cultures, some are known as 'party sites' whereas others are known to be small and family oriented and some larger sites have a reputation for high levels of drug use. This ability to go to sites I had not visited before and which
were not being judged prior to arrival certainly gave my sample a random element, despite its essentially non-random origin. One study which attempted to gain its sample in a more formal manner was that carried out by Matthews and Velleman (1997) in their study of the sexual health of New Travellers. In this research Matthews and Velleman attempted to list all New Traveller sites in a given area (a problem in itself) and then spoke to New Travellers from each of these sites. They decided that some sites were too dangerous for the researchers to visit and these sites were therefore omitted from the sample. They describe these sites as "'smack sites' (highly populated sites with a large contingent of younger people with a reputation for heroin use)" (Matthews and Velleman, 1997:72). I had no prior knowledge of the sites I was visiting and could therefore make no judgements about their size, cultural content or safety. Although in the light of Matthews and Velleman study I may appear naive, I visited six sites and at no time felt in any fear of 'personal danger' as described by Matthews and Velleman. I was aware of different atmospheres on different sites however, with some being more friendly and accessible than others. When visiting New Traveller sites I was always accompanied by my ex-partner. I therefore felt secure in attending the sites. Had I or my ex-partner felt insecure we would not have entered a site or we would have left it immediately. I also always informed a family member of each fieldwork session where we were going and when we would return. A discussion of the ethics of this study is at the end of this chapter.

As earlier noted my sample contains 8 men and 6 women. At one point in the fieldwork process I became concerned that my sample contained too many men as my two gatekeepers were men leading me to their male friends or acquaintances. This was a strange position to be in as I was aware that the Matthews and Velleman study had suffered from an over-representation of women. I did not make a conscious effort to get more female interviewees as I
spoke to as many people as I could regardless of sex, age, or ethnicity, but by the end of the fieldwork I had gained more interviews with females. The imbalance in my final count of interviews actually represents the breakdown of the sexes of New Travellers well according to my own impressions.

As stated above I made no attempt to limit my sample according to age, ethnicity or sex. This has resulted in not only having more men than women, but also more young than older people. The majority of the New Travellers I spoke to that were still living 'on site' were aged between 25 and 35. Those living in houses were in their mid thirties to early forties and I only spoke to one person aged over 50 who continued to live 'on the road'. This indicates that the New Travellers are generally young people who move into houses as they reach their mid thirties. Analysis of the New Travellers social makeup is in Chapter 4, 'New Traveller Culture'. With regard to ethnicity, all the Travellers I spoke to were white. I did not meet any black or Asian New Travellers in my visits to sites or festivals for the research nor have I done so in the past.

3.3.2 Gaining Access

Gaining access to the New Travellers was a complex and sensitive issue in my research. It was necessary to approach the New Travellers in a very informal and therefore unthreatening manner. As Stangroome (1993) notes, the New Travellers have a distrust of any official form of enquiry and this means an informal approach is vital.

I had an immediate advantage to gaining access to the New Travellers as I have a family member who is an ex-Traveller as are some of my friends. My ex-partner Neil used to 'hang around' with a number of New Travellers, although
he never actually lived as one. He attended the interviews with me. Although he
had not seen many of his old friends for a number of years the links and bonds
between New Travellers are very strong. There is a friendship network which
exists in the New Traveller community despite its transient nature (which will be
discussed in Chapter 4, 'New Traveller Culture: Networks'). This point was
emphasised in fieldwork when my ex-partner discovered that he had connections
with the New Travellers I was interviewing whom he had never met and who I had
gained contact with through other sources. In each interview I carried out at least
2 mutual acquaintances were discovered between Neil and the New Traveller
interviewed.

I had effectively three informants or gatekeepers. A close friend became
my key informant as he gave me access to the New Traveller lifestyle. He
translated New Traveller language for me and explained life as a New Traveller to
me. I also interviewed him. The New Travellers have developed a distinct
language of their own which it was vital I understood. This development of a
distinct language formation amongst New Travellers, which is also noted by Earle
et al (1994), implies that the group forms a distinctive cultural expression. My key
informant told me how I would be most accepted amongst the New Travellers;
how to behave and what I could and could not assume.

Neil, my ex-partner, had the role of gatekeeper and 'legitimiser'. He did
not simply introduce me to people; he vouched for me even when people did not
know him. His relaxed attitude towards people on New Traveller sites and at
festivals and his knowledge of the 'New Traveller scene' and people in the scene
meant that people accepted our presence. Many interviews began with him
stating who he knew in the New Traveller community and this would send him
and the interviewee into a trip around the aforementioned friendship network in
which they could locate each other. Often this process would last for some time and I would have to indicate to Neil that I would like to ask some questions. Nevertheless, his role was vital in allowing this research to happen. His relaxed attitude and knowledge of both the New Traveller scene and my research aided me greatly. Stangroome notes the importance of being, "validated ... and not seen as a 'rank outsider'" (1993:28) by the New Travellers and questions the ability of researchers to gain access to this community without such validation.

Finally I had a good contact at FFT who introduced me to two people I interviewed.

I also believe the fact that I took my young son, then aged under two, with me on fieldwork enhanced my access. There are always a large number of children on New Traveller sites and my son's presence was a distinct advantage – if he was helpful in no other way, he was a conversation starter. His presence meant that New Travellers could see that I trusted them and was not afraid of their environment. He also meant that I was a member of the overarching social group which goes beyond any other social stratification – that of being a parent. All two year olds have tantrums and all parents understand this.

3.3.3 Fieldwork

Having gained access to the New Travellers and arranged some interviews I went into the field to start to carry out interviews. The aim of this study was to gain in-depth interviews which would provide me with detailed accounts of the interactions of the police and the New Travellers. It was important that the interview data would provide me with some detail of the New Travellers' lives in general, in order to place their interactions, particularly evictions, in
context. I felt it was very important that the New Traveller data could be analysed alongside the police data, resulting in the research providing a picture of how the CJPOA is implemented by the police and experienced by the New Travellers. I did, however consider the New Traveller data independently of the police data to some extent. The opportunity to look at the community of New Travellers at such close quarters was unique and, as my fieldwork developed, I reflected on my methods and incorporated such reflection into my notes (see Chapter 4, ‘New Traveller Culture’).

I carried out the interviews by attempting to use all the advice given to me by my key informant. He told me to be myself, to not attempt to ‘be’ a New Traveller, to be as honest and open as possible. And yet, he advised me to be prepared for the suspicions of the New Travellers and not present myself as an official. Other research with New Travellers, even that done by New Travellers themselves (Stangroome, 1993, Matthews and Velleman, 1997), found that the more official their stance the less access they gained. This requirement to be ‘unofficial’ led me to, and resulted in, my use of non-participant observation. It was not the original intention of this study to use such method, but ‘the field’ required me to use the methods which would elicit the most valid and reliable data. At each New Traveller site visited I made a record of the site setting, describing the place and the people around me. I was not a participant in each setting, but an observer, who also spoke to some of the New Travellers. Occasionally I spoke to people with whom I had pre-arranged interviews and on other occasions I spoke with people whom I met by being on the site. New Travellers are renowned for having the occasional ‘spokesperson’ within each grouping. Matthews and Velleman used the spokespeople on their sites to gain validation, however in this study I felt that it was important to interview any New Traveller data could be analysed alongside the police data, resulting in the research providing a picture of how the CJPOA is implemented by the police and experienced by the New Travellers. I did, however consider the New Traveller data independently of the police data to some extent. The opportunity to look at the community of New Travellers at such close quarters was unique and, as my fieldwork developed, I reflected on my methods and incorporated such reflection into my notes (see Chapter 4, ‘New Traveller Culture’).

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Travellers, rather than only those used to dealing with outsiders such as the media.

Having been to New Traveller sites and festivals before I was aware of what to expect, I would not have taken my son unless this had been the case. I decided to use a combination of interviews and non-participant observation in an overt manner: I told the New Travellers exactly who I was, what I was doing on their site and why I wanted to talk to them, I also observed their response to me and my family, their surroundings and their responses to each other. I told them I wanted to 'ask them some questions' but I did not record their interviews or take notes in their presence. (I took notes once we had left). I had a 'chat' with them, akin to the 'guided conversation' that Lofland describes (1971), which lasted for each person for over an hour – the timing of which they controlled. I accepted their social norms and showed sympathy to their views. It was necessary for me to present myself honestly, yet suspending my beliefs and personal history (Fielding, 1981). As Fielding says in his study of the National Front – a particularly closed and suspicious group – "my primary tool remained the preservation of an open and sympathetic attitude" (Fielding, 1981:8). I certainly did not inform them that I had previously carried out research for the Home Office.

Although this research was generally carried out overtly, it should be recognised here that my observations were covert in that I did not inform the New Travellers that such records would be made of their behaviour or environment. Nor were those New Travellers on site to whom I did not speak informed of my note taking. As the outside space on New Traveller sites is so important to their cultural and community identity (see Chapter 4, 'New Traveller Culture: Outside') the taking of notes on this setting was relevant to my overall analysis. Such non-
participant observation in public space (Lee, 2000) is non-intrusive and gains information that does minimise reactive effects (Miller and Brewer, 2003) where the observed person acts differently due to the presence of the researcher. However, despite the 'public' nature of the space in legal terms, the New Traveller sites were actually very 'private' in reality and my presence in them may have caused some reaction from the New Travellers and this will be considered in discussing ethics at the end of this chapter.

The New Travellers interviewed had no reason to be suspicious of me as I had clearly outlined who I was and what I was doing there. Showing some sympathy to their lifestyles and merely having a conversation with them meant that they appeared to be relaxed and spoke quite freely. The more formal Matthews and Velleman study had many problems gaining data as the New Travellers were not willing to be forthcoming. They comment on their researchers status as New Travellers themselves; "on many sites the fact that they were clearly travellers only served to fuel rumours and personal suspicion and raise their profile in a most undesirable way" (1997:71). This is an issue similarly raised by Monaghan (1999) who gained access to the bodybuilder subculture overtly. He says that his research was not compromised by his outsider status as he was validated by his previous involvement in body building. My research, having similarly been validated by Neil's previous involvement in New Traveller culture, implies that a sympathetic outsider may be more welcome than an unfamiliar member of the researched group such as the researchers in the Matthews and Velleman study.

I am conscious of the fact that my study may not consider the New Travellers' lives to the depth that a participant observation might have done, but any stranger in their midst is a reason for suspicion, whereas I was a legitimised
stranger. The level of acceptance I received I believe was unusual with this very suspicious social group. Nevertheless the potential for bias related to the methods used has been taken into account in analysing the data.

Field notes were taken on leaving the New Traveller sites. As soon as I was physically able I took notes detailing as accurately as possible the New Travellers responses to my questions. The interviews with New Travellers were very informal as I made every effort to reduce the effect that my researcher status would have on them. I spoke to all the New Travellers interviewed about the same issues as outlined in my interview guide, though they were presented in different ways or in a different order each time. I did not hold the interview guide while talking to the New Travellers, but had learned it, so that the interview would be as relaxed as possible. I did not expect to be able to cover all the issues I wanted to and at times it was inappropriate for me to ask certain questions. I was generally led by the interviewee and those questions I did ask were wide ranging. I did not make any tape recording of the interviews. In my field notes I also recorded a description of the sites visited with as much detail as possible and I wrote down how my family and I were treated on visiting the site. These details inform the analysis of the data by providing it with context.

3.4 Analysis

The collection of two different sets of data, gained for differing purposes, meant that a tool for analysis needed to be designed that would allow expression for both forms of data. As discussed above in 'Police Data', the secondary nature of the police data did not pose particular problems for analysis as the data was raw and had been collected by myself. In order to gain the correct interviews relating to New Travellers amid the police data, it was necessary to read through
the interview transcripts fully. This process proved effective in familiarising myself with the data again. Subsequently I continued to work with the full transcripts and written notes, both with the police and New Traveller data, re-reading them numerous times to develop a reflexive understanding of the data and to allow themes to emerge. This 'grounded' approach (Glaser and Strauss, 1967) facilitated my working 'from the data', rather than looking for evidence of a prior theory.

Having already analysed the police data for the Home Office research, I wanted to address the data from a new, refreshed, standpoint. Although as previously stated, the Home Office research project had conceptual dimensions, rather than being solely oriented to policy evaluation, in analysing and writing up the final report only the evaluative requirements of the research were served. The Home Office produces a range of research studies that include work which is both evaluative (Harris, 2000) and analytic (Field, 1999). However, much policy research carried out by the Home Office is designed to gain knowledge for action so that the research findings can be applied to the real world and the research study produced by Tom Bucke and I (Bucke and James, 1998) fitted into this evaluative framework. Research based on evaluation, carried out from within government, police or through their funding can result in confirmatory and non-critical results (Tilley, 2002, Weatheritt, 1986 and Rock, 1988). The aim of this research was to ensure that these data address issues beyond the remit of informing practice, policy and law reform; producing knowledge that furthers our critical understanding of policing, deviant subcultures and how these social phenomena interact in the social world.

A theoretical framework was thus developed from a thorough reading of the data gained in my in-depth interviews. Categories for analysis grew out of the
data and were considered in light of the theory, rather than as distinct from it. An 'index' of the themes that arose from the data was created (see Appendix D) and then applied to the transcripts. This process proved effective and useful, incorporating reflection on the data and the literature and allowing themes to emerge from the data itself, rather than imposing a framework upon it. Having created and applied an index of categories for analysis I initially chose to 'chart' my findings (Ritchie and Spencer, 1994). We had charted the data for analysis of the Home Office research and I was thus familiar with this methodology. This process of listing the occurrence of categories in the data on a large sheet of paper by hand proved a lengthy and ultimately ineffective process. The wealth of data and extensive index was too large to analyse in this fashion and was subsequently abandoned. The inappropriate nature of this analysis tool on this occasion simply reflects the level of analysis carried out for thesis research as opposed to the Home Office research requirements. At this point I decided to use a Computer Aided Qualitative Data Analysis Software (CAQDAS) package to present my data effectively via my index. Thus I continued to use the indexing method, but turned to the computer, rather than a chart to complete my analysis.

The New Traveller and police data were loaded into the computer programme 'Nud*ist' (Version 5). This programme has been specifically designed for the analysis of qualitative data. I imported my data into the programme, coding the data according to the index I had initially developed. However Nud*ist is not simply a 'code and retrieve' instrument, it also offers support for 'theory building'. It can, 'help to develop higher-order classifications and categories than those derived directly from data, formulate propositions or assertions that imply a conceptual structure which fits the data and/or test the applicability of such propositions' (Fielding and Lee, 1997:10). Having originally intended to use charting as my method of analysis and continuing to use my index for analysis of
the data I recognise that I did not use Nud*ist to its full capacity. Mason (1994) questions the applicability of computers saying that it is vital to recognise the limits of CAQDAS as well as its benefits. Creatively deriving theory from data is clearly a skill carried out by the researcher, rather than the computer. Fielding and Lee's research found that CAQDAS does have an orientation towards a grounded theory approach, though this may be due to it simply being used in the main by those oriented to such a theoretical approach. In my research Nud*ist proved to be an excellent facilitator of my analysis even if my index superseded some of the packages support for theory-building. I was able to look at my data thematically and the temptation to separate the police and New Traveller data on paper was negated by the design of the computer programme. I was also able to carry out additional searches of the data as the findings chapters of the thesis were written and particular themes developed.

In writing up the analysis of the data for this research I have retained the original index categories as chapter headings. The initial data review process and categorisation, which was carried out in light of the literature and resulted in the index, was sufficiently thorough that these themes have retained their relevance throughout. The findings in this thesis (see Chapters 4 through 8) are presented using direct quotations to exemplify and support them. The quotes cited in the thesis are chosen to present the range of attitudes, opinions and actions and to present particular issues and themes evident in the data. I have also incorporated counts into my findings chapters. The use of numbers in qualitative research is controversial as it implies a need to generalise. However, this is not the case here. The numbers are used here as a tool to understanding the data, so that the reader can conceptualise the relative importance of one issue over another and can 'gain a sense of the flavour of the data as a whole' (Silverman, 1993:163).
The use of such counts has not meant that I have disregarded issues that are noted by a minority of interviewees.

3.5 Ethics

Having spoken to and observed people in this research it is important that I now address the ethics of this study. Throughout the process of research I have discussed issues of ethics in research design and writing-up with my supervisor. The placing of this discussion at the end of this chapter does not imply its lack of importance. Rather, it was necessary that the research methodology be fully described prior to a discussion of its ethics.

Firstly it should be noted that the research carried out by myself at the Home Office was not influenced in any way by my aim to complete a PhD in this area. Although the research was affected by my methodological interests as described above, I had not received any funding to carry out my PhD at the point of research design. Therefore, the wealth of data gained by the Home Office study was useful to this research, rather than initially intended for its use.

3.5.1 Informed Consent

The collection of each data set in this research was carried out by gaining the informed consent of those interviewed. Both the police and New Travellers were informed that the research aimed to provide information on the use of the CJPOA.

Having used the police data as a secondary source, the police were not informed that the data would be used for PhD research. However, the Home
Office provided permission to use the data for the purposes of this research. As Miller and Brewer (2003) note, policy research carried out by government or similar institutions, provides an 'inside track' to resources and people which can result in ethical implications, particularly if the research involves vulnerable users of the welfare system. The Home Office research did not interview any vulnerable people and the officers interviewed were informed that the research would enter the public domain as a Home Office report. The secondary analysis of the data does not pose new ethical concerns for those interviewed then, so long as their confidentiality has been retained, which I will now go on to discuss.

The New Travellers who were not interviewed, but observed as part of the natural setting of New Travellers' sites, did not give their informed or voluntary consent to my research using them. As stated previously, my aim was to gain data that reduced reactive effects. Had I attempted to gain the consent of those observed their behaviour may have been very different, antagonistic, or they may have refused. The observations I made were very limited in scope, involving short periods of time when we were entering or leaving a site and in some cases during the interview process. The places where non-participant observation took place were publicly owned but privately used by the New Travellers, similar to those studied by Wardhaugh (2000) who observed homeless people. The ethical dilemma of observing private actions in public spaces was resolved by Wardhaugh and myself in a comparable way, 'a commitment to be as unobtrusive and non-invasive as possible during observations', including respect for personal space and visual rather than aural observations (Wardhaugh, 2000:326). On the one occasion when I was asked what I was doing I gave a full explanation of my role. The description of New Traveller sites has provided a relevant and interesting aspect to this research by drawing a comprehensive picture of New Traveller lives and placing their actions in context (see Chapter 4, 'New Traveller
Culture'). The ethnographer relies on this contextual, field experience to provide a reliable analysis of social phenomena.

3.5.2 Confidentiality

When the interviews for this research were carried out the names of the majority of the interviewees were known for the purposes of identification and contact. However, all the police officers and New Travellers were assured that their identity would remain confidential and not be included in any final publications. Hence, this research has removed any identifiers from the findings chapters.

3.5.3 Harm to Participants

Research in the social sciences is less obviously harmful to its participants than participating in clinical trials may be in medical research (Miller and Brewer, 2003:97), but the act of carrying out fieldwork in unknown sites and discussion of sensitive issues can potentially cause harm to the researcher or researched and thus should not be ignored. In this research people were asked to discuss matters that could have caused them some harm and distress in the past. The interviewees were informed that they could stop talking at any point. In the case of the police interviews, the interview could be stopped and the tape recorder switched off and the New Travellers were told they could stop talking to me at any point or ask me to leave. In fact no-one asked me to switch the tape recorder off or leave and all my questions were answered with full and frank responses.
The fieldwork for this research was carried out by me, but I was accompanied to New Traveller sites by my ex-partner as I have previously described. I was occasionally accompanied to police stations by my Home Office colleague, but commonly attended them alone. At no point did I feel in any danger at any of the police stations or New Traveller sites I visited. In every instance of fieldwork a family member or colleague was informed of my destination and likely length of visit.

3.6 Conclusion

I have outlined in this chapter the methods used to carry out the research for this thesis. These methods have been informed by a qualitative methodology which aims to describe, analyse and interpret the police and New Traveller cultures and the process of policing New Travellers.

In the Literature Review of this thesis I have outlined the research on New Travellers. Academics who have written about New Travellers are rare and those who have done so focus on their lifestyle (Kenrick and Clark, 2000, Hetherington, 1998a, 2000, Martin, 2000), nomadism (Clark, 1999, Halfacree, 1996), health (Stangroome, 1993, Matthews and Velleman, 1997, Hawes, 1997), work (Webster and Millar, 2001) and housing (Morris, 2000). The policing of New Travellers has been considered by Hester (2000) in his PhD thesis on the social control of New Travellers that incorporates analyses of local authority policies, the benefits agency and the police. His broad remit does not facilitate a full discussion of policing, though it does present interesting analytic issues of social control.
The research design of this thesis addresses issues of policing that previous research has not attempted to explore. Having had access to the police data I have been able to explore policing issues in some depth despite the initial evaluative purpose of the Home office research. I was then able to use ethnographic method to elicit further information about policing from the New Travellers themselves. Thus my data sets constitute detailed information on the police view of New Travellers, the CJPOA and their role in enforcing the law, the New Travellers' lifestyle and their opinions of the police and policing over time. The use of triangulation in my method has facilitated an analysis of New Travellers and policing that can therefore answer my empirical research question: what happened when the police applied the CJPOA to New Travellers? In answering this question I have been able to explore the New Traveller lifestyle (see Chapter 4, 'New Traveller Culture'), adding to previous literature in this area. I have also been able to consider police culture (see Chapter 5, 'Police Culture') which has been researched in depth before (Holdaway, 1983, Reiner, 1992a). I have evaluated the application of the CJPOA beyond the original findings of the Home Office study (see Chapter 6, 'Application of the CJPOA') and used spatial theory to understand police action better, following the tradition of research on all Travellers (Sibley, 1994, Kendall, 1997). Finally I have considered the impact of changes in policing that have occurred due to late modernity, hopefully adding to the policing literature in this area (Jones and Newburn, 2002).
4. NEW TRAVELLER CULTURE

In this chapter I will outline the key findings of my data relating to New Travellers. As this research is principally occupied with analysing the policing of the New Travellers this chapter serves to provide a backdrop to that analysis. I will consider here the principal facets of the New Traveller culture including where they come from, how they live and how they are perceived. This analysis constitutes data collected from both New Traveller and police sources.

In order to address the way in which New Travellers are policed it is first necessary to consider who the New Travellers are and how sociological and criminological enquiry has previously analysed them as a group. A discussion of the deviant status of the New Travellers is necessary here as it is this which determines, in part, the policing of them. So, the backdrop provided by my data on the culture of the New Travellers here will determine my final understanding of how they are policed.

the three key points that gave rise to the New Travellers that I have identified in this literature.

Firstly, there is general recognition between these authors that the New Travellers emerged out of the music festival scene which developed in the early 1970s and they are particularly associated with the Peoples' Free Festival at Stonehenge which began in 1974. As festivals developed and people moved between them, so they realised that they could travel from festival to festival without going home and that they could live in the vehicles they travelled in. Secondly, this pragmatic reasoning for travelling was accompanied by the values of 'New Ageism' which were fashionable at the time and a part of the developing festival and 'hippy' culture. Such beliefs and values portrayed an idyllic picture of the countryside and the traditional lifestyle of Gypsies and Travellers. Finally, political moves in the 1970s resulted in easier eviction of squatters via legal proceedings and the Criminal Law Act 1977 which legislated further against squatting. This meant that living in a vehicle became a viable option for people who would have originally squatted houses.

Hetherington has been one of the most prolific academic authors on New Travellers. He says that the 'New Age travellers are a hybrid phenomenon. They have been around since the 1970s. Part alternative lifestyle, part youth subculture and part new social movement' (2000:2). In his earlier work, Hetherington also refers to the New Travellers as a 'tribe' (1992, see also Bennett, 1999) and as a type of 'bund' (1994). Thus Hetherington shows how the New Travellers have been considered according to a number of different formulations. He is unable to pin them down however, implying above that they are made up of a number of definitive groups. He uses the New Travellers as a means to present a spatial theory which suggests that societal order is
maintained by the management of deviant groups such as the New Travellers. Martin (2002) argues against the presentation of New Travellers by Hetherington saying that he romanticises their lifestyle and culture. Hetherington's argument suggests that the New Travellers have chosen their lifestyle as a way to resist mainstream societal values and beliefs.

McKay (1996) says that the rise of the New Travellers is simply an extension of the counter cultural scene that has developed in Britain since the 1960s and has a long history in Britain (Elser, 1971). He suggests that the term 'counterculture' usefully describes the 'cultures of resistance' that New Travellers are a part of as they are oppositional to mainstream culture. Here, McKay uses Hakim Bey's (1991) concept of the 'temporary autonomous zone' to distinguish the New Travellers, 'One central way in which cultures of resistance define themselves against the culture of the majority is through the construction of their own zones, their own spaces' (McKay, 1996:7). This is an interesting and useful way of conceptualising the particular nature of the New Traveller culture, but can be criticised as failing to recognise the degree to which New Travellers conform to mainstream values and ideals. Matza (1961) noted that we focus on the deviance of groups rather than their normative behaviour.

So, are the New Travellers a 'subculture' rather than a 'counterculture'? According to Thornton (1997) it is increasingly difficult to define the term 'subculture' and place particular groups under this umbrella term. Since the 1950s research has been done in Britain and the USA on 'groups of people that have something in common with each other (i.e. they share a problem, an interest, a practice) which distinguishes them in a significant way from the members of other social groups' (Thornton, 1997:1) and this research has focused on deviance and difference. In the USA early theorists considered young
peoples' delinquent behaviour and engagement in gangs as a sign of anomie or strain (Cohen, 1955, Cloward and Ohlin, 1960). In Britain, where gangs have not been considered as a big problem, research originally focused on anti-school behaviour and provided a structural account for such (Downes, 1966, Hargreaves, 1967, Cohen, 1972, Willis, 1977). This research has most commonly been based in the Centre for Contemporary Cultural Studies at the University of Birmingham which set the pattern for cultural studies into the 1980s.

As cultural studies have developed however, so new types of subcultural behaviour, such as 'hotting' and 'ram raiding' whereby young people use stolen cars to race or steal, have been noted by authors such as Campbell (1993). Downes and Rock (1998) note the re-emergence of anomie as an explanation for such behaviour. The rise in unemployment and crime in the 1980s, accompanied by wealth amongst the few and therefore a sense of relative deprivation amid family breakdown, results in strain and a 'crisis of masculinity'. Importantly authors including Garber (1992) and McRobbie (1994) have also presented a feminist stance which considers the involvement of girls in subcultural action. Also an interest has been maintained in the use of 'style' amongst subcultures which was initially investigated by Hebdidge (1979) and continues to be of interest to sociologists such as Redhead (1993).

Contemporary research into subculture has suggested that the deviance of groups as acts of 'resistance' can not fully address the multiple behaviours witnessed and thus more recognition is made of consumption and the way in which groups show coherence with dominant cultural values (Thornton, 1997). My research and that carried out by Martin (2002) shows that the New Travellers have many differing ideals, attitudes and beliefs. Such beliefs are described by Martin as 'subterranean values' (Matza, 1961) which are not directly oppositional...
to mainstream values. 'If we apply this way of thinking about deviance to Travellers, we discover that instead of overturning the rules of the larger society, they tend to reflect and reproduce them, albeit in a variant form' (2002:729). So, Hetherington's description of the New Travellers as a 'hybrid phenomenon' is useful, as it accurately describes their culture, but it also accurately describes aspects of mainstream culture that the New Travellers reflect (see also Earle et al, 1994:iv).

Hetherington (2000) suggests that the New Travellers are a 'tribe' but this definition implies that they had some choice in their decision to travel, which my research will clearly refute in this chapter and which Martin (2002) strongly questions from his own research. Hetherington also makes mention of the New Travellers as a 'new social movement' (NSM) in the quote cited above. Martin and Clark (1997) argue that the first generation of New Travellers was associated with NSMs alongside their interest in 'New Age' ideologies, but the current generation (3rd) are not. A NSM is a group which is organised to effect some sort of social change (Jary & Jary, 1991:588). The New Travellers do not appear organised to effect change, as research by the authors cited here does not find they have such grand aims.

Although the term 'community' is a complex one and used to convey a diverse set of meanings, it can be functional to describe the New Travellers. If we use Tonnie's (1887) concept of the 'Gemeinschaft' whereby a community has a sense of intimacy and durability (Jary & Jary, 1991:98) drawn from tradition, then we are able to simply describe the New Travellers without the inference of complex social relations that the descriptive terms, NSM, tribe or counterculture imply. That they are a 'community' is clear from the research as cited here by Hetherington and Martin; also Dearling (2001a) argues that the New Travellers
are an 'intentional community', in that they have a history over three generations, common cultural practices and thus homogeneity. This does not mean, however that all New Travellers share common values and beliefs. Indeed, there is evidence to suggest that conflict occurs amongst the New Traveller community because of the differing ideologies of its members (Martin, 2002). As Earle et al say, "The only statement that expresses the feelings of every Traveller is: "Bury Your Shit"" (1994:44). Academic authors of the New Travellers cited here agree that the unifying feature of the New Travellers is their nomadic status. It is this which defines them and creates their 'community'. This chapter will go on to describe how this community manifests itself culturally.

The studies of sociology and criminology and even cultural studies have thus found it difficult to place the New Travellers within any clear definition other than as determined by their nomadism. They are clearly a deviant group as the majority of society lives a sedentary existence and their nomadism, accompanied by strict laws (such as that investigated by this thesis – the CJPOA), results in them coming into contact with criminal justice agencies. Although I have stated above that the best way to describe them is as a 'community' I would suggest that their nomadism and thus deviance requires us to consider them as something apart from mainstream culture. So, here I must return to the tradition of studies of such deviance as studies of subculture.

The New Travellers are a classically fascinating group for those of us interested in deviance, and investigation of their lifestyle has commonly been carried out within the ethnographic tradition, as was this research (see Chapter 3, 'Methodology'). Subcultural studies of communities such as the New Travellers have often been researched using ethnography. And thus, for the purposes of this study I feel that it is best to stay within that broad area of study and definition.
The New Travellers are considered here as a 'subculture' because use of this term can be broad enough to encompass the New Travellers' diverse nature (see Thornton, 1997, above). They are a community whose deviance, by way of a nomadic existence, sets them apart from mainstream culture and thus results in them being a form of 'subculture'.

Having defined the New Travellers for the purposes of this study as a community whose deviance makes them a subculture I will now go on to present my findings and discuss them in light of the literature on New Travellers.

4.1 The Sample

Although I briefly outline my sample in my Methodology chapter I focus there on the methodology behind my sampling rationale. I will therefore describe the New Travellers interviewed here in a little more detail to facilitate understanding of the findings presented in this chapter.

In order to gain a range of opinions of members of the New Travelling community I spoke to 8 men and 6 women. Of the people I spoke to, 7 of them were living as part of a couple. One couple had 5 children, otherwise I spoke to 4 people who were living in couples with 1 or 2 children and to 2 women who had one and two children respectively on their own. The complex nature of relationships and family in late modern society is evidently reflected in New Traveller communities. I did not speak to any of the children on the New Traveller sites, though such interaction would have been extremely interesting, it was beyond the remit for this study. The New Travellers were of a range of ages, with the youngest being in their 20s and the eldest being over 60. However, the large majority of them were in their 30s (10/14). A high number of young adults and
children has previously been noted as descriptive of the New Traveller community by Earle et al (1994) and Clark (1997).

Although the New Travellers live all over the UK, they are commonly associated with the south and south west of England (Clark, 1997). I visited the New Travellers in a range of counties. Four of the New Travellers I spoke to lived in housing, having left the travelling lifestyle. They remained living in areas that they had travelled in however. Two of these people lived in Yorkshire, one lived in Cornwall and one lived in Hampshire. I met 3 New Travellers at a small festival called the ‘Rainbow Circle Healing Camp’ in Gloucester. Two of these people (a couple) lived partly in a house and partly in a vehicle. I met one person at the festival, the ‘Northern Green Gathering’ in Yorkshire. The rest of the people I spoke to I met on their current living site. Three people lived on one site in Sussex near Brighton, and then I went to another site in Sussex near Brighton to meet one man. One man was living on a site near Bristol, in Somerset and another man was staying on a site in Wiltshire outside the festival, ‘The Big Green Gathering’. I will discuss these locations in ‘Sites’ later in this chapter.

4.2 Time Spent Travelling

The shortest length of time spent travelling by New Travellers I spoke to was 2 years and the longest was in excess of 20 years. The average time spent travelling was 10 years.

Three of the New Travellers had travelled abroad for some of this time. Two of them had travelled for 2 years in Europe and one had worked in France for an unspecified period of time.
4.3 Reasons for Starting Travelling

Each New Traveller was asked about their reasons for starting to travel. A range of reasons were given from gaining a job within the travelling community, to being made homeless as a result of being 'kicked out of home'. Only 2 New Travellers cited a particular reason for moving onto the road, one because she met her boyfriend and moved into a truck with him:

'I didn't know what to expect and I loved it'. (TRAN - T10)

and one because he got a job with the Travellers School Charity (TSC) as a teacher for the New Travellers:

Saw the advert in the Big Issue for this job and thought it sounded perfect, 'so I got the job and went on the road. It's been great, it's changed my whole attitude to teaching'. (TRAV - T05)

Five of the New Travellers had gone from squatting into travelling as a lifestyle, and four of them noted the influence of going to festivals as a determinate of travelling:

Stonehenge Festival was how it all began, 'I felt liberated’ I went there and it was free and it was the classic experience of going to the festival and never wanting to leave that life. (TRAV - T11)

Three of the New Travellers said that they had either been 'kicked out' of home or had left home which started their travels. Four of the New Travellers said that there were a combination of reasons for beginning the travelling lifestyle, such as having lived in a squat and visited festivals.
Interestingly, only one New Traveller noted any political action in his decision to be a New Traveller:

*It was a political decision. ‘I don’t want to be part of the system’. (TRAV - T11)*

Overall, 7 of the 14 New Travellers spoken to had come to travelling due to either squatting, having to leave home or having poor personal circumstances. Their circumstances ‘pushed’ them into becoming New Travellers. Others had effectively been ‘pulled’ into travelling, with 2 New Travellers starting travelling for particular reasons and 2 who had come purely due to the experience of visiting festivals (3 of the New Travellers gave no reason for their lifestyle). Such ‘push’ factors were similarly found in research by Martin (2002). Davis et al (1994) found that two thirds of the New Travellers they spoke to had been ‘forced’ into travelling. Indeed this issue of the push/pull into the New Travelling lifestyle is very important in determining our cultural understanding of the New Travellers as a group. Their ‘choice’ to travel affects our perception of them as independent and autonomous. Hetherington (2000) says that they have chosen this lifestyle which empowers them to act against and define mainstream society, whereas Martin (2002) strongly argues against such power as placed in the hands of the New Travellers themselves. He says that Hetherington romanticises the lifestyle of the New Travellers and it would appear that this research, his own and that done by Davis et al and Webster and Millar (2001) concur. Webster and Millar differentiate the choices made by the New Travellers by saying that they choose ‘how’ they live as New Travellers and not ‘why’ they live as New Travellers.
4.4 Reasons for Stopping Travelling

Four of the New Travellers spoken to had stopped travelling and were living in a house. Two of them were travelling part time and the rest were currently travelling. All of them were asked about why they thought people stopped travelling, or why they themselves had stopped travelling.

Of those who had stopped travelling or were travelling part time (6 people), 3 people said that it was because of their children that they had had to stop:

"When your kids get to about 7 they start wanting school'. Unless you want to change their schools all the time and travel lots taking them to school, you get a house. (TRAV - T01)

'I couldn't see how I could give my kids what I wanted living on the road, other than my smile'. (TRAV - T07)

Three of the New Travellers said that their decision to stop was simply due to circumstances and 'The course life took' (TRAV - T02). This reason was also reflected in the opinions of the New Travellers on why others stop. Three people suggested that travelling stops due to age: having 'grown out of it'.

Three of the New Travellers were determined that they would have to stop moving around and get a house due to the difficulty of gaining sites or because of police harassment. However, two others who had travelled throughout the 1980s suggested that it was not difficult to travel now:

Only moved into a house because of the course life took, rather than because of any police harassment. Stonehenge didn't stop us living on the road. (TRAV - T02)
It's much better now than it was in the eighties, so it's not the police that make people move into houses. (TRAV - T06)

So, overall 7 out of the 14 New Travellers spoken to suggested that the reason for stopping was due to a natural change in life including having children and only 3 New Travellers suggested that it was the difficulty of travelling and finding sites that would stop them moving on. Four New Travellers did not express an opinion on this.

4.5 Work

The New Travellers worked in a wide range of jobs currently and in the past. Of all those currently travelling (10), all 6 of the men and 2 of the 4 women were in some sort of paid employment. Only 2 women stated that they claimed state benefits. This is not to say that others were not claiming some sort of benefits alongside their employment, but it does go a large way to dismiss the myth of the 'lazy' New Age Traveller and confirms descriptions of New Travellers' working life as described by Earle et al (1994) and Clark (1997). In a comprehensive study of New Travellers' employment by Webster and Millar (2001) it was similarly found that New Travellers have varied occupations. However, it was highlighted that the lack of flexibility in the labour market meant that New Travellers' ability to take part in sustained employment was limited by forced evictions.

Of the four people interviewed in this research who had moved into housing, all of them were currently claiming state benefits, two of which were for disability. One of these people was also a student and one worked part time. When they had been travelling 3 of these 4 people had worked. Only one of
them claimed state benefits throughout due to a permanent disability (loss of sight).

Both men and women spoke of having employment while travelling, unless they were prevented from doing so due to disability.

The jobs carried out by the New Travellers ranged from teaching, through manual work to selling marijuana. The 2 New Travellers who said that they sold 'hash' were those who had stopped travelling and were discussing their past. It is possible that the sale of drugs is a part of the New Travellers' current 'economy' which they were not prepared to discuss openly with me, though many of those whom I spoke to were smoking marijuana or had marijuana plants with their vehicles. Webster and Millar found that participation in illegal activity as a source of income was rare amongst New Travellers. I will go on to discuss issues of drug use later in this chapter.

Eight out of the 14 New Travellers worked in jobs which were a part of the New Travellers' own 'economy'. In other words they carried out employment which was to benefit the travelling community and/or was a part of the travelling lifestyle. For example, six people said that their work was specifically related to festivals. One woman ran workshops for children at festivals and T05 focused his teaching work on the communal environment of the festival. T13 used to run large 'raves' on New Traveller sites. One couple owned a children's roundabout:

*T07 and T10 own a traditional wooden hand turned children's roundabout. When they lived on the road they took this round different festivals, fêtes and shows and this was how they made their living. The roundabout was paid for by selling marijuana and getting a 'hardship loan' from the government. (TRAV - T07)*
You can see from this quote that the New Travellers commonly combine a number of sources of income. One New Traveller ran a bar on a New Traveller site and also sold alcohol at New Traveller sites around the south east of England. Four of the New Travellers spoke of doing a number of different jobs throughout the year, including fruit picking, farm help, festival security, factory work and running a stall.

*Used to sell marijuana (hash) to make a living, 'just a bit of puff, nothing heavy', and ran a site/festival café. Also had a clothes stall at festivals selling jumble sale clothes, 'I always had a lot of tat in the bus to sell'.* (TRAV - T02)

Interestingly, three of the New Travellers had rather traditional attitudes to work when I spoke to them. Two of these men worked in manual jobs and one spoke of other New Travellers working in the same area:

*I'm building Ringo Starr's new home at the moment*. Got the work through a friend who had been working as a security guard there. He got one person on the site a job and then came back for more and more people until at one point 9 people from the site were working there. Eight people off the site still work there and should be able to work there for a while yet, 'We've got work there till January'. 'I'll go anywhere for work'. (TRAV - T04)

*I'm just having my day off, I've worked five days this week, I'm enjoying the sun, having a few beers and a smoke*. Works for an agency which gives him labouring work on building sites. 'I get on average four days a week work'. (TRAV - T11)

Overall then, the New Travellers' working life is reflective of mainstream society's labour market in that the New Travellers do a range of jobs in a range of locations. They rely on their own economy to work and utilise a number of sources to ensure full employment. Their working life tends not to be within permanent work sites, but is rather, contract, seasonal or within their own 'economy'. Such flexibility concurs with Webster and Millar's (2001) findings, as do my findings, that the New Travellers do not report claiming benefits. Webster
and Millar found that although New Travellers were claiming a range of benefits, these were generally temporary claims and rarely fraudulent. Thus the popular image of New Travellers as 'dole scroungers' can be explained as simply an attempt to define them as deviant from mainstream culture rather than reflective of it.

4.6 New Traveller Descriptions

Both the police and the New Travellers gave descriptions of the New Travellers' community and expressed opinions on who the New Travellers are and how they live. A broad range of descriptions were put forward and attitudes towards the New Travellers varied from very positive to very negative. The range of opinions was so broad that little commonality can be found. These are some examples of the varying opinions of both police and New Travellers:

'I don't dislike them actually, there are a lot of nice people'. (POL - P06)

'There are all types that live on the road, you get a lot of strange people' (TRAN - T03)

'They were less than co-operative I have to say these people' (POL - P07)

'They have got very good intelligence lines, they are highly organised' (POL - P08)

'Down South they are 'Banner Waving Crusties who have no depth and they're on the road because its trendy'. (TRAV - T07)

'There are a hard core of NATS that are specifically looking for confrontation'. (POL - P10)

'They are more idealistic than we were, less political, more wanting to live an ideal life. (TRAV - T11)
"They are part of society and more and more they are becoming part of the framework of the society they are in." (POL - P01)

They were 'causing upset wherever they went'. (POL - P15)

I have identified below some themes that are important to note as they have clearly emerged from the data, despite being views of a minority.

The most common opinion of the New Travellers themselves was that the Travelling community is made up of a diverse range of people (5/14). Alternately, the police often (5/18) referred to the New Travellers as a group merged with other alternative cultural groups such as 'ravers', environmental protesters and hunt saboteurs:

'The hunt saboteur, the New Age Travellers are often the same people, not totally but often'. (POL - P07)

'They have gone to places like Newbury Bypass and so they, this is where these people are now you know, Greenham Common'. (POL - P06)

There is general recognition by both the police and New Travellers that the New Travellers include different types of people, ranging from intelligent, organised groups to alcoholic or drug dependant 'drop outs'. T12's description of the Travelling community is particularly interesting in its detail:

There is a surprising number of middle class, private school Travellers. There are ethnic hippy types, pseudo diddycos, etc. T12 reckoned the level of political awareness amongst the Travellers was 50:50. He felt that a lot of Travellers could certainly not be described as sane and some people are severely anti-social... There are also lots of 'Jesus squad' type Travellers which surprised T12 a lot when he began travelling... You also get 'drongo types' who have no vehicle, no nothing, squatting someone else's space, giro all gone on drugs and alcohol. A fair number of people are drongos. (TRAV - T12)
The police are similarly descriptive:

'We have had the weekend hippy, Mr and Mrs Average who have just come down, we have had the sort of people who like to live off the land and are peaceful and then we have had the sort of anarchist who really are out and out for a confrontation'. (POL - P06)

Police views of the New Travellers tend to be quite extreme however, with fervent descriptions given of them:

'They were prepared to live like pigs in the main, there were caravans, they were filthy, there were kids, they were filthy'. (POL - P07)

'The NAT's are intelligent, sophisticated and should never be underestimated' (POL - P10)

'The other thing I think that I want to say about the sophistication of the Travellers is that in amongst that line of vehicles that you can see on the photograph there was a caravan and it was owned and operated by an individual I would describe as an ageing hippy and within that caravan which was unassuming at first glance, in fact almost dilapidated, was the most sophisticated mobile communications network that most of us had ever seen'. (POL - P08)

These descriptions become even more vivid when the police compare the New Travellers to Gypsies. It is particularly interesting here though that the police present the New Travellers positively in relation to other Travellers. Of the five officers who compared New Travellers to Gypsies only one did so negatively:

'The New Age Travellers, if I am kind, were a peculiar type of individual, almost Gypsy type although to some extent that does a disservice to the Gypsy community' (POL - P07)

The rest were positive about the New Travellers:

'With New Age Travellers you can at least if you think about it see their motivation and whether you agree with or not they have something that is
"legal sort of motivation even though it causes other people problems. These people (Gypsies) are out for criminality". (POL - P03)

'Unfortunately these people in small groups are no problem, you get chatting to them they are intelligent, articulate, they just want to drop out and do their own thing basically, they don't cause that much crime by and large; they are not like maybe the Irish tinkers and your Gypos and Travellers who come into the county and rob you blind'. (POL - P08)

This last quote begins by noting the size of New Traveller groups. The size of the groups seems to have a direct impact on the way they are viewed by the police and by the New Travellers themselves. In my research 9 of the 14 New Travellers noted the size of New Traveller sites as important and 5 of those people said that a small site is a good or safe site:

‘As long as you stay on small sites you’re alright’. (TRAV - T06)

The site is small with just a few other vehicles and it is ‘safe’. (TRAV – T09)

One New Traveller describes other New Travellers on large sites:

'It sounds snobbish, but you get lots of undesirables on big sites'. (TRAV - T02)

though another described larger sites as, having ‘more going on’, she said:

Apparently there are some good ‘party sites’ up in Peterborough, ‘so I’m going up there next’. (TRAV - T03)

Nine of the 18 police spoken to discussed the size of New Traveller sites. The police more commonly note the difficulties associated with large sites (5/18):

‘It was their mere presence, numbers and looks that was intimidating’. (POL - P07)
'You don't need a police force to deal with it, you need an army because we are talking about such huge numbers of, and huge numbers can best be demonstrated as 'let's stop the M27' of totally uncooperative people, they won't be coerced at all'. (POL - P01)

and 3 mention that small sites are not problematic:

'We have had New Age Travellers in this county in small numbers in various places on and off for years and years and years, that really doesn't cause us a problem and we understand why they are here'. (POL - P08)

The New Travellers are described by police and themselves as a diverse group of people reflecting the existing literature (Earle et al, 1994, McKay, 1996, Martin, 2002). Although the police view them negatively as part of a large group, they view them positively when compared to Gypsies. The New Travellers themselves recognise that some of their community are 'drop outs', 'drongos' or 'crusties'. The police mention that they are 'intelligent' and 'nice'. My sample contains a broad range of people from differing backgrounds, with different values and goals and the New Travellers and Police descriptions of New Travellers confirms this variety in their community.

The idea put forward by the police that the New Travellers are aligned to other alternative cultures, technologically sophisticated, intelligent, organised and problematic in large groups results in them appearing a clear and direct threat to public order. This will be discussed further below in 'Networks'. It should be noted here however, that the ambivalent attitude expressed towards New Travellers is indicative of the early stages of a 'moral panic' (Young, 1971). The polarisation of such views and the more extreme attitudes held by some police officers can result in a full blown moral panic which Hester (2000) describes as having happened in the late 1980s and which he argues resulted in the CJPOA.
4.7 Sites

Having already touched on the subject of New Traveller sites in the last section I will now move on to consider them in detail. The size, location and purpose of sites is important to address as the New Traveller site provides the parameters for the development of their culture, as will be outlined through the next two sections of this chapter.

Ten of the New Travellers I spoke to were currently travelling and I visited them where they were parked up. The sites visited were all very different as my sampling methodology made no stipulation of required site types. I met 4 New Travellers at festival sites where there were between 50 and 200 vehicles on each site. I met one person on a site established outside a festival that had approximately 50 vehicles on it. I visited one large site situated on parkland where 150 vehicles were parked up together and one smaller site with around 20 vehicles on it on a disused piece of industrial estate. The last site I visited was very small on a farm lane comprising 5 vehicles.

As can be seen here the New Traveller sites I visited were different in size, but they were also different in terms of length of stay and provision of services. So, those New Travellers parked up at festivals were there for a short stay and were provided with water and toilet facilities by the festival organisers. They were parked on 'soft standing' fields onto and out of which they were assisted by the festival organisers. The large parkland site and the smaller site on disused industrial land each had services provided by the council such as portable toilets and waste removal (which Department of Environment circular 18/94 suggests the council should provide if a site is not a nuisance) and they had been there for a ‘few months’ (no more detail of time was given).
parkland site comprised a mix of 'soft standing' grass land and 'hard standing' pathways. The New Travellers had located this site and manoeuvred their vehicles onto it themselves. The smaller site was on hard standing waste land. It had been fenced by the local council and additional to portable toilets and waste collection, had water provided by a stand-pipe. This site had been found by the New Travellers and they had placed their vehicles on it.

Two of the sites visited had no local provision of waste removal or sanitation. One was on a drove outside a festival site which comprised soft and hard standing ground – being an unmade-up road. This was a temporary site created in waiting for the Big Green Gathering festival to begin, so it had been there for approximately a week. The second was a very small site on a farm lane where again the standing was variable as it was a small lane with soft verges. This site had existed for three years. On both of these sites room had been left to allow vehicles to pass freely.

All of the New Traveller sites visited comprised a number of different vehicles that the New Travellers used to live in and vehicles used for day to day movement. Those vehicles that were lived in were a mix of large to medium sized heavy goods vehicles. There were buses, trucks, vans and ambulances that had all been converted into living spaces. There were also a number of caravans which were either traditional modern Romany chrome trimmed ones known as 'chromeys' of which the New Travellers were very proud, or they were standard modern holiday caravans. Vehicles used for day to day movement were a range of different smaller vehicles and motorcycles. All of the vehicles seen on site were relatively old, being at least 10 years old:
The vehicles used for driving around were a transit van—used for taking people to work, an old truck, a couple of old (not tatty) saloon cars. (TRAV - Brigh1)

One site had a number of 'benders' on it which are traditionally made tents where the New Travellers use soft wood branches bent over to create a dome shape that is then covered with some type of canvas and lived in for any period of time.

The number of vehicles on any New Traveller site is its key descriptive factor in terms of policing and culture according to the New Travellers and police. As already stated in the previous section on 'New Traveller Descriptions', the size of a New Traveller site can affect the police and New Traveller perception of it and those who live in it. Indeed an important issue to highlight here is the fact that sites appear to be growing in size, a problem identified by Earle et al (1994) and Bucke and James (1998). This process is described in detail by one police officer:

'half a dozen vehicles, 4 or 5 vehicles had been on a site down in..... That's it, well they've been there for something like 4 years, 4, 5, 6 and the occupier, the owner of the land quite happy, they've caused no difficulty, no problems whatsoever and then what does happen with these sites, certainly others have started to comment that the original people that have been there for about 4 years got upset, couldn't stop the others coming so the original people left, quite a number of them left! .... because they're saying, 'we don't want this hassle ... stop them' and then over a very short period it grew to 50+'. (POL - P13)

Two of the police officers spoken to noted this as a particular problem. Three of the New Travellers discussed the problems caused by sites growing due to an influx of new people arriving:

Small sites quickly turn into big sites now as people go onto a site that hasn't been evicted and can be totally taken over by new people. (TRAV - T03)
and as T12 notes:

*Anyone can pull onto a site and start living there.* (TRAV - T12)

This problem appears to occur because although New Travellers commonly say they want to live on small sites, as they consider them to be safe and contain less criminal or drug addicted people, such sites are hard to find.

*It is hard to find sites to park up on and so generally would join an existing one.* (TRAV - T05)

*You have trouble stopping anywhere if there are more than six vehicles so you just can't stop. Instead you go to a more established site and stop there leading to bigger sites.* (TRAV - T08)

The process of finding sites is an important part of New Traveller lives, described as a 'struggle' by McKay (1996:70). In analysing my findings I have found four issues of importance to New Travellers and police in respect of finding and keeping sites. Firstly, as noted above, 6 of the New Travellers said that they had difficulty finding places to stop. T02 and T12 note that they were constantly looking for new sites while travelling:

*You are looking for new sites all the time and get sick of it after a while.* (TRAV - T02)

*When you're about during the day doing 'this and that' you keep your eyes open — always have two or three alternatives in mind in case you're moved on.* (TRAV - T12)

The inability to find appropriate sites results in both New Travellers (5/14) and police (7/18) saying that the New Travellers are unwilling to move on until eviction, either by the police or by the council, is imminent. In other words, the New Travellers are unwilling to move as a result of informal discussion with
the police or council and they would thus rather wait until formal eviction procedures are followed by those agencies. In such an event they will move 'at the final hour', just before the police or council come to forcefully evict them.

Secondly, 4 of the New Travellers spoken to said that they try to stay on council owned property to prevent immediate eviction and 5 police officers note difficulties in evicting New Travellers when they are not on private land. In 2 police interviews the issue of land ownership was important as the New Travellers had created sites in locations where the ownership of the land was unclear. One officer from P07 outlined the problem to me regarding a particular site:

'Despite the fact that it had been a Roman road and hence been there for donkey's years it didn't appear on any of the OS maps with any ownership, it wasn't common land, there were no rights of common on it, we took legal advice on it to see if we could implement that particular section of the Act, and our advice from Counsel was that this was a strange piece of land that seemed to belong to nobody; the consequence was that we went into consultation with the county council and asked the county council if they would invoke their powers'. (POL – P07) Note here: the council do not have any more powers of eviction from a disputed site of ownership than the police.

Thirdly, the location of New Traveller sites in terms of the number of residents in their vicinity is an issue raised by the police. Interestingly, 4 police officers note the number of residents near a New Traveller site, but each of them suggests that there were few residents and thus little disruption caused.

Finally, the purpose of the New Traveller site can be identified as a relevant issue for police. Three police officers expressed particular concern that the New Traveller site might be used to hold a 'rave':
'People could phone up and find out where the rave would be taking place'. (POL - P02)

'There was going to be a rave... it was going to be at the New Age Traveller site'. (POL - P07)

So, the four key issues which arise when considering New Travellers finding and keeping sites are the lack of sites available, the location of the site - in terms of land ownership and local resident disruption, and the purpose of the site.

In conclusion here, it is clear that a range of sites are used by New Travellers, including festivals, council and privately owned land. The preference for New Travellers is to stay on council owned land while the police find eviction from privately owned land easier to manage. Thus, the New Travellers are trying to stay in places and avoid eviction, hence their desire to be on council owned land, while the police are keen to remove them and feel they can do so more easily when they are on privately owned land. Likewise, New Travellers wish to stay on smaller sites, but end up on bigger sites due to an inability to find sites in the first place. The police are not only concerned with the ownership of land that sites are on, but also with the local resident population and any potential disturbance caused by an event such as a rave on a New Traveller site.

4.8 New Traveller Culture

The New Traveller Culture is defined by the nomadic status of its participants (as discussed at the beginning of this chapter). Thus, moving around is the aim of a large number of New Travellers and definitive of their cultural understanding and meaning. Of the 14 New Travellers spoken to half (7) of them mentioned their desire to travel:
T12 says that the true aim of Travellers is to travel around. (TRAV – T12)

'I like to travel around'. (TRAV – T06)

'I like to travel around'. (TRAV – T02)

It's how you travel that makes a difference to your life on the road... if you are really travelling you get respect. (TRAV – T10)

However, as mentioned above in 'Sites' the difficulty in finding sites can result in an inability to move on, as T05 clearly states:

'We do want to move on, we don't want to stay in the same place all the time. Sometimes we are forced to though'. (TRAV – T05)

Added to this is the tension of conflicting family requirements. Three New Travellers particularly noted the need to choose between travelling around and educating children:

When school happens they won't be able to travel off far. (TRAV – T11)

So, the desire of New Travellers is to keep moving, yet they are occasionally static due to an inability to find sites or responsibility to their children.

In order to draw a picture of the lives of the New Travellers I will now go on to describe their living circumstances by detailing the spaces New Travellers use to live: inside their vehicles/homes and outside their vehicles/homes. I will then go on to present the atmosphere that different sites have as particularly defined by their use of outside space.
The vehicles lived in by the New Travellers were commonly well kept and maintained in terms of living accommodation (this is not to say that they were fit for use on a road). McKay (1996) suggests that the process of transforming a vehicle into a home is what makes a person ‘become’ a New Traveller. My field notes make reference to the good condition of the living vehicles of the New Travellers in 10 interviews out of the 14 carried out. Indeed, the New Travellers themselves commonly (6 people) speak of their homes with pride:

Very proud of van, ‘it doesn’t look very good on this side, go and look at the other side, its been done up and inside its lovely’. (TRAV - T03)

He had made the inside of their truck habitable and spacious by building beds up and the children’s sleeping area had all butterflies and other animals carved in the wood, obviously with great skill. (TRAV - T07)

Three of the New Travellers mentioned the work they have done themselves on their vehicles and I noted such work in 7 of the interviews carried out. The New Travellers themselves refer to such vehicles as ‘well kitted out’. When discussing their living vehicles, apart from mentioning their own work on the vehicles as providing them with pride, some of the New Travellers refer to how warm they are. T10 gave birth to her second baby in her truck and is particularly proud of this event. She showed me numerous photographs of the truck that her family lived in:

The truck had a burner in it which she said made the environment ‘warm and cosy’ and ‘home’. (TRAV – T10)

I noted that the vehicles visited were very clean inside and well organised to provide living space. I also noted the prevalence of televisions in
vehicles – there were a number of vehicles around each site from which the sound of televisions could be heard. There were also television aerials on top of vehicles. Only one of the New Travellers spoken to had a particularly unkempt living vehicle with a broken window and a large number of possessions brimming from the truck. However, I did not enter this vehicle and thus can not comment on how clean, tidy or organised it was inside.

One police officer spoken to said that the inside of a New Traveller’s vehicle had a great deal of high technology within it (See quote in New Traveller Descriptions – POL - P08 above). Other than this none of the officers interviewed noted the standard of the living vehicles of the New Travellers. However, I had one informal discussion with a senior police officer at the NIU Conference who said how impressed he had been by the inside of a number of New Traveller vehicles, and particularly by the skill displayed in carpentry in a range of vehicles.

The lack of comments made by other officers on the content of New Travellers vehicles may imply a ‘hands off’ approach from police when dealing with the New Travellers. Martin (2002) suggests the police do indeed have such an attitude when considering crime which occurs on New Traveller sites, allowing the New Travellers to police themselves. However, as I will discuss later in ‘Networks’, the police show a great deal of interest in the criminal behaviour of New Travellers. It is relevant here then to draw a distinction between the ‘personal’ and ‘public’ behaviour of New Travellers. The police are interested in controlling New Travellers when their behaviour is public, such as causing some sort of perceived disruption in mainstream society by setting up a site, dealing drugs or holding raves. Their ‘personal’ lives are not of interest to the police and as such the police are unaware of the inside of New Travellers’ vehicles, nor are they interested in crime committed against the New Travellers themselves such
as domestic violence. As Martin argues, to pay attention to the New Travellers in this way would be ‘tantamount to an avowal of a lifestyle that is itself effectively criminalised’ (2002:732).

4.8.2 Outside

My field notes describe the New Traveller sites visited as well as conversations held. The main point to emanate from the site descriptions is the New Travellers’ use of outside space as a resource. As Jay, in Voices of the New Age Nomads says, ‘your outside space is just as important as your inside space in my view’ (Lowe and Shaw, 1993:66). Each of the sites I visited made at least some use of the space outside vehicles for communal living and/or personal living. There were pieces of furniture and carpeting outside New Traveller vehicles/homes, toys, tools and washing hanging up as well as numerous plants, most commonly in pots. Three of the New Travellers spoken to make note of the importance of outside space as well as my personal observations:

There was also a high level of ‘tat’ outside the vehicles – toys, gerry cans, prams, carpeting as if outside the vehicle was another room'. (TRAV - T05)

‘The outside becomes a room you use’. (TRAV – T10)

The use of outside space and the enjoyment of outside living is particularly noted by 4 New Travellers for whom the life of their gardens or plants has become a defining feature of their lives. Three of these New Travellers are those who have stopped travelling and one of them lives on a long-term site. For T02 the ability to plant was a determinant in her leaving the New Traveller lifestyle:
'I wanted my own place so that I could grow stuff, you can't have a garden if you're moving on all the time. T02 now spends the majority of her time in her organic vegetable garden. (TRAV – T02)

and for T10 having a garden has helped her cope with living in a house:

Having a garden with the house has been the 'saving grace'. (TRAV – T10)

T13 had turned an interest in the use of psychotropic substances into a hobby studying their origins in plants. He had a well-established garden outside his vehicle and grew a number of exotic plants that he was extremely knowledgeable about. He was a fascinating person whose past had been spent as an anarcho-punk amidst the worst conflicts between New Travellers and police in the 1980s and organising 'raves' in the 1990s as a part of the musical and spiritual collective of New Travellers 'Spiral Tribe'. When I interviewed him he was living peacefully focussing his interests on his garden and plants:

He laughed about the fact that nowadays he likes nothing better than to stay at home and tend his plants or study. (TRAV – T13)

So, a key issue for a significant number of the New Travellers spoken to is their connection to outdoor living and this can be defining in their choice of 'home'. This point connects well with the idea that New Travellers have an idyllic view of outdoor living and particularly the countryside. Hetherington (2000) emphasises this point in his research and it has been noted by others such as McKay (1996) and Martin (2002) and is perhaps a cultural hangover from the 1st generation of New Travellers whose 'hippy' ideology incorporated the rural idyll.

The possessions of New Travellers are commonly referred to by them as 'tat' and my field notes include the use of this term. Such possessions do make
the New Traveller sites look chaotic and it is this that the police mention when describing New Traveller sites. Thus the police are showing an interest in the ‘public’ areas of New Traveller lives. Three police officers noted that the New Traveller sites are a mess, for example:

‘They make a horrible mess of one location, but if I keep moving them they will be making a mess with lots of locations, upsetting far more people’. (POL – P01)

One of those police officers notes that the New Travellers clear up after themselves however:

‘They were using hedgerows as toilets and there was an amount of litter around, although I have to say in fairness to them that they did clean up when they left, they left it environmentally friendly shall I say’. (POL – P07)

The apparent ‘mess’ made by New Travellers on site as a result of their commonly living outside their vehicles/homes is only perceived as a problem by two police officers spoken to.

The use of external space seems to provide New Travellers with a sense of family that is potentially missing from their lives – as noted previously in ‘Reasons for Starting Travelling’ half of the New Travellers spoken to have come to this lifestyle due to poor personal circumstances. T12’s description of one site is particularly focused on gaining this sense of sharing:

*Travelling with people can be like having an extended family. Loads of communal meals, a ‘really nice feeling’. T12’s best time on site was with a group where there were 10 adults (7 of whom were women), 10 kids and 10 dogs. They were parked up in a quiet place with an outside fire. The three blokes lived together in a bus. It was a ‘really beautiful way to live, warm comfortable way to live’. Sharing food, the kids having a bowl of food and then passing the bowl on to the next kid to eat. (TRAV – T12)*
On each site visited I noted the way in which New Travellers share each other's lives either through some sort of communal living space or shared responsibility for children or animals. Only one New Traveller spoken to appeared to live more separately on site with each vehicle having a contained space for living. However, in this case the New Traveller was frequently visited by other New Travellers during my visit. The following description of a site is a further example of the familial atmosphere on site:

*When T08 arrived a number of other Travellers arrived too. There were men, women and children of a range of ages. Families could not be clearly defined as such as all the children played everywhere and the women were talking together. There appeared to be more women than men, though everyone did not come out of their vehicles. The site got quite busy now, with everyone chatting and sharing their news. (TRAV - Brigh1)*

Two of the New Travellers note the importance of communality for their own personal wellbeing. T02 says that her happiest times were when she was travelling as part of the New Traveller 'Convoy', and T03 says that she is able to rely on other site members to provide childcare:

*She explains that her son is happy on site. She says that she doesn't have to worry about him 6 days out of 7 as he is looked after by the whole site with the other kids. (TRAV - T03)*

Each New Traveller site I visited had a number of children on it, bar one. There were always children running around the site and children's toys scattered about. Twelve (12/18) police officers spoke of New Travellers sites as containing a number of children and 9 (9/14) New Travellers mentioned children or had children with them. They were commonly seen as a positive and central part of life:

*She showed me numerous photographs of their life together with the children on the road and was very reminiscent. The children were in home*
knitted clothes in the pictures which T10 was very proud of. The children are the centre of T10's life. She was so proud of the children in her descriptions and of her life with them. She said she loved being a mum and did not find it particularly hard to bring the children up in the truck. (TRAV – T10)

One New Traveller interviewed was employed as a teacher by the TSC for the New Traveller children whom he visited on sites around the country and his teaching ethos is focused on the needs of the New Traveller children:

The emphasis is on children learning in a way which relates to their lives which are very unstructured and practical. There are no set hours of lessons, the school is open all day for the children to come and go as they please. (TRAV – T05)

Indeed, children are only perceived as problematic to the New Travellers when they are in need of schooling and 3 New Travellers mention this as an issue when considering a new site or moving on. The police, however, commonly view the presence of children on site as a dilemma and it is likewise the issue of education that is problematic. Ten police officers said that the council's duty to provide for the welfare of New Travellers when considering moving them on (The Wealden Case, see Chapter 6, 'Application of the CJPOA') caused them a problem. Some officers were unwilling to provide such care:

'Everybody’s a little bit frightened now, because of some instance down south that you may have now know that New Age Travellers where they now have to take into account the educational welfare of the Travellers, the kids, the perhaps pregnant women or whatever, um, our interpretation I think is that doesn’t really apply to police.' (POL – P19)

'I think it’s used by the Travellers against us, the fact of the matter is when they come to an area temporarily, the kids don’t go to school, they don’t normally use a local doctors and so on' (POL – P04)

Although this may appear to be a very cynical view, one New Traveller interviewed said:
It's easier to live as a Traveller with kids because the hassle with the council checking out welfare means you get to stay longer on sites. 'We play on it', 'We're lots of women and children.' (TRAV – T06)

This New Traveller self-educated her children using the TSC as a resource and thus did not require state education of her children.

Other than children on site, again each site visited, bar one, had a number of dogs on it. Five New Travellers said that they had dogs and each of them said that they had always had at least one and up to three dogs when they were travelling. T07 sums up the New Traveller attitude to their dogs:

'You have to have a dog on the road, it stops people hassling you and has saved my life'. (TRAV – T07)

Four police officers note the presence of dogs on New Traveller sites, again they are less positive about the role of the dog in New Traveller culture and resort to stereotypical descriptions:

'They have dogs that wander about all over the ... on bits of string, they are brown dogs, they are always brown dogs aren't they?' (POL – P01)

'They get better dole payouts there and their dogs are also provided for'. (POL – P14)

New Traveller sites are spaces in which communality is therefore important in determining atmosphere. A chaotic environment is created on New Traveller sites because of the high number of children and dogs on site and the communal use of outside space by those children, dogs and adults. I will now go on to discuss the atmosphere of sites.
4.8.3 Atmosphere

It is necessary to discuss the atmosphere of New Traveller sites as their 'mood and pervasive feeling' (Collins, 1989:43) affected my access to them (as noted in the Methodology chapter of this thesis) and is important in understanding the operation of the New Traveller culture. Each site had a particular atmosphere determined by its location, size and use of communal outside space.

The police note that New Traveller sites are commonly seen as threatening environments. Apart from the 5 officers described above who note the large size of sites as problematic, 2 officers mentioned the intimidating atmosphere that sites can have:

*The Travellers were not threatening, abusive or insulting, but they were 'very vocal'.* (POL – P16)

*Most foot passengers didn’t want to get past because they felt threatened by the very presence of the Travellers*. (POL – P08)

The location of the New Travellers’ sites I visited was very important in determining their atmosphere. Those New Travellers who were visited at festivals or who had sites near festivals were all friendly and relaxed, with some sense of excitement regarding the event attended. The small sites visited were also relaxed and friendly whether in a country or more urban environment, though the urban site was more frenetic. The least friendly site was the largest (other than festivals), situated on parkland. This site was less able to provide itself with safe, communal space as it was stretched along a long, thin area – with no central meeting point. This site was interesting as its location afforded it a strange dynamic as my field notes describe:
As we arrived there was a strange picture before us. There was a public park, green grass set on a gradual hill, with people playing cricket in their whites and families having picnics and playing ball games and ten feet away from this was a large Traveller site with many vehicles actually parked up at the bottom of the green areas. (TRAV – Brigh2)

The conflict between the two social groups using the park resulted in there being a strange and antagonistic atmosphere on this site.

I have already discussed above the impact of size on New Traveller sites in determining their atmosphere: large sites are considered problematic by the police and commonly by New Travellers. Smaller sites are often described by my sample as ‘safe’ sites. I have also gone on to note that outside space used communally by New Travellers results in a positive atmosphere. As described in the last example of my findings, larger sites are less able to have communal areas and thus are likely to have less familial and therefore less positive atmospheres.

Each of the New Traveller sites visited, including those New Travellers visited at festival sites had a single commonality with regard to their atmosphere: suspicion. In every meeting I had with the New Travellers I have noted that I was treated initially with a good deal of wariness:

When we originally drove down the track we were viewed with some suspicion, and when we parked a couple of people came over and asked what we were doing there. As soon as I identified myself, T05 introduced himself and the other Travellers forgot our presence. (TRAV – T05)

At one point while we were talking to her a small group of women came into the tent speaking quietly and looking at us. They were obviously not happy with our presence. One of them came over and openly asked Neil who we were and what we were doing there. Neil explained that I was a student doing research and the woman was content and went away. (TRAV – Rainbo1)
Each time suspicion arose I was able to manage it and gain some sort of 'validity' as discussed in the Methodology of this thesis. Once the suspicions of the New Travellers were allayed I received a great deal of hospitality from the New Travellers and found each New Traveller site to have a friendly and relaxed atmosphere, apart from the large, parkland site which was less friendly though not unwelcoming. However, this was an important finding which is reflected in the New Travellers treatment of each other according to T12:

*When someone new goes onto a site the Travellers will at first be tight lipped. Anyone can pull onto a site and start living there. It is easier on hippy site than a diddycoy site. (TRAV - T12)*

So, the mood and pervasive feeling of New Traveller sites, or their atmosphere, is initially very suspicious wherever they are or however large the site is. Having got over this suspicion New Traveller sites are general positive, friendly environments, particularly if they are smaller sites with communal space (as also found by Martin, 2002). They can be chaotic spaces however, due to the frenetic activity of children and dogs in communal living.

4.9 Seasonal Behaviour

The literature describing the lives of New Travellers denotes festivals as central to the cultural identity of New Travellers (as discussed earlier in this chapter). In my findings above on 'Reasons for Starting Travelling' I have already noted the influence of festivals in some New Travellers decision to start travelling. The Stonehenge Festival, which stopped in 1985 due to police action, is the most famous and considered the most desirable of festivals amongst the New Travellers.
Nine New Travellers said that they had travelled around the country from festival to festival in the past and 4 of them continued to do so. The travelling year is described to me by T10:

*During the season, May – October, T10 travelled doing the festivals and shows with the roundabout, in the winter they would find a park up where they would stay until the season began again.* (TRAV – T10)

Every New Traveller interviewed spoke of their desire to attend festivals. As mentioned previously in 'work' six of the New Travellers made some sort of living out of festivals doing a range of activities from bread making to children's entertainment. Two police officers said that they were aware of events currently attended by New Travellers annually but they included 'fairs' as well as festivals.

Four of the New Travellers however said that they did not go to festivals now as there are no longer any free festivals:

*There are no free festivals now. 'They were the good old days'.* (TRAV – T03)

*There are no free festivals anymore or raves or anything.* (TRAV – T08)

A change therefore appears to have occurred. The New Travellers say that they want to go to festivals and some of them do, but those who continue to attend such events or similar do so as part of their work and thus probably gain free entry. Any previously run festival where entry was free has disappeared and so those New Travellers who wish to attend an event without working cannot afford to do so. Indeed, during the fieldwork for this thesis, the majority of New Travellers met at festivals were working there, rather than attending for pleasure. The New Travellers have always used the festivals as a commercial opportunity, but they have also been vital in providing the New Traveller network with a
meeting point. The reduction in free festivals has meant the loss of an important meeting place then.

Only one New Traveller mentioned that they had other seasonal work or life patterns:

*Will do some seasonal work, his partner’s done picking in the season.* (TRAV – T11)

So, it has really been the festival circuit that has provided the New Travellers with a seasonally defined living pattern: travelling during the summer and ‘parking up’ in the winter. But the decline of the free festival has meant that such behaviour has also diminished.

4.10 Crime

Criminal activity amongst the New Travellers has not been measured extensively by previous research, though Webster and Millar (2001) did find that New Travellers involvement in illegal activity as a source of income was rare. Police and public perceptions of New Travellers differ from this finding. One police officer refers to young people’s perception of the New Travellers:

*‘They know absolutely by definition that these Travellers are living outside the law’* (POL – P01)

In this research both New Travellers’ and the police refer to the New Travellers use of drugs which I will discuss at the end of this section. In terms of other crime the New Travellers themselves do not refer to any illegal activity at all.
Five police officers do mention illegal activity other than that relating to drug use amongst New Travellers but there is little commonality to their experiences. Four police officers mention the trouble caused by New Travellers holding illegal raves:

'There they held these impromptu types of rave... Northamptonshire which was the site for the mother of all raves.' (POL - P08)

'The system the New Age Travellers had was an answer phone system where people could phone up and find out where the rave would be taking place'. (POL – P02)

Otherwise the police officers noted a range of offences committed by New Travellers, with no two officers citing the same problem: harbouring criminals, stealing property, stealing crops and causing disruption. In fact two officers do note the minimal amount of crime caused by New Travellers:

'They just want to drop out and do their own thing basically, they don't cause that much crime by and large' (POL – P08)

'There are no particular crime problems relating to any of the Travellers'. (POL – P16)

Drug related crime is discussed by 5/18 police officers and 9/14 New Travellers. As one police officer states:

'Certainly the more prevalence offence has got to be drugs'. (POL – P01)

Four police officers and 1 New Traveller spoke specifically of the New Travellers dealing drugs:

'There's a lot of drug dealing going on there'. (POL – P17)
'The vast majority of criminal activity is drugs related, the distribution of drugs both within sites, between sites and also individual. There are a number that have been identified as locations where people from the general community will go along and to pick up drugs, like cash and carry'. (POL - P01)

Changes all the time, first it was hippies, then it was well hard types dealing drugs. (TRAV – T13)

Two New Travellers said that they had sold marijuana to make a living, but as I said earlier in this chapter, these were New Travellers who had stopped travelling and those who were currently travelling may sell drugs but be unwilling to discuss such activity with me. Indeed, on each site visited I witnessed people smoking marijuana and on 3 sites visited marijuana plants were grown openly. I saw no evidence of other drugs. As stated previously in 'Work', Webster and Millar (2001) found drug dealing an aspect of criminal activity that was least acceptable to New Travellers as providing a source of income.

Two police officers said that there were a range of drugs used on New Traveller sites, but these excluded heroin. Only one officer said that there was use of heroin amongst New Travellers. In contrast to this 3 New Travellers noted the use of heroin (smack) on sites:

'We recovered bits and pieces, cannabis, nothing of significance in terms of volume. We didn't get into the heroins and that sort of stuff, we got amphets and we got a little bit of ecstasy, we got a little bit of cannabis'. (POL – P07)

Lots of people that we used to know who were on the road are taking smack now or have died from taking it. (TRAV – T02)

Moved away from the south as lots of people were doing smack and they wanted to get away from it. (TRAV – T10)

It appears that criminal activity amongst the New Travellers is minimal other than regarding drugs. Both police and New Travellers recognise that drugs
are used and dealt by the New Travellers, though the New Travellers I spoke to were using and dealing marijuana rather than other drugs. There was recognition, principally amongst the New Travellers, that some use of heroin occurs amongst the New Travellers and this has been identified by Martin (2002) as a particular area for conflict within the New Traveller community. One police officer and 1 New Traveller note, however, that the rise of drug use in society is simply reflected in New Traveller culture and thus policed:

"We are responsible for policing all parts of society and criminals and drug users exist outside these camps, they may be a centralised problem within them, or a common problem across them but we will police that part of the community as well as the rest of it". (POL – P01)

4.11 Networks

In 'Traveller Descriptions' above I have outlined how the New Travellers describe themselves and how the police perceive them. The police perception of the New Travellers as described here implies that they are an organised group. Such a perspective is reflected in press reports of the New Travellers as a, 'highly organised and mobile community of thousands of young drop outs who have chosen to live wild in the heart of a rigidly structured society' (Dalrymple, 1992:1,6). The previous section on 'Crime' found some police officers describing the New Travellers as drug 'dealers' as well as users, which suggests that they are organised to supply drugs. Such organisation is an important point of analysis here as the way New Travellers' 'network' plays a role in defining their behaviour and police responses to them according to this research.

I have already noted in 'New Traveller Culture - Atmosphere' that a single commonality of the New Traveller sites I visited is that they were all initially suspicious of me. As noted in the Methodology of this thesis I took my ex-partner
with me to New Traveller sites to act as my gatekeeper and his knowledge of people within the network of New Travellers allayed their suspicions. This informal network exists without any sort of organisation. New Travellers move from site to site, occasionally living on smaller sites and sometimes larger sites as described above in 'Sites'. Such movement results in their knowing a large number of New Travellers and enables communication between New Travellers. Each site I visited, bar one, began with a discussion between Neil and the New Travellers of who they both knew. Having established common ground, any previously held suspicion lifted and the conversation moved on:

*Neil had discovered that he knew many of the same people as T08 and had been to the same school as the guy sat on the floor and they knew common people too. (TRAV – Brigh1)

*Initially T13 seemed somewhat cautious of us, but when Neil explained who he knew within the travelling community the conversation turned to news updates on mutual friends and T13 relaxed and happily chatted to me about his life. (TRAV – T13)

In an unrecorded discussion with a New Traveller I was told that he found it easier to contact his friends who lived in vehicles because of this communications network, than it was to contact people living in houses. In my fieldwork I did see some use of technology by New Travellers to maintain communication, particularly the use of mobile phones by two of the New Travellers interviewed. I was unaware of any more technology than this, though I did not go into all the New Traveller vehicles on the sites I visited.

The informal communications network I have described here is very different to the description of New Travellers by the police. Seven of the 18 police interviews carried out referred to the New Travellers as being formally organised
in some way. A range of terms were used to describe the New Travellers in these instances ranging from viewing them as simply organised:

'They are a culture and because they are actually organised'. (POL – P01)

'They are now more organised and better at what they are doing'. (POL – P14)

to descriptions of them as highly organised and representing some sort of force:

'What actually happened was after dark they formed themselves up into a convoy in military style fashion, joined up with the other members of the group who had been circling around the county and had been spotted in varying locations and they came together near Sleeford on the A17 as one huge convoy again of about 100 vehicles and trailers and eventually went and despite our best efforts to prevent, went to an old Roman road up at Brauncewell'. (POL – P07)

This high level of organisation involves some forward planning by the New Travellers according to 2 police officers:

'You get these guys, these guys are about like a scout, a reckying party or scouting party and when I say that as an instance when they first moved on to us to Temple Wood, subsequently they find a guy registered his car six months previously at Temple Wood, they are not fools these people, their intelligence lines are as good, if not better than ours.' (POL – P08)

Such forward planning is deemed suspicious and a sign of formal organisation by the police here. However, as I've already noted above in 'Sites', it is simply the inability to find suitable sites that means New Travellers look for potential sites for the future while travelling.

The police interviewed also commonly perceived the network of communication between New Travellers to be technologically advanced. In one instance the police note that the New Travellers video recorded a police eviction
under the CJPOA (see also Chapter 8, 'From Police to Policing'). Such surveillance of police action is likely to heighten police suspicion of New Travellers. In 6 interviews police officers noted the New Travellers technical ability to communicate:

'They have mobile phones, computers etc.’ (POL – P10)

'They've all got mobile phones, so once they are on there, they are all ringing one and another.’ (POL – P12)

and to re-quote a police officer cited previously in 'New Traveller Descriptions':

'The other thing I think that I want to say about the sophistication of the Travellers is that in amongst that line of vehicles that you can see on the photograph there was a caravan and it was owned and operated by an individual I would describe as an ageing hippy and within that caravan which was unassuming at first glance, in fact almost dilapidated, was the most sophisticated mobile communications network that most of us had ever seen'. (POL - P08)

So, the New Travellers are perceived by the police as having an excellent communications network. This network does exist and acts as a form of communication between the New Travellers and as a way to legitimise unknown people to the group. As described by the police this network makes the New Travellers a threat to public order as they are able to organise themselves en masse and act as an individual force. The New Travellers do not describe themselves or their network as providing them with any such abilities.

4.12 Conclusion

At the beginning of this chapter I defined the New Travellers as a community whose deviance, in the form of nomadism, results in our need to conceptualise them as a subculture. The way that New Travellers comprise a
subculture: how their actions differ from mainstream society due to their nomadism, has been analysed here by considering their lifestyle. By presenting the lifestyles of New Travellers it will be possible to explore their deviance and thus understand police action towards them. I will now go on to summarise the key findings of this chapter.

The New Travellers can generally be understood as having been ‘pushed’ into their nomadic lifestyle, becoming part of a community on entry and only leaving it when their lives demand a more sedentary existence. The New Travellers and the police describe the New Traveller community as diverse, though the police are interestingly ambivalent about the New Travellers; on the one hand they perceive them as tolerable and on the other they are considered to be an organised network presenting a threat.

The size of New Traveller sites determines to a large extent how they are perceived. Larger sites are viewed negatively by both police and New Travellers and this research shows that both groups are concerned that site sizes have increased since the implementation of the CJPOA. A range of sites are used by New Travellers in both rural and urban areas, including use of waste land, parkland, droves and lanes. The police find eviction of New Travellers from private land easiest and the New Travellers prefer to park up on council owned property, from which eviction is a longer process.

The New Travellers tend to live and travel seasonally as their traditional social and work lives have been based on the summer festival circuit. However, the loss of free festivals in the UK has resulted in some breakdown of this seasonal travelling and a consequent loss of a key meeting point for New Travellers that has been central to their overall culture and community.
New Travellers live communally, creating a well bonded community. Bigger sites break down this bond of communality in the same way that city living alienates sedentarists. New Traveller sites are generally populated by young men and women, lots of children and dogs who utilise their outside space as much as their vehicles. They are suspicious of strangers generally and particularly anyone entering their sites. The New Travellers in this study worked in a range of jobs and were not found to rely on state benefits. The nomadic nature of life meant that the majority of work was focused within the New Travellers own economy, rather than beyond it in mainstream society. Drug dealing was found to be a part of this economy, though the New Travellers interviewed had only dealt marijuana. Concerns were expressed by the New Travellers that some people were using heroin.

The police are suspicious of the New Travellers, hence their ambivalence. These suspicions focus on their criminality, particularly their involvement in rave organisation, drug dealing and use. The police here do not associate New Travellers with heroin use however. It is the connections between groups of New Travellers which particularly concerns the police in this research. They think that the New Travellers are organised and thus able to act en masse, creating a potential threat to public order.

The following four chapters of this thesis will present and analyse data on police action and New Traveller experience of such action. This chapter has provided a backdrop for such a discussion. Without knowing how New Traveller sites are organised, where they are situated, who is in them, how they live and why, it would be impossible to understand what the police do with them, let alone how they use particular legislation: in this case the CJPOA. Finally I will return to
the themes identified in this chapter as I conclude the thesis by drawing each chapter together, considering the nature of deviance in late modernity and how it is policed.
5. POLICE CULTURE

The analysis of police occupational culture serves as a tool to our better understanding the actions of the police. Police research has retained a focus on police culture since the earliest study by Banton (1964) and it has been a formative concept in the development of police research since then. This chapter will begin by presenting the history of the policing of New Travellers to provide the context for a discussion of their policing. I will go on to outline the concept of police culture, again to contextualise the following discussion. The findings of my research will then be presented which address the interaction between the police and New Travellers understood via their history and the concept of police culture.

5.1 Policing New Travellers

The policing of New Travellers by the police has been recorded as part of the general history of New Traveller culture, but has not been put forward by any authors as a history on its own. The way that police officers have behaved towards New Travellers in the past has affected their attitude and behaviour generally as will be seen later in this chapter. Thus the attitude and behaviour of New Travellers during evictions carried out under the CJPOA — the focus of this thesis — have also been affected by their past history with the police, as will be discussed in Chapter 6, 'Application of the CJPOA'. I will therefore now present a history of the policing of New Travellers. A discussion of other types of policing will follow in Chapters 7 and 8, 'Policing Space' and 'From Police to Policing'.

The most famous, or infamous, incident in the history of policing New Travellers occurred in 1985 and is commonly referred to as the 'Battle of the Beanfield'. On this occasion the police and New Travellers came into direct and
violent conflict. This encounter has since been referred to as, 'something of a watershed in the history of conflict between the police and New Travellers in Britain' (Clark, 1999: 121). However, in order to understand the reason for this it is necessary to go back to the early 1970s and policing of events from which New Traveller culture grew.

New Traveller culture grew out of the music festival scene of the 1970s (as discussed briefly in the previous chapter, 'New Traveller Culture'). These festivals were organised and arranged in an ad hoc fashion by a number of different individuals and as such the management of them commonly fell to a general reliance on the good behaviour of attendees. Large influxes of people at the Isle of Wight festival in 1970 resulted in the fences surrounding the arena being pulled down and the event taking place over a larger area. The Windsor 'People's Free Festival' attracted less people (around a thousand in 1970) but slowly grew each year it happened until by 1973 the police were no longer happy to tolerate its disorganisation, prevalence of drugs and deviance. In an interview carried out by Dearling a respondent says, 'On day 4, I was rudely awakened at 5am when a line of police moved across the site, ripping down tents, wig wams etc. It was amazing how peacefully the majority of concert-goers took it. Mind you, the Old Bill were arresting anyone they could actually get their hands on' (2001b: 7). In 1974 the Windsor Free Festival was banned and large numbers of police unsuccessfully attempted to prevent any festival occurring. Clearly the police were concerned about such events and prepared to police them heavily.

This trend in policing festivals and the people involved in them continued throughout the 1970s. A number of stories and tales have developed from the era which place some extreme tactics used to manage 'problem' individuals who arranged these festivals. Bill 'Ubi' Dwyer, who organised the Windsor Free
Festivals in the early 1970s, was arrested and imprisoned for two years for possession of LSD and 'incitement to cause a public nuisance, causing large crowds to gather unlawfully, and thereby causing a foul and loathsome amount of litter and waste, and causing excessively loud music to be played into the night' (Dearling, 2001b:6). Most famous was action taken against Phil Russell, known as 'Wally Hope', who organised the Stonehenge People’s Free Festival (Stonehenge Festival) in 1974 to celebrate the summer solstice.

Phil Russell’s story was told in a free booklet written by Penny Rimbaud (1982) entitled, The Last of the Hippies ... An Hysterical Romance. Rimbaud was the drummer in an anarcho-punk band called ‘Crass’ and the booklet was included in their 1982 album entitled Christ - The Album. In this booklet Rimbaud claims that Phil Russell was arrested in 1975 prior to the second Stonehenge Festival for possession of LSD and then sectioned under the 1959 Mental Health Act, diagnosed with schizophrenia and ‘prescribed massive doses of a drug called Largactil which he was physically and often violently forced to take’ (Rimbaud, 1982:14). He was released after the Stonehenge Festival had finished, ‘had been made into a cabbage and worse, an incurable one’ (1982:19). Phil Russell died on the 3rd September 1975, having choked on his own vomit induced by an overdose of sleeping pills. This tragic death is blamed by Rimbaud on the action of the police and authorities of the time who were attempting to prevent the Stonehenge Festival occurring by removing its organiser.

Although the life of Phil Russell did pass as described by Rimbaud, Dearling (2001b) notes that the conspiracy theory associated with his death is rather far-fetched. It fails to recognise that Phil Russell was an extreme character who enthused in court about the use of LSD, had a number of followers (all known as Wallies), and claimed that he had met the re-incarnation of Christ and
was the 'son of the sun', using LSD as the 'sacrament'. Thus his arrest and subsequent incarceration can be explained as a failure by the authorities to understand him. However, his hippy ideals and tragic tale became the basis of the Stonehenge Festival and the first generation of New Travellers revered him as an icon. So, the action of the police has been questioned and considered as 'extreme' by Festival goers and New Travellers from the first years of the festival scene.

Despite the death of Phil Russell the Stonehenge Festival continued each year and the New Traveller scene developed from it. Numerous people realised they could travel from Stonehenge Festival to other festivals, living in their vehicles, developing a nomadic lifestyle. There was always a police presence at the Stonehenge Festival, though accounts of the size of this presence differ. New Travellers commonly claim proudly that the festival policed itself: 'At the entrance gate to the 1984 Stonehenge Free Festival a burnt out car bore testament to the levels of self policing emerging from the social-experiment. The sign protruding from the wreckage proclaimed: “This was a smack dealer's car” (Lodge, 1998:4).

Earle et al (1994) say that the police began to harass New Travellers who were travelling together as a 'convoy' in the late 1970s and early 1980s, but action taken against them was limited. It was not until 1983 that the police interest in New Travellers had grown so that there was a large police presence wherever they went. It should be borne in mind here that the Stonehenge Festival and the number of New Travellers had grown exponentially over this period. The first Stonehenge Festival attracted a few hundred people and one band over two weeks (Dearling, 2001b:11), by 1984 it lasted six weeks and was attended by one hundred thousand people over that time who saw numerous bands and
entertainments (Lodge, 1998). It is impossible to say how many of the attendees were New Travellers, though by this point estimates of the numbers of New Travellers in England and Wales approximates between 3,000 and 10,000 (FFT, 1996a).

The festival did organise itself well with sanitation and welfare services. However, the police were having to deal with a huge influx of people into the Wiltshire area and associated problems with such an event. For example they were ‘turning a blind eye’ to numerous stolen vehicles left on the site after the event – in 1984 there were 65 stolen cars left on the site (Earle et al, 1994:13). The festival had no official organisation or accountability structure, and even those who revered the festival recognised that it needed to change. In an article in Festival Eye in 1989 Kristof says, ‘whereas a few thousand people can communicate successfully enough to create and maintain a community, groups of fifty thousand and more require a proportionate amount of activists to keep them together’ (p.13).

Meanwhile the New Travellers were experiencing more and more police action. In April 1984 riot police evicted a New Traveller site in Fargo Woods where, ‘benders and tat were burned while helicopters circled overhead’ (Earle et al, 1994:12). There were also increasingly large numbers of police at gatherings of New Travellers such as at Ingleston Common and Sizewell. At Nostell Priory in August 1984 a New Traveller gathering was forcibly evicted by police who searched the site, made arrests and ‘trashed’ vehicles (Earle et al, 1994:14). The connections between the New Travellers and protest groups meant that New Travellers were involved in evictions of protest camps, the most famous being the eviction of Molesworth Peace Camp in February 1985.
The eviction of Molesworth Peace Camp was primarily carried out by the army, though the local police were present. Most notably, Michael Heseltine, the then Defence Secretary, attended. According to reports of the eviction Heseltine was dressed in army fatigues and travelling in a tank towards the site! However ridiculous this sounds, the eviction was a massive operation – the largest by the Royal Engineers since the Rhine crossing in 1944 (Furson, 1985). The New Travellers and protesters left the site after some hours of organisation and without any violent confrontation occurring.

In January 1985 a meeting of the Association of Chief Police Officers decided to gain an injunction from the courts against the occurrence of the 1985 Stonehenge Festival. Dearling describes the subsequent police action entitled ‘Operation Solstice’: ‘Wiltshire Police together with a specially trained "A" team took part in a nationally coordinated action with the MOD and the Home Office when they moved in to close down the Stonehenge festival’ (2001b:24). The police created a four and a half mile exclusion zone around Stonehenge. English Heritage and the National Trust who hold responsibility for the Stonehenge monument banned the festival. The New Travellers however, had decided that they would gather together and either reach Stonehenge or gather elsewhere, nearby, to hold their festival. On the 31st May 1985 a number of New Travellers stayed overnight in Savernake Forest on their way to Stonehenge. The police tolerated this action, but when the New Travellers met up the next day travelling on the A388 in convoy to Stonehenge the police followed them and drove in front of their convoy, effectively escorting them.

Approximately seven miles from Stonehenge the police blocked the road with gravel and cars to prevent the New Travellers reaching Stonehenge. They further blocked them on the A303, the alternate route followed by the New
Travellers having been blocked from using the A388. At this point New Travellers at the front of the convoy 'rammed the police cars and three police cars were written off (Dearling 2001b:27). Alan Lodge, a photographer, recalls the initial scenes, 'I got out of my truck to take photographs when I first saw some twenty policemen running down the convoy ahead of me smashing windscreens without warning and 'arresting'/assaulting the occupants, dragging them out through the windscreens broken glass' (Lodge, 1998:1). He recounts that similar action by police was occurring at the back of the convoy. Around eighty New Traveller vehicles then broke into a neighbouring field, in which they were surrounded by police. It is worth noting here that this was not land on which any injunction stood.

Having entered the ‘Beanfield’ the New Travellers and police (including the Assistant Chief Constable) attempted to negotiate a settlement between them, but no such agreement could be reached as the New Travellers refused to leave their vehicles – their homes – and the police would only release them without arrest if they would leave their vehicles. A stalemate having been reached, the police took action, announcing from a loud speaker in a helicopter that all New Travellers needed to leave the field and their vehicles unless they wanted to be arrested. Then hundreds of police officers entered the field and forcibly arrested the New Travellers. According to numerous accounts of the police action (Earle et al, 1994, Lodge, 1998, Clark, 1999, Dearling, 2001b) the police were brutal with the New Travellers, smashing up vehicles and using batons and shields aggressively. Some New Travellers responded by fighting back and recklessly driving vehicles around the Beanfield (Dearling, 2001b). A report in the Observer Newspaper wrote, 'There was glass breaking, people screaming, black smoke towering out of burning caravans and everywhere there seemed to be people being bashed and flattened and pulled by the hair ... men, women and children ... Over the years I have seen all kinds of horrible and
frightening things and always managed to grin and write it. But as I left the Beanfield, for the first time, I felt sick enough to cry'. (Davies, 1985:[n.k]).

Operation Solstice had involved the use of 1,363 police officers, 537 arrests were made (including some at Stonehenge itself), numerous children had been taken temporarily into care and pet animals had been destroyed (McKay, 1996). Ultimately few charges were made, despite holding some New Travellers for three days and nights in police custody (Lodge, 1998). Those charges that were brought against New Travellers were later dropped. Twenty-four New Travellers took out civil actions against the police for wrongful arrest, assault and criminal damage which they eventually won six years later. In 1987 the Police Complaints Authority published their report on the incident in which they said, 'A number of incidents took place, in particular two separate incidents in which police were allegedly observed hitting members of the public with their truncheons... In the act of making the arrests some officers clearly used excessive force but it has not been possible to identify them' (Police Complaints Authority, 1987:3,5). This highlighted one of the key issues raised by New Travellers, that the police officers who acted at the Beanfield were in full riot gear and were wearing no identification numbers. No public enquiry was held regarding this incident.

After the 'Battle of the Beanfield' New Travellers eventually re-claimed their vehicles impounded by police but they, 'found their homes and possessions had been broken, their engines shattered, wiring pulled out, paraffin poured over bedding, money and items missing' (Dearling, 2001b:29). Lodge (1998) argues that the experience of the Beanfield emotionally scarred the New Travellers, leaving them feeling bitter and angry against the authorities and particularly the police. It did not stop them travelling though and the following year, in 1986,
police again mounted a large operation to prevent them going to Stonehenge. A number of New Travellers decided to gather at a disused airfield at Stoney Cross in Hampshire. Again, the police attended the site in large numbers with 440 officers, numerous arrests and 129 vehicles seized. However, there was not the violent confrontation seen at the Beanfield.

Following the eviction of Stoney Cross and the introduction of the Public Order Act 1986, which enhanced police powers to evict Travellers from land if they gathered in groups of more than twelve vehicles, the New Travellers continued to travel, but stayed in smaller groups. Each year between 1987 and 1994 the police mounted operations to prevent people attending Stonehenge during the summer solstice period. Each year some conflict occurred at Stonehenge between New Travellers and police with 1989 being a particularly bad year, with 800 police officers operating and 261 arrests. Evictions of New Travellers from sites across the country continued: particularly any larger groups of New Travellers. Some counties proved friendlier than others and in those areas larger New Traveller sites grew up (eg. in Avon) without fear of eviction. However New Travellers continued to report excessive 'stop and search' in all areas by police and FFT (1996a) relates incidents where police have used aggression and occasionally violence against New Travellers during stop and search procedures.

Any attempts by New Travellers to arrange festivals were stopped by large numbers of police. In 1991 at Morton on the Wirral riot vans of police are reported as having attended a potential festival site (Earle et al, 1994) and moved New Travellers on with the offer of free fuel. In 1992 the Torpedo Town Festival at Otterbourne was divided in two by police and then attended by, 'riot police in un-numbered black boiler suits, with riot shields, helmets, batons and tear gas'
However, at Castlemorton Common in Worcestershire on 12th May 1992 an impromptu gathering of New Travellers (who were moving on from the banned Avon Free Festival) occurred that was not anticipated by police and therefore was not stopped. This event lasted for eight days, was free and saw the 'pinnacle' (McKay, 1996) of the amalgamation of New Travellers and the new 'rave' culture.

Following the Castlemorton event the policing of New Travellers changed somewhat in line with a general trend in policing towards intelligence gathering and surveillance (as is discussed in Chapter 8, 'From Police to Policing' of this thesis). The police had been taking note of New Travellers vehicle details for some time, for example the 129 vehicles impounded at Stoney Cross in 1986 were those on which the police held files (Earle et al, 1994). In April 1992 the Avon and Somerset Constabulary created 'Operation Nomad' under Force Operational Order 36/92 which Lodge (1998:2) cites as stating, 'dedicated resources will be used to gather intelligence in respect of the movement of itinerants and travellers and deal with minor acts of trespass'. They set up an intelligence unit that managed information on New Travellers and anticipated events. Particular attention was paid to the prevention of the Avon Free Festival and Operation Nomad was successful in moving New Travellers away from the Avon and Somerset area and stopping the festival. Unfortunately, their neighbouring force, West Mercia were unaware of their operations and subsequently were unprepared for the New Travellers holding their festival at Castlemorton Common (such failure to communicate between forces is not unusual as can be seen in Chapter 7, 'Policing Space').

The failure to communicate between forces and prevent the Castlemorton event by police led in 1993 to the creation of national intelligence
gathering units — the SIU and NIU (representatives of both of whom were interviewed as part of this thesis, see Chapter 3, 'Methodology') and the implementation of 'Operation Snapshot'. This operation was intended to gather and collate in a database as much information as possible on New Travellers and raves. Thus the police hoped to prevent large scale gatherings of New Travellers on sites or at festivals and raves. The policing of New Travellers was apparently moving into a new era of surveillance and 'management' as a problem population via inter-force communication, rather than via direct confrontation. Accompanying this new direction in policing was the use of inter-agency working and new legislation which allowed the police strengthened powers of eviction, the CJPOA. Further discussion of the changes in policing and their impact on New Travellers is discussed in Chapter 8, 'From Police to Policing'.

Having outlined here the history of the policing of New Travellers up to the implementation of the CJPOA in 1994, I will now go on to discuss the culture of policing in the light of this history.

5.2 Police Culture

Public policing is carried out in England and Wales according to the laws set down by the state and policies defined by government via the Home Secretary and police authorities. Private policing does exist in England and Wales but is not relevant to the discussion of this thesis as is explained in Chapter 8, 'From Police to Policing'. Henceforth I will refer to the public police simply as 'police'. The police work in accordance with the general principles of policing set down by Robert Peel in his original formation of the police in 1829 and carried out by Chief Constables who govern their forces with a substantial scope for autonomy within the framework of the tripartite system of police accountability.
Peel's focus was on a police force that prevented crime occurring, rather than as a detective force. This prevention principle has survived in policing throughout the 20th and into the 21st century as the police role in England and Wales is increasingly held as being to manage risk (Ericson and Haggerty, 1997). Recent emphasis on crime prevention and reassuring the public are consistent with this.

In terms of policing public order however, a different picture arises of policing as occurring within a military model, rather than the liberal model epitomised by Peel's original principles (Bowling and Foster, 2002). Bowling and Foster present two models of policing as having developed out of the late 18th century. These models place the 'ethos, management style and tactics of the police' (2002:983) as either 'liberal' and thus based on consensus, community and 'peace keeping' or authoritarian, coercive and repressive and thus, 'military'. The militaristic nature of public order policing has been influenced by the policing of the troubles in Northern Ireland in the 20th century and is commonly understood as 'coercive', rather than 'consensual' policing where the police use state sanctioned force more readily. In the description of the history of the policing of New Travellers above it is clear that the use of force has been an important element in managing the apparent risk posed by New Travellers. However, the assessment of this risk is determined by the police perception of the New Travellers. This perception is mitigated by the occupational culture of the police and as such must be discussed here.

Early studies of the police recognise the existence of an occupational culture which influences the perceptions of the police (Banton, 1964). Reiner (1992a) defines the police occupational culture as 'a patterned set of understandings that help officers to cope with and adjust to the pressures and tensions confronting the police' (p.87). Reiner uses Skolnick's (1966) work on the
'police personality' to suggest that the job of policing is principally determined by the individual officer's response to the danger they experience as part of their job and the authority they must rely on to carry out their job, coupled with the pressure on them to produce results. This combination of facets to the job of policing, means that the police respond by maintaining a strong sense of mission in their role as police officers. They are suspicious and isolated. They prefer an action oriented role and they focus on the results that such action creates. There is a general sense of machismo in the job of policing which is coupled with a conservative belief system. The conservatism of officers stems from the fact that the hierarchical and disciplined nature of the job attracts more conservative people and the practical job of dealing with 'the bottom layers of the social order' (Reiner, 1992a:122) confirms this belief system. Reiner argues that the machismo orientation of policing leads to sexism and the conservatism of police leads to racism. Importantly, the police are also very pragmatic in their attitudes and understandings of action. These cultural manifestations of the job of policing are denoted by Reiner as 'cop culture' and have also been referred to as 'canteen culture' by Holdaway (1983).

Distinction between the terms 'cop' and 'canteen' culture are very important. The use of the term 'cop culture' implies that the police have no individual agency and are simply responsive to the organisational culture that determines their perceptions and actions. However, the term 'canteen culture' implies that this is an aspect of police life that occurs in a specific site, rather than carrying through to action. This is the principal debate in police studies of organisational culture. There is little doubt amongst researchers that the occupational culture in policing exists, but its translation into action is questionable (Fielding, 1989). In particular, Chan's (1997) research notes the
ability of individual officers to act against the occupational culture as well as according to it.

Our ability to measure the extent to which the police occupational culture influences action is limited. Generally it is the lowest ranking officers of the police who encounter the public. They use their discretion to act or not to act; it is thus the lowest ranking officer who has the highest level of discretion. Although the police do record who is arrested and why they are arrested there are limited records kept of decision making processes prior to arrest. Since April 2003 the police have been required to record any 'stop and search' procedures carried out, however, research on pilot recording schemes (Miller et al, 2000) showed that the police held different understandings of what 'reasonable suspicion' was and recording was highly variable in quality and usefulness. With serious accusations of racism in policing that have come to light in recent years (Macpherson, 1999) it appears more relevant that the occupational culture of policing is having some effect on the actions of police officers. Indeed, even Waddington, a confirmed supporter of police action over the past three decades, recognises that an occupational culture exists in the police that provides them with 'a rhetoric that gives meaning to experience and sustains occupational self-esteem' (1999b:295). He denies any link between action and privately held opinion, but outlines a number of characteristics in police culture that reflect Reiner's original typology.

Reiner's typology of police incorporates a description of the police perception of groups in society. He suggests that the police do not view society as traditionally divided by class, but that they divide society according to their own experience of dealing with individuals and according to their occupational culture. So, he says that the police instantly define individuals as either 'rough' or 'respectable' and uses Holdaway's definitions in part to describe seven types of
individual as determined by the police: 'good class villains', 'police property', 'rubbish', 'challengers', 'disarmers', 'do-gooders' and 'politicians' (1983: 118). I would argue that these definitions, though rather prescriptive, are useful in terms of this thesis as the category of 'police property' accurately describes the police perception of New Travellers: 'They are low-status, powerless groups whom the dominant majority see as problematic or distasteful. The majority are prepared to let the police deal with their "property" and turn a blind eye to the manner in which this is done... The concern with "police property" is not so much to enforce the law as to maintain order using the law as one resource among others'. (Reiner, 1992a: 118). This description of the treatment of 'police property' directly mirrors the management of New Travellers as described by this thesis. The police do not use the law alone, even the powerful laws created under the CJPOA are not used in isolation from other tactics as will be discussed further in Chapter 7, 'Policing Space'.

In 1989 Holdaway wrote, 'We need to delineate the contours of the occupational culture with greater precision; to analyse the relationship between what might be called the internal cultural, the formal organisational and the external structures' (1989: 73). This requirement to consider occupational culture in the police beyond the simplistic typology set down by early analysts of police culture has been addressed to some degree by police research, though by no means exhaustively. Research has shown a distinction in the occupational culture between different ranks of officer (Ianni and Ianni, 1983; Reiner, 1992a; Wall, 1998; Savage, 2000), between different roles carried out by officers (Fielding, 1995; Hobbs, 1988) and between forces and stations (Reiner 2000, Foster, 1989). Thus the occupational culture of police is a complex idea that cannot be simply understood or applied. In terms of this thesis the concept is very useful in better understanding the past policing of New Travellers and the present, with
particular reference to the difference of cultural expression according to rank. I will go on to discuss this issue later in this chapter in 'Police Occupational Culture'.

The paramilitary organisation of policing public order in the 1980s as described above in relation to the ‘Battle of the Beanfield’, 'Stoney Cross' and other police operations highlights the coercive role of the police. This use of paramilitary tactics against New Travellers can be explained here as an example of the police culture reflecting on the New Travellers as 'police property' who required dealing with as swiftly as possible and thus the newly developed tactics of paramilitarism were applied. Even in situations where the police were in part responding to New Traveller actions, such as the ramming of police vehicles by convoy members prior to the Battle of the Beanfield, their action can not simply be understood as impulsive reaction. Rather they are reacting according to their understanding of the New Travellers as 'police property' whom the public leaves the police to deal with (lack of public outcry to these events afterwards is further evidence of the public willingness to leave the management of New Travellers to the police). After all, the convoy had already been manoeuvred by police to a particular location and preparation made for large scale arrests, thus the response to the New Travellers was prepared rather than reactive. However, as policing has changed over the last decade as this thesis describes (Chapter 8, 'From Police to Policing'), so the policing of New Travellers has developed. This study particularly addresses the policing of New Travellers in the mid-1990s and into the 21st century and thus a decade on from the infamous policing operations of the mid-1980s. It is necessary here to address the action of police in applying the CJPOA as relates to their occupational culture. How do the police and New Travellers perceive police action now and in the past? Are there altered perceptions of actions now and to what extent can action be explained as
influenced by police occupational culture? I will now address my findings to answer the questions posed here.

5.3 The Sample

Sampling methods have been described in the Methodology chapter of this thesis. However, I will now describe the sample more fully in order to facilitate an understanding of the police officers presented in my findings. The Home Office research data used for this study was collected by myself and my Home Office colleague Tom Bucke.

We spoke to police officers at 18 police stations across England, in both urban and rural areas. The interviews were carried out in an informal fashion and were occasionally attended by more than one police officer, though principally one officer would respond to our questions and that would be the officer who most commonly dealt with the New Travellers. We spoke to more high ranking police officers than police constables. The sample consisted of, 1 Chief Superintendent, 3 Superintendents, 3 Chief Inspectors and 1 Detective Inspector, 8 Inspectors, 1 Sergeant and 2 Police Constables. Bearing in mind we were particularly asking them about their application of the CJPOA, it was relevant to speak to a disproportionate number of higher ranking officers as the CJPOA requires 'the senior police officer present' (Home Office, 1994a:41) to act. Two of the police stations visited were holding conferences about policing Travellers and protestors and data was gained from presentations given by police officers to their colleagues.
5.4 Police Descriptions

Prior to discussing the traditionally presented 'cop culture' as it manifested itself in applying the CJPOA, it is interesting to note the attitudes and opinions of the New Travellers to the police and to see if the police recognise their own policing action as either negative or positive. Such an analysis bears light on the interaction between New Travellers and police.

Somewhat surprisingly the New Travellers interviewed appeared to have a positive attitude towards the police. Indeed, the majority of them (10/14) made positive comments about them:

*They (police) are pretty 'laid back'.* (TRAV – T06)

*Police are alright around here.* (TRAV – T08)

*Police are OK here.* (TRAV – T11)

However, the positive nature of these comments was accompanied by recognition by the New Travellers that the police might act differently in another situation. So, some New Travellers (4/14) noted that the police were friendly as a means to watch them:

*The police come onto the site and wander around and check out what's going on. They are friendly in a pally sort of way.* (TRAV – T03)

*Police come around the site and act friendly to see what's going on.* (TRAV – T04)

Four of the New Travellers said that the police were OK, apart from the fact that they stopped their vehicles regularly:
Never had any problems with the police apart from being stopped for being in a hippy vehicle. (TRAV - T01)

The police were alright, except when they were always stopping you. (TRAV - T02)

Two New Travellers noted that the police were OK, so long as you were not involved in eviction. It was at this point in the New Traveller interviews that further details of action taken by police came to light (which will be discussed later in Chapter 7: 'Policing Space'). However, the New Travellers attitude remained relatively positive about the police when discussing them in general terms. In 4 cases the New Travellers said that the police were good now in comparison with their action in the past:

It's much better now than it was in the 80s. (TRAV - T06)

They're generally alright around here. When you've seen some of the things they've done though, like Stoney Cross... you don't forget. (TRAV - T11)

One police officer also comments on the past actions of the police:

'They have been harassed and hounded by us in the past'. (POL - P01)

Other New Travellers measure the police by their action against drugs; with two New Travellers specifically stating that the police were OK because they had not taken any action against them growing marijuana. This failure to act seems to make the New Travellers feel they have some control over their own lives that the police cannot affect:

Wouldn't get nicked for dope on site. 'They know we'd know they were coming and get rid of it'. (TRAV - T04)
'I grow that lot outside, did you see, look (shows us marijuana plants outside the caravan in full view) just to annoy them. They don't do anything'. (TRAV – T11)

The following quote by a New Traveller sums up the general attitude of the New Travellers to the police:

_Some police treat you like a piece of shit. Some are reasonable. Police are police, some want to do good, some want to swagger around._ (TRAV – T12)

The New Travellers overall then, seem ready to accept the police as 'OK' or 'alright' in certain circumstances. Outside of these circumstances, in times of eviction, when they are travelling on the road or when they are subject to surveillance the police are viewed far more negatively. The findings here reflect those in the previous chapter in that the police attitude towards the New Travellers was similarly ambivalent (See 'New Traveller Descriptions'). Part of the ambivalent attitude New Travellers convey comes from their experience of past actions by police, as is noted above. I will now go on to discuss these experiences of policing.

5.5 Police Action Prior to the CJPOA

The action of police prior to the CJPOA was spoken of in 6 police and 6 New Traveller interviews. These actions have clearly influenced New Traveller culture and likewise influenced the creation of law and policy relating to New Travellers. The main focus of discussion amongst New Travellers and police was the Stonehenge Festival and the Battle of the Beanfield which I have described above. I will now go on to present the findings of this research relating to these areas.
The policing of the Stonehenge Festival is recalled by police and New Travellers as extreme, particularly when relaying incidents which occurred at the Battle of the Beanfield. One police officer recalls the event itself:

'I remember when they first, the Stonehenge Festival first started, there were tens and thousands of people there and we used to control the sites, wander around quite happy in shirt sleeves...... The peaceful innocence where it was exploited was horrendous, I mean literally the point. They used to erect huge marquees on site with rows and beds and prostitutes laying on each bed, just go along and choose the one you want, I mean it was degradation at its best'. (POL – P06)

Clearly, the police perceived the event as problematic, but their decision to prevent its occurrence in 1985 and subsequent conflict with and arrest of the New Travellers is remembered by a number of New Travellers:

T02 was 17 vehicles back in the convoy going to Stonehenge. She was arrested and her bus was 'trashed' – the windows had been broken, her 'tat' broken and moved about. She was in custody for three days although no charges were brought against her. As soon as she got out of custody she went to collect her bus. 'I was really lucky, I got it back straight away, it took most people weeks to get their vehicles back. When I opened the bus door I saw my guitar in front of me and felt relief that it hadn't been broken then neither would anything else be. I picked it up and realised the whole of the back of it was a hole where they'd smashed it. That really got to me.' (TRAV – T02)

20 – 30 feet away a bloke with a video camera was whacked around the face, arm and leg and the camera was whacked to bits by police. (TRAV – T12)

Had an ongoing case against the police from the Battle of the Beanfield. The police were charged with criminal damage to her vehicle and she was charged with affray. This went on for four years and was eventually dropped on both sides. (TRAV – T06)
The police action against the New Travellers is clearly perceived here by the New Travellers and within the literature (Lodge, 1998, Hester, 2000) as excessive. Despite 537 arrests made, none resulted in convictions. However, 3 police officers, who were present at the Battle of the Beanfield, made it very clear in my interviews with them that the aims of the operation were fulfilled and thus the actions were justified:

'I mean I have been involved with Stonehenge since about 1976 and I have seen it progress from relatively a small event up to problems of 1985, I think overall, certain section of the community, we didn't come out very well over the Beanfield, it looks as though the media coverage that it was very much over the top action by police officers..... It certainly almost stopped the convoy as such. These groups of anarchists almost disappeared over night. I think (unclear) seem to have been unlawfully arrested and whatever else, but when you breakdown that sort of thing into perhaps half a dozen who were pursued to the bitter end and got compensation and whatever else, I mean our attitude was, well OK we will give you £200 compensation 'cause at the end of the day it solved a huge problem at the time, and you know if that is the cost it is a small cost'. (POL - P06)

He also mentioned the 'Battle of the Beanfield' which occurred in Wiltshire in 1985, when police evicted a large site of NAT's. He said the police, 'Smashed up their vehicles, and they haven't been back since'. (POL – P10)

The sense of antagonism experienced by the New Travellers and police in this situation is recognised by both groups. The police officer with most experience of the Battle of the Beanfield said:

'The animosity grew to the point where we reached full conflict.' (POL – P06)

The New Traveller, T13, who was an 'anarcho-punk' at this time, described his experience that day:

Says that at Stonehenge tanks surrounded the site early in the morning while everyone was asleep and then receded again. T13 was at the stones when the Battle of the Beanfield happened. He said that he was 'pissed off'
and so attacked the police with a bottle of whiskey. He gave them a false name when he was arrested. (TRAV - T13)

T13 and the previously cited police officer are interesting to highlight here as they both recognise their own actions as culpable in the event described. In an academic field where action is so commonly defended, rather than recognised and analysed, these two interviews are refreshing. They remind us that police action cannot simply be understood as 'oppressor versus oppressed'. In this case, the police have commonly (McKay, 1996, Kenrick and Clark, 2000, Lodge, 1998) been found to have over-policed and acted extremely and aggressively at the Battle of the Beanfield, but likewise the New Travellers were violent and conflictual in some cases. Such response to the police may result in their becoming more confrontational and likewise this police response increases the likelihood of aggression in the crowd (Stott, 1998). T13 particularly notes the use of a loudspeaker by the police which said, 'will all non-combatants leave' to the New Travellers who were hemmed in a field, unable to leave from any point. Waddington (1992) might describe this act as a 'flashpoint': a representation of the oppressive nature of the policing situation and thus an act which promoted a response from the New Travellers. The nature and development of public order policing will be discussed further in Chapter 7, 'Policing Space'. The point here is that the police have a mandate to 'uphold the law' utilising 'minimum force', rather than excessive force as has been described.

The influence of the police action in 1985 at the Battle of the Beanfield on their policing now is again noted by the experienced police officer from P06:

'There are various tricks we have learnt from it, which have become common place within our normal policing methods, when you've got mass offences whether it be at a football match or anywhere'. (POL - P06)
The officer notes some of these 'tricks' as taking more care in the handling of prisoners, ensuring that procedures are followed during arrest and evidence gathered more fully. He gives the example of ensuring photographs are taken of arrests so that officer and suspect can be identified and not 'lost' through the criminal justice process. Such application of more thorough procedures in dealing with New Travellers is an important part of the CJPOA which requires notices to be given to New Travellers prior to eviction and records taken of who is on land in order to prevent any return within three months. The implication here is that such procedures were starting to take place as early as 1985 as lessons learned following the Battle of the Beanfield obviated the need for them in the CJPOA. Interestingly, in Chapter 6, 'Application of the CJPOA' this thesis will go on to show that process is not necessarily followed by the police and the CJPOA does allow for 'reasonableness' in police action. Such an allowance for reasonableness and the New Travellers fear of loss of their homes can result in a lack of due process in the application of the law.

5.5.2 Other Action

Police and New Travellers spoke of other actions as recent as the early 1990s in which the mass presence of New Travellers led to large police operations:

'They were bad at Molesworth too which was before the Beanfield. I think they were just bad over that time in the mid-eighties. When we were at Ingleston Common with the convoy we used to get strip-searched every time we went out, even just to go shopping. It was ridiculous'. (TRAV-T02)

'Vet was bad in the eighties, Stoney Cross, Nostell Priory and all that. It was really bad up north, you couldn't travel there'. (TRAV-T06)
He spoke of being moved on from 'Mushroom Hill' in 1989 where there had been around 100 Travellers' vehicles. The police arrived to move them off with riot vans and JCBs. (TRAV – T12)

'We had Morton Common on us.... thousands of them, oh and the force put a lot of work into that, they were seizing a lot of vehicles'. (POL – P18)

'Certainly during the heady summers of 93/92, when we were moving them on, and it was done during the climate of the time, when there was a lot of political comment about it, we were actually creating a situation where they were so wound up and so fed up, they became more, more, more difficult to deal with and eventually they got heavy vehicles, I had a convoy in 93 at Winchester about 90 vehicles and it just stopped on the M27, they said where do you want us to go?'. (POL – P01)

Interestingly, the New Travellers here focus on actions of the police in the 1980s whereas police mention actions in the early 1990s. This may be due to the fact that the officers interviewed were not involved in the 1980s policing of New Travellers or their desire to disconnect themselves from aggressive policing styles. The more aggressive actions of the police appear to have occurred in the 1980s according to New Traveller accounts here. The use of paramilitary tactics in policing have been recognised as beginning in the early 1980s in the miners' strikes (King and Brearley, 1996) and one New Traveller recognises this change in police tactics:

Saw the police action at Stoney Cross and other incidents 'as recent as Castlemorton', 'you don't forget'. Lots of people have forgotten Stoney Cross and other times when the police went mad, using all their training from the miners' strikes. (TRAV – T08)

I will elaborate on the use of paramilitary tactics by police in Chapter 7, 'Policing Space'.

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5.6 Police Occupational Culture

This chapter began by addressing the history of the policing of New Travellers up to the implementation of the CJPOA. I then went on to discuss the occupational culture identified by police researchers as apparent in the police. The rationale for this discussion is evidenced by the findings presented above. The New Travellers and police have a distinct perception of police action as aggressive during the 1980s and utilising paramilitary strategies. This supports the idea that the police have previously viewed the New Travellers as 'police property' as defined by their occupational culture. They have thus been 'dealt with' forcefully and utilising a range of tactics. I therefore approached the analysis of the data for this thesis on the application of the CJPOA with the intent to see if there are similar patterns of the police occupational culture continuing to define the police understanding of and action against New Travellers. However, my research findings have found some changes in the way that the New Travellers are perceived by the police and thus what influences action. This analysis proves to be extremely useful in the subsequent chapters of this thesis where general changes in policing are addressed.

The findings presented above in 'Police Descriptions' and in the previous chapter in 'New Traveller Descriptions' show an ambivalent attitude towards the police by New Travellers and a similar ambivalence towards the New Travellers by police. The ambivalence of these two groups appears to be linked in part to the history of the policing of the New Travellers with a distinct difference professed between the policing actions of the 1980s and 1990s. The analysis of this thesis took the key characteristics of 'cop culture' defined by Reiner (1992a) and detailed above in 'Police Culture' to consider whether these characteristics could be identified as influencing police action in applying the CJPOA. Those
core characteristics are: a sense of mission, suspicion and isolation, action
orientation, results focused, machismo, conservatism and pragmatism.

In addressing these core characteristics of the police occupational
culture there are two elements that have already been identified as important in
this thesis. Firstly the suspicious nature of the police and their isolation from other
environments is identified in Chapter 4, 'New Traveller Culture: Networks'. Here I
have shown how the police view the New Travellers as an organised group with
exceptional communications ability. Also, an officer cited above even refers to
some of the New Travellers as ‘anarchists’. These descriptions of the New
Travellers are highly suspicious and imply some sort of conspiracy by the New
Travellers as a group who can act en masse to affect disruptions of public order.
Thus the police are suspicious of New Travellers and their lack of knowledge of
communication systems implies their isolation from a highly technological society.

Secondly, the conservative nature of the police is addressed in Chapter
4, 'New Traveller Culture: New Traveller Descriptions' where the New Travellers
are compared to Gypsy Travellers. Some evidence of racial discrimination is
presented here when the police are more commonly negative about Gypsy
Travellers than New Travellers. When the police go on to talk further about Gypsy
Travellers they become quite vitriolic. Five of the 18 police officers interviewed
expressed extremely negative views of Gypsy Travellers:

‘Your Romanies that go around selling clothes pegs and they are mid-
European origin, they are absolutely no problem. You have then got your
Irish Travellers, “Can I tarmac your drive sir? Do a wonderful job and I will
give you a 25 year guarantee”, they are here today and gone tomorrow...
They are all from Ireland, every one of them, every one of them are
Southern Irish, without doubt, every one is Southern Irish and they come
over here and they are parasitical. I am afraid I am quite prejudiced when it
comes to Travellers, I make no apologies for it’. (POL – P18)
'I class a proper Gypsy as somebody in a horse drawn carriage that doesn't leave a mess when they go anywhere. These obviously would be the type that the toilet remains everywhere and... You know they are not as daft as they make out. Bi-lingual as well, speak English and lying. Very good at lying'. (POL – P11)

Irish Travellers here are held as distinct from traditional Romany Gypsy Travellers. Romany Gypsy Travellers were considered beyond reproach, though there is evidence in Traveller studies that such distinctions cannot easily be made between groups of traditional Travellers.

Overall the police recognise the New Travellers as a diverse group, however I have presented some evidence that the police view the New Travellers' lifestyle negatively (Chapter 4, 'New Traveller Culture: New Traveller Descriptions'). This conservative attitude towards lifestyle is similarly expressed by two particular police officers:

'Most of these people have a base somewhere, so my thoughts are they should go back there'. (POL – P06)

'Well my solution would be, I suppose it is very right wing.. is to legislate them off the road altogether'. (POL – P18)

These opinions expressed by police fail to recognise what has been highlighted by this thesis in Chapter 4, 'Traveller Culture: Reasons for Starting Travelling', that a large number of New Travellers come to their lifestyle due to poor personal circumstances and they do not have a 'base' to go home to. Such a traditional perception of home life is typical of a conservative understanding of the social world – as structured around a nuclear family living sedentarily.

Little evidence has been found in this thesis of the 'cop culture' characteristics of the police sense of mission or orientation towards action.
However there is evidence that the police will use their full resources in eviction when that eventuality takes place (see Chapter 6, ‘Application of CJPOA’) and that they are also prepared to use other tactics in managing the New Travellers (Chapter 7, ‘Policing Space’). The use of ‘guerrilla tactics’ described in Chapter 7 is evidence of the police treating the New Travellers as ‘police property’ where they are prepared to use a number of tactics, other than the law to maintain public order.

In the interviews with police evidence of a focus on results and machismo was also limited. Indeed, in terms of pressure to gain results, the findings are quite the opposite, with the police recording evictions and notices given under the CJPOA in a disorganised and ineffective manner (see Chapter 6, ‘Application of CJPOA’). Although the police are somewhat cynical in their attitude towards New Travellers, particularly in terms of their providing excuses for not moving on (see Chapter 6, ‘Application of the CJPOA’) showing the inversion of their sense of mission that Reiner (1992a) cites, overall the focus of the police in this research tended to be on their having a pragmatic approach to the policing of New Travellers:

‘If we move them they won’t move along just a few lines and we could talk ourselves into a situation where exercising section 61 is a full time occupation, because they have been here today, there tomorrow, the next group could come along as well and frankly I am not into creating work for myself’. (POL – P01)

‘People (police) find out what they are doing, speak to the local landowners, they are not happy about being there, speak with the people, then take a step back and say what we got, what is the alternative, do we need to use this section and if so what resources do we need’. (POL – P06)

He said that he had found the police would not move you on unless there had been complaints about you as it was too much hassle and too costly. (TRAV – T12)
This pragmatism, another of the key elements of 'cop culture', is highlighted by Reiner (1991, 1992a) as being most commonly found amongst senior officers (in his example, chief officers). The interviews with police carried out for this research were primarily with more senior officers of their force as described earlier in this chapter. I would argue that the officers involved in dealing with New Travellers are more commonly senior officers as the CJPOA requires the most senior officer present to act in serving eviction notices. Hence the failure of this research to find a great deal of evidence of some elements of the 'cop culture' described by Reiner is unsurprising as such a culture describes the lower ranking officers' occupational culture. Reiner (1991), Butler (1994), Wall (1998) and Savage et al (2000) describe senior police officers' occupational culture as functioning differently to those of junior rank. Butler argues that the senior ranks of police have professionalized themselves since the mid-1980s. Savage et al say that, 'The traditional preference for law appears to be giving way to one which sees some value in a greater appreciation of contextual and environmental study, seemingly more relevant to the modern police manager than legal technique' (2000:103).

All ranks of police officer have been recruited via a 'single entry' system. Therefore, all senior officers have been through each of the ranks and are thus subject to or socialised by the occupational culture described by Reiner. However, the way in which senior officers have reached their posts has changed over the past three decades. Prior to the 1970s and 1980s Chief Constables had been recruited externally, commonly via the military, and post this period they have been 'fast tracked' through the ranks to ensure that those with management potential reach such a position. Therefore Chief Constables 'never became entirely representative of the body of officers they commanded except, perhaps, for a short period during the late 1970s and 1980s' (Wall, 1998:102-103).
I would argue that the policing of New Travellers has changed between the 1980s and 1990s in part due to this change in the way senior officers have been promoted. In the 1980s the senior officers would have been subject to the occupational culture learned through the ranks, whereas the senior officers of the 1990s have been fast tracked and align themselves with professional management philosophies more directly. Reiner's research, which involved interviews with Chief Constables who were 'the first to have been selected entirely from people who were recruited as constables with no special avenues to the top' (1991:223), identifies typical Chief Constables. He says that the middle class 'Baron' who typified the old County Chief Constable perceived his role in a militaristic fashion with the 'Bobby' and the 'Boss' having traditionalist attitudes. However, he notes that a new style of Chief Constable was arising whom he calls the 'Bureaucrat' and who is influenced heavily by the Scarman (1981) proposals which promote community policing ideas, diplomacy and professionalism. More contemporarily, the influence of performance management, managerialism and the adoption of business and corporate management principles have resulted in a distinct senior officers' culture. Thus, the application of militaristic methods in the 1980s is not reflected in the 1990s and the attitudes of senior officers fit the liberal model of policing, rather than the coercive model previously apparent in senior officers' policing styles.

5.7 Conclusion

In this chapter I have outlined the policing of New Travellers and the festivals from which they originated. By looking at the history of this policing it is clear that such groups have always been managed by both negotiation (pre-emptive strategies) and paramilitarism – the two pronged approach of public
order policing. In the 1980s however, the policing of New Travellers is noted in the literature and in this research as being carried out using more paramilitary methods. Such action is particularly noted by the New Travellers who draw a clear distinction between their treatment 'then' and 'now'. It is this distinction which has resulted in the New Travellers ambivalent attitude towards the police and which is reinforced by their treatment now during eviction, while on the road and under surveillance. It is the extent to which such treatment of New Travellers is determined by the occupational culture of policing that this chapter has addressed.

Police occupational culture is a useful tool (amongst others addressed by this thesis) in understanding the treatment of New Travellers by police and the evidence here suggests that the police have viewed the New Travellers as 'police property' (Reiner, 1992a) in the past and continue to do so now. Many aspects of 'cop culture' are shown here to affect police action on New Travellers since the introduction of the CJPOA; their suspicion, isolation, conservatism and cynicism. However, it is the pragmatic approach adopted by officers in dealing with New Travellers that this research has found to principally determine their action.

Holdaway (1989) urged research to consider all aspects of the occupational culture of the police and recognise the influence of internal processes and external structures on action. Having established the change in police actions between the 1980s and 1990s I have been able to explain this shift as partially due to the change in senior police officer recruitment processes. Alongside a new 'professionalism' in policing in the 1990s, the change in recruitment process and thus the shift in cultural attitude and behaviour of senior officers has resulted in New Travellers being responded to by police according to their pragmatic concerns. Although New Travellers and police note the continued
use of a two pronged approach to policing New Travellers, the reduced level of paramilitary action similarly noted by New Travellers and police in this chapter is due to the pragmatism of senior officers in post in the mid-1990s when the fieldwork for this research was carried out.
6. APPLICATION OF THE CJPOA

In this chapter I will initially outline the public order provisions of the CJPOA that affect the way in which the police manage New Traveller encampments. I will accompany this description with details of the guidance given to the police on how to carry out the legislation. It will also be necessary here to outline other provisions of the CJPOA that empower local authorities to manage New Traveller encampments and the cases that have affected the application of the local authority powers. Such a description is necessary as police practice has been informed by the practice of local authorities and often (as this research will go on to show) the police and local authorities are expected to work together in evicting New Travellers.

The CJPOA was created amid a great deal of protest and as such its origins are important in understanding its implementation. I will briefly outline the history of the public order provisions of the CJPOA here and the context in which they were written. I will then go on to analyse my data on the application of the CJPOA on New Travellers. This analysis will address the way that the police have applied the law on New Travellers with particular reference to the specificities of the Act. Such an analysis will provide detail on the application of the CJPOA by police and set the scene for the next chapter, 'Policing Space' which addresses the core issues that arise from the practical application of this law and other methods used by police to evict New Travellers from land.

6.1 The Legislation

The CJPOA encompasses a broad range of matters including: custodial sentences for young offenders, the right to silence, prevention of terrorism,
obscene publications, management of prisoners and sexual offences. Amongst this raft of legislation is sited Section V of the Act, 'Public Order: Collective Trespass or Nuisance on Land', sections 61 and 62 (See Appendix E) of which deal with 'Powers to remove trespassers on land'. This thesis is interested in addressing these sections of the Act which empower the police to arrest and seize the vehicles of people who do not leave land on which they are residing.

Section 61 of the CJPOA gives the police the power to direct people from land who are on the land with the purpose of residing there. To be given a direction to leave the land, they must be trespassing with the purpose of residing on the land. The occupier of the land (most commonly the landowner) must also have tried to evict them him/herself. They must have caused damage or used 'threatening, abusive, or insulting words or behaviour' (Home Office, 1994a:41) to the landowner or anyone connected with the landowner, or have six or more vehicles. The direction to leave land must be decided by the senior police officer present and can be carried out by any constable at the scene. The power to direct people from land can also be applied on people who have become trespassers, having not previously been so, i.e. where permission to be on land has been withdrawn. When given a direction to leave the land the trespassers must take with them any vehicles or other property they have with them. The direction to leave the land is accompanied by a requirement not to return to the said land for a period of three months. If the trespasser fails to leave the land or returns to the land within three months they are liable to summary conviction and a maximum sentence of three months imprisonment.

The law allows a defence, so that if the people on the land can show that they are not trespassing, or that they have a 'reasonable excuse for failing to leave the land as soon as reasonably practicable' (Home Office, 1994a:42) they
will not be arrested and prosecuted. The legislation is comprehensive in coverage though, leaving few 'loopholes' for the defence of not trespassing. The meaning of 'land' includes common land, footpaths, bridleways, byways and cycle paths. The meaning of 'vehicle' includes, 'any vehicle, whether or not it is in a fit state for use on the roads, and includes any chassis or body, with or without wheels, appearing to have formed part of such a body' (Home Office, 1994a:44) and caravans. Thus, the restriction of six vehicles may not mean six people or families, but refers only to the number of vehicles on site. Also, the initial requirement for an individual to have the intention of residing in a place is not usurped by their having a home elsewhere.

Section 62 of the CJPOA gives the police the power to seize trespassers' vehicles if they fail to comply with a direction to leave land under Section 61, if they return to the land within three months or if they leave any vehicle on the land having left themselves.

The application of Sections 61 and 62 of the CJPOA is guided by policy via Home Office circulars. Guidance from the Home Office was encapsulated in circular 45/94 which stated that, 'The decision whether or not to issue a direction to leave is an operational one for the police alone to take in light of all the circumstances of the particular case. But, in making his decision, the senior officer at the scene may wish to take account of the personal circumstances of the trespassers; for example, the presence of elderly persons, invalids, pregnant women, children and other persons whose well-being may be jeopardised by a precipitate move' (Home Office, 1994b:Annex). The point is made in the circular that this issue was intended to be highlighted as soon as the Act came out as part of a circular. Therefore, it was seen as vital that officers applying Sections 61 and 62 on trespassers should take note of their welfare prior to any eviction occurring.
(Guidance can also be gained on this from the previous Home Office circular 37/91 on the application of Section 39 of the Public Order Act 1986).

The application of Section 61 and 62 of the CJPOA has also been influenced by the use of Sections 77 through 79 of the CJPOA that empowers local authorities to evict ‘unauthorised campers’ and remove their vehicles if they do not comply with a direction to leave land. These powers of eviction are more commonly noted in the literature than Sections 61 and 62. They represent a broadening of the powers of local authorities to evict trespassers and importantly Section 80 repeals the requirement for local authorities to provide sites for Travellers under the Caravan Sites Act 1968. The application of Sections 77 through 79 has been guided by the then Department of Environment circular 18/94 which says the welfare of unauthorised campers should be considered when the law is applied. Indeed, the circular also says that a site should be made available and basic services provided if there is no alternate site available and no nuisance caused (Willers, 1999).

The application of Section 77 and 78 of the CJPOA has been most influenced by case law which has also had an impact on the application of Sections 61 and 62. R v Wealden District Council ex parte Wales and Stratford (known commonly as the ‘Wealden case’) was a landmark case for Travellers. It was the first case in the courts which appealed against an eviction under Section 77 and 78 of the CJPOA. Wealden local authority had not enquired into the welfare of a group of Travellers until after they had been directed to leave under Section 77. This meant that the local authority had not followed the guidance of Department of Environment circular 18/94. Mr Justice Sedley said that these were, ‘considerations of common humanity, none of which can be properly ignored when dealing with one of the most fundamental human needs, the need
for shelter with at least the modicum of security' (cited in Acton, 1997:68). He also noted that this was a requirement beyond the issuing of circulars that should be considered in any such case. Therefore, the importance of considering the welfare of Travellers in all circumstances of potential eviction was defined by the Wealden case (See ‘Ease/Difficulty of Applying CJPOA’ in this chapter).

Another piece of important case law that affects the application of the CJPOA originates from the application of the Public Order Act 1986. The Public Order Act 1986 originally provided police with powers to direct trespassers from land and the CJPOA extends that original Act. It therefore contains some important phrases that are applied similarly. The requirement in the CJPOA for trespassers to leave land 'as soon as reasonably practicable' is a reflection of the previous legislation. In Krumpa v Director of Public Prosecutions in 1989 (the 'Krumpa case') the Appeal Court found in favour of the appellants because the police had expected them to leave land without their vehicles which was incorrect as the law required the vehicles to be moved. Secondly this was incorrect as the vehicles were broken and thus it was not considered 'reasonably practicable' for them to move at the point the police officer had decided. This case is important as the Appeal Court stated that the definition of 'as soon as reasonably practicable' was NOT 'as soon as a reasonable police officer would believe that the appellants could move out' as the previous Crown Court case had defined it. Most relevant to this case was the fact that the police had given a direction to leave the land at the wrong point of the process of eviction and as such the time officially given was very short and unjustifiable by the police involved.

In terms of case law, the Gayford v Chouler 1898 case (the 'Gayford case') also bears on the application of the CJPOA as it defines what damage to land can be. The CJPOA specifies that a direction to leave land can be given if
there has been, 'damage to the land or to property on the land' (Home Office, 1994a). Damage to land is defined by the Act in Section 61 as including 'the deposit of any substance capable of polluting the land'. It was found in 1898 that damage to land could be as little as the trampling of grass. When the CJPOA was a bill before parliament, the issue of what constitutes damage to land was raised and the relevant Minister said that urinating on land would constitute damage and that littering may do, though it would be a matter for the courts to decide (Legal Action Group, 1998).

The Krumpa, Wealden and Gayford cases highlight the importance of applying the law meticulously. The Krumpa and Wealden cases were underpinned by the timing of police action. This chapter will particularly address the nature of the application of the law by the police in its detail and thus address the legality of action. The influence of police occupational culture should be noted here (as referred to in the previous chapter, 'Police Culture'), particularly the pragmatic approach to action that the job creates. The findings presented below show that the police follow pragmatic concerns in issuing directions to leave land, i.e. the quickest, cheapest and easiest method, rather than following the rule of law. The CJPOA focuses on 'reasonableness' and thus encourages this pragmatism, potentially resulting in procedure falling short of legality. With police officers defining New Travellers as 'police property' (see Chapter 5, 'Police Culture') whom, 'The majority are prepared to let the police deal with ... and turn a blind eye to the manner in which this is done' (Reiner, 1992a:118), it is unlikely that external scrutiny will lead to a requirement for the police to follow due process.

The pragmatic approach of the police is accompanied by a limited likelihood of evictions entering the criminal justice process. As noted in the
findings below and in Chapter 4, 'New Traveller Culture: Sites', the New Travellers tend to move on from a site just before eviction is due to occur. Such action is also noted by FFT who say, 'The Travellers move purely under the threat of eviction' (1996a:24). Thus the New Travellers tend not to enter the criminal justice process; it is unlikely that they will risk the loss of their homes for the purposes of testing the legality of police action. (The New Travellers' experience of policing in the 1980s, when their vehicles were confiscated and broken, children taken into care and animals destroyed after the 'Battle of the Beanfield', continues to define their culture (see Chapter 5, 'Police Culture')). On the rare occasion that arrest or conviction does occur, the limited finances and constant movement of New Travellers means that they are unlikely to pursue any legal challenge. As the Legal Action Group note in their course material (1998:28), 'Although limited statutory defences exist these are only available once a person has refused (or been unable) to leave the land and then been drawn into the criminal process (and risked confiscation of his/her home'). Any failure of due process is therefore unlikely to be acted upon.

In the Home Office research which forms the base of some of the data for this thesis (Bucke and James, 1998) we found that the trespass provisions of the CJPOA were being used by police on a wide basis and applied to both Gypsies and New Travellers (this continues to be the case (Taggart, 2003)). The research found that in all the cases reported to the Home Office for this study the police had been successful in directing people to leave land. The recording methods used by the police to register how many directions had been made were not standardised (nor are they required to be) which means that it is impossible to estimate the numbers of people that were removed from land in these incidents. In a small number of cases the police did show some level of force, either by arresting an individual failing to leave land, or towing some vehicles on to the
road in order to prompt the Travellers to leave the land, at which point the Travellers always left.

The main concern expressed by police officers in the Home Office study was cost. Many officers said that in order to evict Travellers who refused to leave land directed from, a large number of resources would have to be called upon and such an eviction would take a good deal of time. If Section 62 of the CJPOA was used and vehicles were impounded this would further escalate costs and would result in logistical problems of vehicle storage. A large number of police officers interviewed were aware that the use of the CJPOA created displacement of the Travellers, and subsequent potential of larger groups of Travellers forming (See Chapter 4, 'New Traveller Culture: Sites'). This chapter will address the issue of police resources and the next chapter (Chapter 7, 'Policing Space') will consider displacement. Importantly this thesis addresses these matters in terms of the policing of New Travellers, whereas the Home Office research did not distinguish between types of Traveller.

6.2 History of the CJPOA Public Order Provisions

As noted above, the CJPOA came about amid a storm of protest. The criticism of the public order provisions of the 'Criminal Justice Bill' and the subsequent CJPOA has been resounding from many quarters: the police, lawyers, civil rights organisations, protest organisations, Travellers and party-goers. Support for the law has particularly come from the National Farmers Union, the Country Landowners Association and the tabloid press. The public order provisions create laws to deal with 'raves', disruptive trespass, trespassory assemblies and squatters, as well as trespassers on land and unauthorised campers. Essentially these provisions were created to manage young people who
were taking part in 'somewhat unorthodox lifestyles' (Smith, 1995:19). The law gives the police the power to arrest those partaking in direct action protest such as hunt saboteurs, those who live extraordinarily as nomads or squatters and those who organise all night outdoor parties (ravers). Campbell (1995) notes the convenience of the legislation in also managing Gypsies, despite having been presented as a law defined for the management of New Travellers.

The groups of people that the public order provisions of the CJPOA are trying to manage are linked in two particular ways. Firstly, as noted in Chapter 4, 'New Traveller Culture: Reasons for Starting Travelling', half of the New Travellers interviewed for this research were living nomadically due to having been 'pushed' and one of the key 'push' variables was squatting. In 1977 the Criminal Law Act strengthened the law against squatters and thus the New Travellers have been recognised as ex-squatters who have established a 'settled way of life' (Clark, 1997:130) via nomadism. Secondly, the New Travellers are connected with raves as groups of New Travellers became interested in the alternative dance music scene and began to put on their own free parties as an opposition to the expensive ticketed events being organised at the time. Out of these parties came a number of groups which merged the rave/festival/New Traveller culture: Spiral Tribe, Circus Normal and Bedlam (McKay, 1996). The tradition of free festivals in New Traveller culture perfectly incorporated the new music and rave scene. 'Ravers' are not only New Travellers however, but those people who attend 'raves'. Although the New Travellers form a part of this music genre by arranging some free parties, they only make up a small part of the rave culture which is seasonal and attended and arranged more commonly by non-Travellers.
The culmination of the crossover of cultural styles described above was the Castlemorton event in 1992 — a free rave/party that lasted eight days and which the police were unable to control (See Chapter 5, 'Police Culture: Policing New Travellers). Prior to this event there was only a limited call for extended provisions for the police to deal with public order. In 1989 the Home Secretary had reviewed the Public Order Act 1986 and decided that it was sufficient as it stood. In 1991 the Conservative MP for Wansdyke, Jack Aspinwall had called for a debate in parliament on land trespass and he had been backed by a number of South West MPs. Also at this time there was growing pressure from the media, particularly the tabloid press, for the government to deal with the New Travellers.

The pressure exerted on government by the media and used by the government to justify action can simply be described as a 'moral panic' (Cohen, 1972, Hall et al, 1978). Such newspaper headlines as 'Fear As Hippy Invaders Move In' (Bristol Evening Post, 1988) and 'DSS Set For Hippy Invasion' (Western Mail, 1991) created the impetus for national newspapers after Castlemorton in 1992: 'Holiday Hippies Lay Seige To Town' (Daily Mirror, 1993), 'Dirt, Dole And Dodging The Law With Society's Drop Outs' (Daily Express, 1993). These negative media portrayals of the New Travellers were accompanied by political speeches that were similarly vitriolic. Following the passing of the Public Order Act in 1986, the Home Secretary Douglas Hurd had referred to the New Travellers as 'medieval brigands' and the Prime Minister Margaret Thatcher said that her government would make every effort to make life difficult for New Travellers (Lodge, 1998). But a review of the law was not seen as necessary until after Castlemorton when the new Prime Minister John Major gave a speech at the annual Conservative Party Conference:

'There's another problem we are dealing with the illegal occupation of land by so-called, 'New Age Travellers'. You will have seen the pictures on television or in the newspapers; if you live in the west country and Wales.
you may have seen it on your own doorstep. Farmers powerless, crops ruined and livestock killed by people who say they commune with nature, but have no respect for it when it belongs to others. New Age Travellers? Not in this age. Not in any age. .. They say that we don't understand them. Well, I'm sorry, but if rejecting materialism means destroying the property of others then I don't understand. If doing your own thing means exploiting the social security system and sponging off others, then I don't want to understand. If alternative values means a selfish and lawless disregard for others, then I won't understand. Let others speak for these New Age Travellers, we will speak for their victims.' (Hester, 2000:69-70)

This speech set the agenda for the legislation concerning New Travellers as encompassed in the CJPOA. The emphasis in Major's speech is on the damage caused to land by New Travellers (no official or academic report cites the New Travellers as having caused 'livestock killed') and this is the first point made in the CJPOA, followed by the causing of nuisance to the landowner. As the Criminal Justice Bill passed through parliament it faced only a limited amount of resistance from the Labour Party, and was not opposed at all in its second reading. Smith (1995) and Hester (2000) contend that the lack of opposition from the Labour Party was due to their policy of, 'Tough on Crime and Tough on the Causes of Crime' and not wanting to appear at all 'soft'. So, the Bill was most stringently opposed in the House of Lords. However, the House of Lords is socially distinct in containing a high proportion of land owners, many of whom regaled the House with 'lurid first hand tales to tell of their experiences of new age travellers and their misdeeds' (Smith, 1995:27).

Key supporters of the CJPOA were the National Farmers Union and the Country Landowners Association who lobbied the government for more stringent laws on dealing with trespass. However, even these groups were opposed to the removal of the requirement under the Caravan Sites Act 1968 for local authorities to provide sites for Travellers. Section 80 of the CJPOA repeals this requirement on local authorities. Thus, one of the key criticisms of the CJPOA is that New Travellers are not only prevented from stopping in unofficial places, but also they
are prevented from being supplied with any official stopping places. It is in this way that the legislation against the New Travellers differs from the other public order provisions of the CJPOA. Although there are some connections between those who 'rave', 'squatters' (some New Travellers are ex-squatters) and New Travellers, the similarities are only minimal as described above. The CJPOA affects the ability for the New Travellers (and all Travellers) to stop and thus limits their ability to live nomadically. Campbell (1995:35) says, 'Any Gypsy or other traveller unfortunate enough not to have a place to site his caravan will thus only be acting within the law whilst actually travelling on the highway towing the caravan. It is absurd to have expedited powers to evict those on unauthorised sites without any obligation to provide an alternative legal stopping place'.

Numerous criticisms of the CJPOA arose prior to and after its implementation. A booklet published by the organisation FFT (1996a:7,8) presents a range of criticisms from police officers, councils and even the General Synod of the Church of England. Overall these criticisms focus on the failure of the CJPOA to provide a solution for the problem of illegal trespass reflecting the points made above regarding the repeal of the Caravan Sites Act 1968. Indeed, academic argument is similarly focused and occasionally becomes as vitriolic as the political speeches that introduced the CJPOA: 'Parliament has given us in Part V, a mean-spirited, intolerant, ungenerous piece of work that may, if equally ungenerously implemented, lay trouble in store for years to come' (Smith, 1995:27). The difficulty of implementing the CJPOA in terms of resources and displacement are noted by Ashworth who says that the public order provisions 'lack a secure basis in proper principles of criminalisation or in humane and effective management of social problems' (1995:1).

The CJPOA was given Royal Assent on the 3rd November 1994.
6.3 Number of Evictions

It is extremely difficult to describe the use of the CJPOA in numerical terms. I will attempt, below, to map out the numbers of New Travellers that the police have dealt with using Sections 61 and 62 of the CJPOA in 1995, when the original police interviews were carried out (interviews were completed early in 1996, but discussed action having occurred in 1995), and currently. The purpose of this is simply to draw the parameters of this study and place it in context of current numbers of New Travellers and use of the law.

The Home Office study (Bucke & James, 1998) of the public order provisions of the CJPOA describes the official police reported statistics of use of Sections 61 and 62 of the CJPOA. These show that in 1995 Section 61 was used 67 times and Section 62 was not used at all. This is not a true picture of use of the legislation though as the reporting of the use of these sections is not mandatory. Also, the number of people to whom directions have been applied varies a great deal. Thus, the Home Office study reports a range of officially reported evictees as between 3 and 46 people under a single direction. The number of vehicles reported as evicted range from 6 to 52 vehicles under a single direction. Recent research shows similar inconsistency across the country (Taggart, 2003). There are no details in the official records of the type of Travellers that have been evicted. Taggart notes the futility of this lack of distinction as New Travellers 'present different management issues to those presented by Gypsy Travellers' (2003:11).

This thesis is considering the application of the CJPOA on New Travellers specifically and thus I have attempted to break down the numbers of New Travellers (as opposed to other Travellers) who have been directed from
land under Section 61 of the CJPOA. I have found the same as the official statistics for 1995; no record of use of Section 62 of the CJPOA. In analysing the data of interviews with police and New Travellers, I have been unable to produce a clear picture of numbers of evictions under Section 61 of the CJPOA. However, the numbers of vehicles on site referred to by police officers here are higher than those in the official statistics for the same time period. The number of vehicles on site range from 6 to 100 as stated by the police officers here. (This highlights a failure in the Home Office study to note the difference between the official statistics and the police data collected for the study and used for this thesis). Two officers note that these vehicles are a range of trucks and caravans as I have also noted in Chapter 4, 'New Traveller Culture: Sites'.

The fieldwork with New Travellers for this thesis was carried out in 1998 but figures of numbers of New Travellers can only be gained from 1995 when it was estimated that there were 6,000 New Travellers in the UK (Staines, 1998:6). There are no current counts of New Travellers in the UK. Twice yearly the Office of the Deputy Prime Minister receives reports from local authorities who count the number of Gypsy sites, both authorised and unauthorised, in their areas. Some authorities include New Travellers in these counts and others do not. Overall it was estimated that there were 2,774 caravans on unauthorised sites in January 2002 (Niner, 2003). This number is lower than in January 1992, when Niner reports that there was the highest number of caravans totalling 4,324. Lord Avebury noted in the House of Lords however, that the number of Traveller sites had increased since 1992 (Hansard, 2002) and Niner says that her research found numbers of caravans consistent from the late 1990s through to 2002. Thus, any attempt to estimate numbers of Travellers and particularly New Travellers is fraught with difficulty. In this research the New Travellers are similarly imprecise in their descriptions of the number of times they have been evicted, how many
people were on the site evicted and under what legislation the evictions took place. Half (7/14) of the New Travellers simply stated that they had been evicted on 'numerous' or 'multiple' occasions. In my fieldwork I visited one site which had approximately 150 vehicles on it. This fieldwork was carried out two and a half years after the original police interviews and the larger site may be indicative of the fact that New Traveller sites have grown as a result of the CJPOA (see discussion of site size in Chapter 4, 'New Traveller Culture: Sites').

The recording of who is on a New Traveller site is very important in applying the CJPOA as the law says that no individual should return to the land within three months of eviction and any breach of this can result in arrest. However, the ability to honestly record who is on the land is very difficult as four police officers particularly note:

'But dealing with individuals in groups like this is extremely difficult, they give us false names, we don't know who they are, its extremely difficult to keep track of who you've talked to and who you haven't'. (POL – P04)

'I, jotting down, you know, three people under a tarpaulin with a bicycle and four more people and a goat near a horse drawn carriage and a broken down caravan and things like that and I'm actually trying to do a head count!' (POL – P06)

'The New Age Travellers realised what was actually occurring and began to change vehicles so by the time the enforcement order was available which was some two months after the initial proceedings there was only something like 10% of the original vehicles there'. (POL – P07)

Two police officers did note that they successfully recorded who was on the land with one of them stating that,

'The three month ban on returning could have been implemented if necessary by use of these records'. (POL – P16)
However, in two interviews the officers said that they would be most likely to re-use Section 61 than use Section 62 on the return of New Travellers to land:

'Rather than invoking Section 62 of the Act, Section 61's keep being served as it is impossible to track who exactly was evicted off what site 3 months ago. This part of the act is un-enforceable, as it's impossible to record a person or vehicle'. (POL – P14)

'Realistically we do it for Section 61 again'. (POL – P06)

This may go some way to explain the lack of use of Section 62 of the CJPOA, although the lack of its use also relates to the inability of the police to resource the seizure of large numbers of vehicles as is discussed later in this chapter in 'Resources'.

As this thesis is interested in New Travellers it is irrelevant to discuss the application of the CJPOA on Gypsies and other Travellers. However, it is interesting to note here the confusion amongst some police officers concerning whom the CJPOA refers to.

'Section 61 as well, I can't remember, circular somewhere, it is not supposed to be used for Gypsies as far as I can understand it, it is certainly, the thrust of it is directed at Travellers'. (POL - P01)

'If we had like a Gypsy camp set up then I think we have got, as I said earlier I've got this tripartite agreement, where we involve either the authority because as I say, I think they have to be somewhere for two weeks is it? And then we have to involve them because they have to be directed to a proper transit site' (POL – P06)

'It is intended to be used against New Age Travellers in big bunches who might be aggressive and willing to fight for what they want'. (POL – P04)

There is no reference in Section 61 or 62 to whom the law should be applied other than trespassers who intend to reside on the land. There is no
special provision for Gypsies or other Travellers to gain sites; such a provision was removed in the CJPOA by the repeal of the Caravan Sites Act 1968. Although it is evident from the history of the legislation that the law was designed with New Travellers in mind, this does not mean to say that it has not been created to apply to all Travellers. As with Section 68 of the CJPOA which creates the offence of ‘Aggravated Trespass’, the original intent of the legislation was to deal with hunt saboteurs, but by the time the law was in use it was actually used most commonly on environmental protesters (Bucke and James, 1998). The police use the law as a tool, rather than with consideration of its original intent. So, the police have used the CJPOA on Gypsies and other Travellers (Bucke and James, 1998), even though some officers are under the impression the law is only for use on New Travellers. The officers who expressed this opinion had not had any Gypsies or other Travellers in their area. One police force stands out from the rest as Greater Manchester’s Chief Constable created a policy of non-intervention with any Travellers. This force would not use Sections 61 or 62 of the CJPOA,

‘Unless there is a large scale problem, a large disrupted group threatening violence and or large scale damage to property, really extreme cases’. (POL – P04)

6.4 Procedure Followed

When the police use the CJPOA a particular set of procedures must be followed and criteria fulfilled. In this section I will go through my findings according to the required procedure and criteria of the law. However, it is important to initially note the use of the law as a threat. Six out of the eighteen interviews with police officers said that they had threatened to use the CJPOA and that this had been successful on a number of occasions:
'We used to threaten it frequently'. (POL – P01)

'We threatened them with it'. (POL – P05)

The following two quotes show how these threats to use the law are sometimes placed within a negotiating or liaising stance that the police take when dealing with New Travellers:

'We speak to them, establish their intentions, try to persuade them to move without serving notices'. (POL – P17)

'There is a build up to these situations because as soon as these people start turning up, you know, and we are involved, we are saying to these people, "look you do realise that you are going to be trespassing on land and if you fulfill the criteria of, you know, causing damage or two or more persons, six or more vehicles, then you are going to be in breach of that and we will be saying to you, you have to move. Don't do that and we won't serve a notice on you". (POL – P06)

So, the police use the CJPOA as a tool to threaten action against New Travellers in the hope that they will move on without the need of official direction. As noted above, the police act pragmatically, famously using the 'Ways and Means Act' (Manning, 1977) to gain a result without recourse to the law. The CJPOA encourages this approach via its preference for 'reasonableness', thus providing the police with an apparatus to manipulate the New Travellers with the threat of legal penalty.

I will discuss the use of liaison and negotiation further on in this chapter (See also Chapter 7, ‘Policing Space’).

In the event of a requirement for official action the police must first ensure that 'reasonable steps have been taken by or on behalf of the occupier to
ask them (the New Travellers) to leave' (Home Office, 1994a:41). For the purpose of the CJPOA the 'occupier' is the person who is entitled to possession of the land and the land includes any land other than a highway. Thus the CJPOA incorporates all commonly owned land including byways, footpaths, bridleways and cycle tracks. Nine police officers and three New Travellers make some reference to the difficulty of defining the ownership of land (See also Chapter 4, 'New Traveller Culture: Sites'). In the case of publicly used land the police are particularly perplexed:

'It belongs to a trust, allows the public to have access so it's not been quite so straight forward as if they are actually on someone's private land'. (POL – P05)

'One of the problems that we found that one of the areas... was actually a public bridleway so there was nothing realistically we could do to actually stop them going along there, but obviously the landowner was not happy that they were trespassing on his land, which in fact, they did'. (POL – P06)

In the case of footpaths, bridleways and byways the law is clear that the occupier of the land is the Highways Authority (whose duties are under the county, unitary, metropolitan district and London borough councils) who own the surface of the path, a foot below and the air above it. They are empowered to require the owner of the surrounding land to maintain the path (Ramblers Association, 2003:1). The police can therefore call upon the local authority to ask New Travellers to leave such paths. Previous to the CJPOA such areas were excluded from the legislation. However, the police are not clear on this issue as the quotes above show and they see that local authorities have their own powers under Section 77 of the CJPOA to deal with New Travellers on their land. This brings with it a whole new set of complications which will be dealt with in Chapter 8, 'From Police to Policing: Multi-Agency Working'.
Occasionally other issues arise regarding the ownership of the land. In one interview with police they noted that there appeared to be no owner of a section of land and in another the police were drawn into conflict between owners as:

'The land was owned by five different people and one of them was quite happy to have them there and the other four weren't'. (POL – P17)

When the ownership of the land is clear, the police might request the landowner to ask the New Travellers to leave the land. Otherwise, the police may have been called upon by the landowner to direct the New Travellers to leave the land having not left on his/her request. On four occasions in interviews the landowner was willing to let the New Travellers stay on the land and there were a number of reasons for this. In two cases the commercial interests of the landowner were served by keeping the New Travellers on the land:

'It all became a bit silly, because the property developer wasn't anxious to deal with them effectively because they thought the more they upset the local populace, the more chances they would get the planning permission that they sought'. (POL – P01)

This use of New Travellers to gain planning permission is also noted by Earle et al (1994:116) in a case study. In two further cases the owner of the land was happy for the New Travellers to stay on the land for purely philanthropic reasons:

'There are farmers down there who are prepared to let them winter'. (POL – P07)

The requirement in the law for the landowner to initially ask New Travellers to leave their land is discussed by New Travellers and police in 8 interviews. The tactics used by landowners varies greatly however, with 4 police saying that procedure was followed:
The landowner had served a notice 24 hours previously requesting the travellers to quit the land. (POL - P16)

Two police and 2 New Travellers however noted the failure of the landowner to act correctly and in one case presented here, the landowner acted extremely:

'He just sent his boys down there to evict them, so I said well you can't do that'. (POL - P05)

T12 described one incident in which a landowner put a gun to his back and one in Paddy's neck, thereby intimidating them off the land. (TRAV - T12)

It is clear from my findings that landowners respond to the need for their own action in a number of ways, including helpful and antagonistic intervention. Again, this represents the failure of due process previously identified in police action. A comment made by police in 4 interviews and by 1 New Traveller was that the landowners were calling upon the police to take action under the CJPOA, rather than the police deciding when it was appropriate to act. This is also noted in an HMIC Report (1999:50) which says, 'Landowners... have a perception that a force will take a more active role in dealing with trespass'. One officer interviewed here said:

'Well, we as a police force are not really worried about this situation, and the landowner or whoever with vested interest will come to us and say, "Well, I'm sorry but the law says these people are two or more and have done some damage, what are you going to do something about it?" It actually puts the onus on us to do something rather than taking the status quo which we've had'. (POL - P06)

Thus, the police have lost an element of their discretion in dealing with New Travellers and attempt to liaise with the landowners to resolve trespass matters. I commented above that the police liaise and negotiate with the New
Travellers and again in the interviews it is apparent that these skills of negotiation are vital in dealing with the landowners (5/18 police mention such liason):

'I went down and liased with the landowner'. (POL – P05)

'Wars police liase heavily with the local authority and the landowners and a decision is made about who should act in evicting Travellers'. (POL – P16)

'It sounds a bit twee perhaps but like getting on together, you know, I mean with our local landowners and with the travelling fraternity, whoever they are I mean you got to make the world get by'. (POL – P06)

The liaison and negotiation tactics used by the police evidenced here in terms of landowners, and above in relation to New Travellers, is further evidence of the pragmatic approach of the police discussed in Chapter 5, 'Police Culture: Police Occupational Culture'. The police officer is keen to resolve the matter as smoothly and with as little hassle as possible. As will become more apparent later in this chapter, the police are also keen to minimise the cost of eviction. The liasing stance of the police is also relevant to the burgeoning culture of inter-agency management in the criminal justice process which will be discussed and evidenced further in Chapter 8, 'From Police to Policing: Inter-Agency Working'.

For the police to proceed with a direction for New Travellers to leave land under Section 61 of the CJPOA, having assured that two or more people have the purpose of residing there and the landowner has already asked them to leave, they must then be sure that damage has been caused to the land or the landowner or anyone connected with the landowner has been insulted or that there are six or more vehicles on the land. As already noted above, the 'Gayford Case' provides a precedent that damage to land can be as minor as the trampling of grass. In the CJPOA damage to land includes the deposit of any substance
capable of polluting the land and Ministers discussing the law before parliament included urinating on land as a pollutant. Bearing in mind the idea presented by Earle et al (1994) that New Travellers are only similar in that they all defecate in the woods, it seems that the New Travellers cannot fail to fulfil the damage criteria of the CJPOA. However, the police appear to view 'damage' as a more substantial matter than the law allows. In only three police interviews was damage noted as a relevant issue in utilising the CJPOA and in each of these cases the damage caused by New Travellers was actual but minimal; either to entry gates or to the land itself:

'They caused damage to the land in as much as getting one of the lorries in, it was a big wrecker, so they really ploughed some deep ruts into the ground'. (POL – P05)

'I think most of the damage was technical damage wasn't it, rather than deliberate, the cutting of padlocks on gates and destroying crops and suchlike'. (POL – P06)

Only two police officers state that the New Travellers had been insulting, threatening or abusive. However, a further two officers note the intimidating atmosphere of New Traveller sites (as previously discussed in Chapter 4, 'New Traveller Culture: Atmosphere').

'They have been abusive to the landowner and members of staff'. (POL – P06)

'As it developed then police officers began to get threatened but I don't know of any where members of the public were threatened although some of the local farmers who had to use that route as access for tractors and equipment through to their fields had some difficulties in getting through and police officers were required to go and assist... they were less than co-operative I have to say these people'. (POL – P07)

So, the issues of damage and insulting behaviour were of limited import to police applying the CJPOA. This is surprising as the law was conceived and
presented as a means to manage New Travellers causing damage and insult to communities as described above in the history of the CJPOA. In fact, the police more commonly focus on the number of vehicles on a site to determine the relevance of the CJPOA as a tool for eviction. In 10 of the 18 police interviews the number of vehicles on a New Traveller site was mentioned as a motivator to action.

'That legal advice totally agreed with what we had already told them, I mean we had already gone through what would happen if they didn't go and what the powers were and the fact that you've got more than 6 vehicles and you're intending to stop here'. (POL – P12)

'Under the new law six vehicles and they had to go'. (POL – P11)

However, one officer noted the use of tactics by New Travellers to prevent the number of vehicles rising above the legal level:

'But New Age Travellers if you've got a group of New Age Travellers, what they're tended to do now is to travel around with five vehicles or parts of a vehicle, they're in groups of small numbers because they've read the legislation themselves. So we now have the situation where I've got three lots of New Age Travellers with 5 vehicles on my patch that I can't move which is up to the landowner to move through the courts. Because they've not caused damage to the land and they've not abused the landowner and they've only got 5 parts of a vehicle in fact there's a group of 7 but they've got 1 bus with a trailer which is 2 vehicles and they've got an old lorry with back axles off which is 3 vehicles - so they've only got 3 vehicles there'. (POL – P17)

This quote is interesting as it is counter to that drawn by New Travellers and other police officers interviewed who suggest that the size of New Traveller sites has grown since the introduction of the CJPOA (See Chapter 4, ‘New Traveller Culture: Sites’). This is perhaps evidence of the fact that the police rely on anecdotal evidence for their information on rare events or offences.
When the police decide that they will utilise the CJPOA and issue a direction for New Travellers to leave land under Section 61 the process they go through is similar between forces. Half (9/18) of the police interviews note that the New Travellers were directed to leave land via a written notice given to each occupant of the land or posted onto each vehicle on the land:

‘By serving a written notice they mean that they either hand it to anyone they see on a site, stick it on any vehicles, or announce it over a loud speaker’. (POL – P14)

‘I went onto site with the notices prepared, gathered together as many as I could around me, told them of my requirements to go and when I expected them to go…. And then we actually stuck a Section 61 notice on each of the vehicles as well in support of that’. (POL – P07)

‘In you know the sort of bags we use for fixed county notices and sellotaped those right across the door so that they couldn't enter their caravan without actually seeing the notice’. (POL – P03)

Some police officers (5/18) note the rank of officer giving the direction to leave land. Indeed, the perception of the police interviewed was that a senior officer should give any such direction:

‘The officer at the scene has got to be an Inspector’. (POL – P05)

‘Inspector **** gave the direction, but a Chief Inspector also came onto the site to monitor the situation’. (POL – P16)

The CJPOA says that 'the senior police officer present' (Home Office, 1994a:41) can give a direction to leave land and thus if that officer is a constable, they are empowered to serve a Section 61 direction. One of the criticisms of the CJPOA put forward by solicitors has been that such a junior officer can act (Legal Action Group, 1998:27). My data clearly shows that constables do not serve directions under Section 61 of the CJPOA and thus the argument put forward in the
previous chapter, ‘Police Culture: Police Occupational Culture’ that the culture of senior officers influences the practice of the CJPOA is further evidenced here.

The CJPOA makes no reference to disruption caused to local residents as a factor in applying Section 61. However, 11 of the 18 police interviews make some reference to their measurement of local complaints in determining their decision to use the CJPOA. In Chapter 4, ‘New Traveller Culture: Sites’ a point raised by this thesis is the level of disruption caused by New Travellers on local resident populations. I note that the amount of disruption caused affects the New Travellers’ ability to find and keep a site. However, the police commonly say that the New Travellers cause little disruption. Despite this 8 police officers note that they received local complaints about the New Travellers:

‘We had a lot of complaints from the residents’. (POL – P05)

‘The major cause of concern was these small pockets of communities in the villages who felt extremely threatened by the presence of these people’. (POL – P07)

‘There were huge concerns by ramblers who used that particular old piece of Roman road for walking’. (POL – P07)

FFT (1996a:34) say that the antagonism between New Travellers and resident populations is borne of a ‘clash between cultural values’, those of mobility versus individualism and home ownership. They go on to say that neither side will compromise and thus the antagonism deepens. This may explain the gap between the lack of disruption perceived by police and the number of complaints they receive.

The negativity felt by communities towards the New Travellers can become extreme. For example one police officer says,
'They) formed a vigilante group and I had to have very strong words with them, I called them all in at one stage and laid the law down to them because I was quite fearful, they were a group of local farmers and farm workers who wanted to go in there with a couple of tractors and pull them off'. (POL - P07)

FFT (1996a) also reports similarly extreme action and attitudes in communities that evidences the poor relations between them. Examples include signs rejecting entry into pubs, refusal of service in shops and verbal harassment. This is described by Morris and Clements (2002) as the 'social cost' of the treatment of Travellers by law and policy which excludes them and provides them no space in which to stop. The police are required to manage the different perceptions of risk presented to them by the landowners, local residents and their own judgement (commonly using liaison and negotiation as described above). Their ability to manage these different risk perceptions is not always successful (Barton and James, 2003) as one group is more powerful than another; in this case the landowners are more powerful as they are incorporated into the requirements of the legislation and the New Travellers are perceived as 'police property' by the police and society generally (Reiner, 1992a).

6.5 Ease/Difficulty of Applying the CJPOA

In addressing my data on the ease of use of the CJPOA I have found a clear dichotomy arises. If the police act with force, utilising their paramilitary capability with large numbers of officers, heavy lifting vehicles and preparedness to make arrests, then the CJPOA is an effective tool. In such instances the police (8/18) and New Travellers (2/14) say that the action of the police must be swift and decisive. If the police take time over their choice of action and are outnumbered by the New Travellers and they begin to take welfare
considerations into account, then the CJPOA is less effective and is hard to apply (police 5/18, New Travellers 4/14).

Regarding show of force by police:

'Ve could do it (use Section 61), but it would be difficult and in the end what you've got to do is use force'. (POL - P04)

'They didn't go and they made no effort to go until we had a show of force'. (POL - P07)

They were served with a Section 61 direction to leave the land within an hour and were told they had an hour to leave at which point the police turned up in large numbers with vans and JCB's. The travellers moved on. (TRAV - T05)

Regarding lack of force by police:

'Actually implementing I think it could be quite difficult even if all the conditions were there on the ground that said, yes there is definitely a case where we use it, you wouldn't get all the troops together and go and do it because there are so many other things you've got to consider before you can do it'. (POL P04)

One time the travellers were parked in lay-by preparing to go onto a good park up when the police arrived and told them not to park there. The travellers agreed, but as soon as the police had left they parked there anyway. (TRAV - T06)

As one police officer put it, 'It's a bit of a psychological battle really' (POL - P09). I identified earlier in the chapter that the police initially use their negotiation skills with New Travellers and landowners to remove the New Travellers from land. However, it is clear here that when negotiation is unsuccessful the police do not simply revert to the law, they have to use a show of force in order to carry out eviction. This style of managing public order problems is common in modern policing. As King and Brearley (1996) note, a 'two
The pronged approach' has developed in the police management of public order with a rise in the use of negotiation and pre-emptive policing strategies accompanied by use of paramilitary tactics when conflict occurs. Ultimately the police will use force if required (P. A. J. Waddington, 2003). I will discuss the use of a third tactic by police to move New Travellers on in Chapter 7, 'Policing Space: Guerrilla Tactics'.

The necessity of speed of eviction as highlighted above is important to note further as the CJPOA states that the trespassers must leave the land, 'as soon as reasonably practicable' (Home Office, 1994a:42) and the Krumpa case confirmed the importance of allowing trespassers to leave in a reasonable time. The time given to New Travellers to move from land following a Section 61 direction varies between forces, ranging from immediately to within 3 days. In half of the evictions (6/12 who commented on this) the New Travellers were required to leave within 4 hours of the eviction notice, reflecting the speed of action by police previously noted. Some New Travellers were asked to leave within 24 hours (3/12), a similarly short length of time. Some officers (4/12) defend the reasonableness of the timing of action:

'We usually say, "you have got two hours in which to actually quit the land", although I don't think we actually have to give them a time, I think we say what is reasonable'. (POL - P06)

'The Travellers were given 3 hours to quit the land. In court the question of whether this was a reasonable length of time came up and the magistrate felt that it was'. (POL - P16)

In order to counter the speed of eviction by police the New Travellers will attempt to show that they have, 'a reasonable excuse for failing to leave the land as soon as reasonably practicable' (Home Office, 1994a:42) as the law allows
such a defence. Six of the police interviews note excuses used by New Travellers
to stay on land. Five of these contain a cynical view of the excuses provided:

'They tend to disable a vehicle, they take a wheel off here, and say they
can't move. I had a variation on this theme only last week when I spent an
evening ringing around to try to find a farrier because the story of this lot of
horse drawn trappers was that somewhere horses needed shoeing before
they could move on'. (POL – P01)

'They always say the women are pregnant we've got to go over to the
doctor, the children are sick, etc. etc. etc... My sergeant is very hard nosed
he says, "no problem – we'll take them into care", and they tend to move'.
(POL – P17)

Morris and Clements note the lack of sympathy of police officers to the
excuses put forward by Travellers for failing to leave land, 'Some public servants
too, charged with the task of perpetually moving them on, develop contempt for
entire communities' (2002: 58). One interview with police shows an occasion
where a reasonable excuse was provided and resulted in extra time allowed for
the New Travellers to move:

'One family with three children were given until the next morning to leave at
which time they left with no problems'. (POL – P16)

In Chapter 4, 'New Traveller Culture: Outside' I noted that 10 police
officers interviewed showed concern that the Wealden case would affect their
ability to move New Travellers from land. This concern is accompanied by a
suspicion that the New Travellers will use case law to manipulate the legislation:

'I think the business about I think it came through a court case, business
about social services, education, all those facilities, I think that's a complete
misnomer, I think its used by the Travellers against us'. (POL – P04)

'They turn round and say, "yes but the local authority has a duty to educate
my children... we can't move because we are pregnant"'. (POL – P09)
Indeed, as already cited in Chapter 4, ‘New Traveller Culture: Outside’, one New Traveller says,

_It’s easier to live as a Traveller with kids because the hassle with the council checking out welfare means you get to stay longer on sites. ‘We play on it’, We’re lots of women and children. (TRAN – T06)_

So, the police appear to be cynical for a valid reason in some cases. However, Mr Justice Sedley stated in the Wealden case, and Home Office circular 45/94 states that welfare considerations should always be made when moving Travellers on. The cynicism of the police towards the New Travellers reflects their suspicious attitude previously discussed in Chapter 4, ‘New Traveller Culture: Networks’ and Chapter 5, ‘Police Culture: Police Occupational Culture’.

The lack of sites available for New Travellers can explain the attempt to deceive police described above. The fact that the New Travellers tend to leave sites at the last minute before eviction (See Chapter 4, ‘New Traveller Culture: Sites’) shows their lack of willingness to move on. This makes eviction more difficult and frustrating for police. As shown here, the police are commonly required to act with a show of force in order to move the New Travellers on and this generally means the use of a number of resources: arranging space to store vehicles, hiring heavy lifting vehicles and gaining extra manpower. However, these resources are wasted when the New Travellers leave just before the eviction is to take place.

The basic assumption of public compliance to legal authority in the criminal justice system is shown here as the New Travellers are prepared to move on once the police show their legal authority to use legitimate force. It should be noted that the New Travellers common media portrayal as ‘anarchistic’ and the police’s suspicion of them is undermined by the fact that the New Travellers do move on, accepting the status quo.
I will now go on to discuss further the issue of resources.

6.6 Resources

The high cost of policing New Travellers under the CJPOA is commented upon by the majority of police interviewed (11/18) and by some New Travellers (3/14). Morris and Clements' (2002) text entitled, *At What Cost: The economics of Gypsy and Traveller encampments* details a cost/benefit analysis of current policies that manage Travellers. Their work measures the financial and social cost to the police, local authorities, landowners and the Travellers themselves, of the current reliance on unauthorised encampments. They clearly show that the cost to all concerned is high and in some cases increasing. Although Morris and Clements' study does not look at New Travellers alone, it incorporates them and expresses their experience as similar to that of other Travellers. Earle et al note the implications of the CJPOA on policing costs and the fact that such costs will rise for 'the same families being moved on again and again' (1994:124).

The Home Office research (Bucke and James, 1998) also particularly notes the resource intensive nature of applying the CJPOA. It is particularly the application of Section 62 which allows the police power to remove the New Travellers vehicles from unauthorised sites that would prove to be costly. However, the manpower required to persuade New Travellers to move on under Section 61 is also a large expense.

In this research the interviews with police and New Travellers reflect the previous studies above. The police are aware that they could ultimately call upon
resources if required to and they have to call upon them occasionally, but they will make every effort to avoid such action:

'Well not in that instance we wouldn't, because we didn't have the backup, we didn't have the logistics to do it, you would have to got lifting gear in, heavy vehicles, it would cost an absolute fortune, and the bottom line of everything we do now is cost'. (POL – P18)

New Travellers are likewise aware of such issues:

The police did not fulfil their S.61 direction to remove the Travellers from the land because they were unable to. Officers told T05 that they did not have the resources to remove the travellers by force and so they stayed as long as they wanted despite the direction to leave. (TRAV – T05)

The focus of police concern is on the storage of vehicles that are seized under Section 62 of the CJPOA. Seven of the police interviews mention the cost of applying Section 62:

'Seizure of vehicles is a difficult thing to do, how can it be done realistically and where do you put the vehicles when they have been seized?' (POL – P16)

'The trouble is you end up with their vehicles, can't get the local authority to give you anywhere to store them, and the last compound to store them we needed to guard them that's an ongoing thing, you need to return them, there were allegations of stolen items, items have gone missing we've had the investigation department to investigate those. They will allege that the vehicles have been damaged, you cause damage to them, they make civil claims to those, and they will be supported by legal aid'. (POL – P01)

The application of the CJPOA on New Travellers means a wide range of resources being called upon. The police mention manpower, heavy lifting vehicles, the setting up of a custody centre, arrangement for parking spaces, guards for parking facility, helicopter, preparation for low staffing level in police station and costs of civil litigation.
'We felt that we would need to get these resources: sufficient men, sufficient towing vehicles, the helicopter only to co-ordinate it, particularly parking areas for these vehicles'. (POL – P12)

One officer notes the fact that the police must be cost-aware as they maintain their own budget:

'It cost a lot of money in overtime payments, lots of police men standing around..., well doing very little for many many hours. (We are) doing our own station budget now... we literally had to negotiate with the other stations, the section heads around this part of the county and the Chief Constable and everybody as to who is going to pay what out of the policing budget'. (POL – P06)

This means that there is a need to prioritise action against New Travellers:

'The other difficulty we've got is that we haven't got dozens of police officers, we have to say to the landowner, look we can't do anything tonight, we will make arrangements tomorrow to get sufficient staff here and then have you moved off'. (POL – P06)

'That would depend so much on the other things that were going on. Someone come in now and said right we will use the Act to get them off today, I'd say, "We have got much more important things to do", if it was next Monday and we were quieter because it isn't the weekend I might say alright'. (POL – P05)

Thus the negotiation tactics used by police to prevent them resorting to the law can be explained in part as a cost matter. With the influx of New Public Management (NPM) techniques (Leishman et al, 1996) into the police service, it is unsurprising that the police are focusing on prioritising cost. The proportional benefits of moving a group of New Travellers on must be weighed up against the risk posed by them (Maguire, 2000).
6.7 Post Eviction

The police interviewed identify two areas that cause problems for them having applied the CJPOA. Firstly the police note some chaos caused on the roads having evicted a group of New Travellers from land and secondly they note the problem of the New Travellers moving on to adjacent land in different ownership.

In three interviews with police they say that the eviction of New Travellers resulted in traffic problems:

'They sort of camped on the roadside for some hours which caused us further problems of obstruction on the highway and traffic control and I think they were trying to think of what to do'. (POL – P06)

It is clear here and from previous points made regarding the New Travellers' ability to find sites, the growth of sites (Chapter 4, 'New Traveller Culture: Sites') and their keenness to remain on a site found (not moving on until the last minute before eviction) that the New Travellers are limited in their options of where to go next. I will discuss displacement in Chapter 7, 'Policing Space'. It is important to note here though the second issue raised by police officers, that New Travellers move on to adjacent land to that from which they have been evicted. The definition of land in the CJPOA only includes the specific piece of land camped on, rather than any adjoining or adjacent land in different ownership. Thus it is possible for a group of New Travellers to move from one field owned by one person onto the next field owned by another person who will have to go through the whole process of eviction again. Other parts of the CJPOA which deal with raves and protests provide 'exclusion zones' around areas, but Section 61 does not do this. The lack of options open to the New Travellers of sites to travel to,
accompanied by the limits placed on the police to direct New Travellers from an area causes the police (7/18) some concern:

‘They’ve gone within an hour but then they just moved to the other side of the road’. (POL – P17)

‘It doesn’t stop them going on to the piece of land next door to that piece of land and that really is a prime difficulty for the police’. (POL – P08)

The New Travellers are therefore problematic to the police having been evicted as well as when they are static. Research done by the Children’s Society (Davis, 1994) has shown that the New Travellers have become more nomadic since the creation of the CJPOA. This research confirms this point by showing that they are directed to leave land more commonly and have to live on larger sites. The police therefore have to deal with them more frequently, utilising a high number of resources.

6.8 Conclusion

In this chapter I have provided a detailed description of legislation, policy and case law pertaining to New Travellers. I have also presented an historical account of the origins of the CJPOA which describes the moral panic created by the media and supported by political will. The CJPOA connects New Travellers in the law with ‘raves’, squatting and protest. It creates a framework for eviction of New Travellers based on ‘reasonableness’ that the police and courts can operate. This ‘reasonableness’ in the law accommodates police culture which is predisposed to pragmatic action.

The CJPOA is shown here to be selectively used by the police, its application being confused and inconsistent; particularly in recording evictions
and defining land ownership. The police use the CJPOA as a threat in itself during negotiation and liaison with New Travellers and landowners. Such negotiation and liaison is an important part of the procedure for policing New Travellers which aims to avoid official eviction which is costly. When eviction is imminent the police are willing to call on extensive resources (though they are loath to) and act forcefully. In this respect the chapter shows that the police follow traditional public order policing methods of negotiation and paramilitarism to gain removal of New Travellers from land. The CJPOA is found here to be most effective when the police use force (though such force is commonly less severe than that experienced by New Travellers in the 1980s).

The decision to move New Travellers on from land is determined in a number of ways by the police and in the law. However, the police principally decide to evict a New Traveller site according to its size. The process by which this is done is specifically laid out in the law, but landowners commonly fail to act properly and a significant minority of police similarly fail to follow due process. New Travellers attempt to stay on sites for as long as possible, but avoid forceful eviction by moving immediately prior to the police arriving in force. On occasion New Travellers will move onto adjacent land post eviction which causes the police some concern. The police attempt to act as quickly as possible to gain eviction, giving the New Travellers a small amount of time to move on.

The willingness of police to use force to gain eviction is mediated by their resource concerns. They show particular concern over enacting Section 62 of the CJPOA which requires extensive resources to seize and store New Traveller vehicles. Overall this chapter shows that police cost-awareness and use of negotiation, accompanied by previously identified pragmatism and labelling of New Travellers as 'police property', results in the police using the CJPOA to
move New Travellers on as quickly as possible, at a low cost and with little concern for due process. If this means that the police must use force for speedy and effective resolution, they will. The aim of the police in managing New Travellers is not to gain arrest or conviction, but to remove them from their area. I will go on to discuss police use and management of particular areas or spaces in the next chapter.
7. POLICING SPACE

The concept of 'space' has been used by academics to understand the societal position of New Travellers as I have briefly outlined in Chapter 2, 'Literature Review'. It has been similarly used in criminology, including in police studies, to interpret deviance, criminal behaviour and social control. In this chapter I will initially outline the use of spatial theory as a tool to understand the New Traveller culture. I will then go on to present criminology's use of spatial theory with particular reference to policing. These discussions will act as a framework to the findings that I will then present. The findings show how spatial theorising is vital in providing an understanding of how New Travellers are policed. They also, importantly, evidence the need for additional analysis of the policing of public order which takes into account the use of 'guerrilla tactics' by the police.

7.1 New Traveller Spaces

In order to discuss the policing of New Travellers it is necessary to recognise their cultural use of and perception of space. Having determined in Chapter 4, 'New Traveller Culture', that the New Travellers' deviant status is determined by their nomadism, it is clear that this must be considered in light of mainstream sedentarism. Sedentary society has developed and is maintained by the creation of boundaries or territories. Giddens (1985) refers to the arrival of nation states as the origin of definitive boundaries with geographically drawn lines as 'borders'.

Industrial capitalism functions by localising a flexible workforce. So, physical space is divided into residential areas surrounding working areas, with
the majority of people and work placed together creating urban environments. The countryside is no less bounded however, with similarly created divisions of working agricultural areas and residential areas. Likewise we conceive space in time as divided between work and home, each commonly separated by our perception of how time is used and where we use it (although it should be noted here that modern practices of home working via computers and telephones means such boundaries are blurred for some workers). Nomads do not function with a separated conception of space. Indeed, home and work are not separated physically or mentally by Gypsies (Bancroft, 2000) and although my findings show that some New Travellers have conventional attitudes towards work, their work and home space is commonly combined physically and mentally. For example, a large number of New Travellers earned an income through the festivals they attended which were an important part of their social life (see Chapter 4, ‘New Traveller Culture: Work’).

The boundary setting of sedentarism is encapsulated in the creation of laws that enforce boundaries, particularly the boundary of property and land ownership. Since the private Enclosure Acts of the eighteenth century the land has been bounded in the interests of land owners and the sedentary principles of the new industrial order (Kemp, 1978). ‘Permanent possession and ownership of land are valued in legal statutes, whereas rights of intermittent access are not’ (Bancroft, 2000:44). Bancroft argues that the CJPOA is the most recent in a raft of post war legislation that attempts to control Travellers by regulating space and thus placing the Travellers within a discourse of discipline and punishment.

Halfacree’s (1996) suggestion that nomads conceive of space as smooth whereas sedentarists striate space is particularly useful as it provides an understanding of how disruptive of space nomads can be to sedentarists. The
sedentarist creates boundaries through which nomads move without concern and without the intention of insult. Sedentarists view such movement as a 'violation' however. McVeigh (1997) says that nomads are pre-modern and thus 'disordered' in the modern era of nation state, rationality and order. Their disorder therefore problematises them and the very action of nomadic life cannot fit in the modern world. 'Nomadism illustrates alternatives to the order and control exercised through settlement and individual property rights. Thus the political and cultural resistance of nomads continues to subvert deep-seated beliefs about the normalcy of settlement and wage labour and private property which pervade the whole of sedentary society' (McVeigh, 1997:22). Thus there is a constant tension in any society where sedentarism and nomadism attempt to co-exist.

The police perception of New Travellers as a threat to public order (as detailed in Chapter 4, 'New Traveller Culture', and Chapter 5, 'Police Culture') is therefore based in the sedentarist principles of our social understanding. The police are acting according to their knowledge of order as defined by the law that is drawn up from sedentary principles of modern industrial society. The fact that New Travellers tend to travel through rural environments emphasises their discord. Sibley (1994) argues that it is in the rural spaces that the middle classes and land owners live who embody the principles of sedentarism and the existence of New Travellers threatens their very society. Although it can be alternatively argued that the middle classes more often inhabit towns and suburbs, Sibley's idea that the New Travellers disrupt the symbolism of the 'rural idyll' and thus the 'spatiality of the imagination' (Sibley, 1994:44) is valid. Whereas Gypsies fit into the ideal of the countryside space (so long as they have a horse drawn painted wagon and sell clothes pegs), the New Travellers do not, despite the fact that they likewise idolise the countryside (see Chapter 4, 'New Traveller Culture').
The existence of New Travellers in the countryside as 'violators' of the rural idyll means that they occupy 'marginal spaces' (Kendall, 1997). They are physically and culturally marginalised by sedentary society which results in them creating their own identity based in this separation. McKay (1996) uses Hakim Bey's concept of the 'temporary autonomous zone' to describe the physical and conceptual space that New Travellers inhabit, creating: "pirate economies" living high off the surplus of overproduction... - and the concept of music as revolutionary social change - and finally their shared air of impermanence, of being ready to move on, shape shift, re-locate to other universities, mountain-tops, ghettos, factories, safe houses, abandoned farms - or even other plains of reality' (Bey, 1991:126). Hetherington (1998, 2000) likewise places New Travellers in a particular conceptual space which he describes as their 'utopic'. The countryside is within the New Travellers utopic understanding which conflicts with sedentarists countryside utopic. Descriptions of New Traveller use of space can be found in Chapter 4, 'New Traveller Culture: New Traveller Culture'.

The New Travellers are considered by Hetherington to be useful to sedentarists as they serve to define the boundaries created by sedentary society. By potentially breaching the boundaries they re-confirm them, their presence is all that is necessary to remind sedentary society of the need for boundaries. Thus New Travellers are functional to society, helping to provide social cohesion by testing the boundaries that society has created and therefore confirming the social order (Durkheim, 1893). By viewing the New Travellers as a functional part of normal society it is possible to ignore the resistance they represent to the condition of modernity. Their resistance, moving smoothly through striated space, highlights the inequities produced by sedentarist principles of land and property ownership (McVeigh, 1997).
An interesting area in the study of New Travellers is the evaluation of planning laws. It is clear from the literature that New Travellers find it extremely difficult to gain planning permission for living in vehicles on their own land (Davis et al, 1994, FFT, 1996a, Morris and Clements, 2002). This suggests that the consideration of New Travellers as separate from sedentarist society perpetuates when the New Travellers conform to sedentarist principles. It is important to note for the purpose of this chapter that New Travellers are marginalised by the spatial considerations of planning law, as well as by the criminal law via the CJPOA. As noted previously Bancroft (2000) contends that the CJPOA manages Travellers by controlling space, as does planning law.

New Travellers then, live on the edge of sedentary notions of the correct ordering of space. They attempt to find spaces that they can legally inhabit without fear of eviction, such as farm droves and lanes in their rural utopic. However, the CJPOA, as the previous chapter 'Application of the CJPOA' noted, encompasses all land and there is little space for the New Travellers to move on to. This has resulted in larger New Traveller sites appearing in less hidden spaces (see Chapter 4, 'New Traveller Culture') exposing the conflict between nomadism and sedentarism and potentially allowing sedentary society to re-affirm its boundaries. The re-affirmation of boundaries is carried out by the police, to whom the responsibility of eviction falls. The removal of the requirements for site provision under the Caravan Sites Act 1968 means the New Travellers have nowhere legitimate to go. Ironically then, the New Travellers are forced into more movement by the legislation that attempts to suppress nomadic lifestyles (see Chapter 6, 'Application of the CJPOA: Post Eviction'). The attempt to control the land comprehensively and thus socially control the New Travellers into becoming
sedentarists has not been wholly successful – the New Travellers continue to travel smoothly through striated space, expressing their resistance to modernity.

7.2 Police Spaces

The creation of the 'new police' at the beginning of the 19th century has been described by commentators as a rational response to crime and criminality or as an extension of state control (Reiner, 1992a, Wright, 2002). Whichever perspective is taken on this matter, or if a combination of reasons for the arrival of a public police force is accepted (Reiner, 1992a), there is little doubt that an apparent need for a public police force arose during the industrialisation of Britain. In 1829 the Metropolitan Police Act drew together the existing 450 police officers of the burgeoning industrial London area and created the Metropolitan police force. The Metropolitan police covered a particular area and was followed by newly created forces around the country based on county or borough boundaries. A principal objection to the new police was the fear of a national police force that would turn Britain into a 'police state'. Thus policing developed nationally along local lines. The County and Borough Police Act in 1856 ensured each county in England and Wales had a police force and over the next century the borough and county forces were amalgamated until, finally in 1972 only 41 police forces existed which generally followed county lines. Since its inception then, the public police has been organised according to geographic boundaries: the policing of particular spaces according to sedentary notions of boundary and order. This organisation is logical and allows for local accountability.

Each county's police force is divided into geographic areas or 'divisions' that are commonly again divided into geographically defined 'beats' which police
officers work within. In some police forces, following a 'community policing' policy, police divisions are divided into 'micro-beats' that are policed by particular 'community police officers'. So, policing is organised on a local level, according to the dictate of the individual police force, which is autonomous within the tripartite accountability structure of policing in England and Wales. Modern developments in policing have been similarly based in particular areas, or territories, with 'Community Policing', 'Zero Tolerance Policing' and 'Problem Oriented Policing' initiatives all functioning by the police defining particular spaces or zones which need to be managed to prevent crime occurring.

However, modern developments in policing have also resulted in the centralising of policing in some aspects, which particularly occurred in the 1990s. In 1991 the National Criminal Intelligence Service was set up and in 1993 the Home Office introduced the NPM ethos to policing, centralising the bureaucratic functions of the police via Circular 114/93. In 1997, the Police Act created a National Crime Squad. So, the 'new police' has developed into a national force in some respects. It is worth noting here, that even with the development of policing as a national, rather than local, force the practice of intelligence gathering, information sharing and enforcement is still bounded by conceptions of particular spaces such as rural/urban and public/private.

The job of policing is described by Herbert, in some detail, as policing space. He says that the police 'are expected to be effective agents of territoriality, to be able to control social action by controlling area' (1997:10). If the police cannot maintain or gain control of any particular area, then their legitimacy is questioned. It is thus vital, according to Herbert, that we include an examination of spatial awareness in policing in any study of the police. Although some theorists of policing have included a consideration of space in their analysis (Van
Maanen, 1974, Holdaway, 1983) Herbert criticises their perfunctory use of this tool and failure to recognise the centrality of territorial control in police action.

The police are thus undoubtedly organised according to national, regional and local boundaries and following Herbert's argument it is evident that the control of space determines the legitimacy of the police. By managing risk, or dangerousness, in particular places the police are able to maintain the status quo of sedentary society and their position as 'rule enforcers' (Becker, 1963) or 'control workers' (Rose, 2000) within it. Indeed, it is the measurement of risk in a particular place that describes the police role (Feeley and Simon, 1992). Modern society has become divided into areas that are defined by how risky they are and how dangerous the people who occupy those spaces are. As the New Travellers occupy the marginal spaces in society, or 'zones of exclusion' (Rose, 2000), and they are considered by the police to be 'police property' (see Chapter 5, 'Police Culture'), the police perceive them as dangerous or risky and thus as a threat (see Chapter 4, 'New Traveller Culture').

The pragmatic attitude of the police found in this thesis means that they attempt to deal with the threat posed by New Travellers quickly and efficiently, with minimum use of force (see Chapter 6, 'Application of CJPOA'). However, this pragmatic attitude is challenged in three particular ways. Firstly New Travellers are unwilling to move on. Secondly they stay in unusual (marginal) spaces such as farm droves and wasteland. And finally the police find the law's definitions of land confusing and this limits their ability to define space and thus control it. These three challenges to police pragmatism result in their need to utilise multiple resources to regain the control of spaces occupied by New Travellers. This control of territory is vital to the police to retain their legitimacy within sedentary society.
Because the police's legitimacy is based in their ability to control space they are prepared to use alternative means to gain that control (note the lack of due process in the pragmatic application of the law: Chapter 6, 'Application of the CJPOA). This means that the police use, not only the law and financial and manpower resources, but also less legitimate tools such as aggressive paramilitary policing techniques and alternative laws and tactics to ensure they gain control of space. This chapter will go on to present my findings on the police's management of New Travellers using these measures.

The findings of this chapter will begin by addressing the notion of New Traveller space. The CJPOA removes the ability of New Travellers to stop and mark their own space, or criminalises those who do so (McVeigh, 1997). The job of policing results in the continual moving on of New Travellers from one space to another, effectively displacing them as a 'problem' to another site and ultimately promoting their nomadism, as described above. This displacement now defines the New Traveller experience of nomadism and will be discussed initially. I will then consider and present my findings on the lack of communication between different police forces due to their conceptual and physical territoriality. Finally I will address the tools, apart from the CJPOA, used by the police to affect control of space as described above.

7.3 Displacement

In the previous chapter of this thesis, 'Application of the CJPOA', I have noted that the police are confused by the CJPOA as they have a limited understanding of the definition of 'land' and they can rarely invoke the three month ban on New Travellers returning to land. The chapter also notes that the
New Travellers are unwilling to move from a site as they have nowhere else to go. Thus the police are concerned with the displacement of New Travellers: the removal of the New Travellers from one illegal site, only for them to settle in another. The New Travellers themselves have also commented on this as a problem as they feel that they have nowhere to go and are thus forced onto larger sites which they dislike, as do the police (Chapter 4, 'New Traveller Culture'). The Home Office research that began this thesis (Bucke and James, 1998) presents the issue of displacement of Travellers as one of its key findings. Likewise studies such as Davis et al (1994), FFT (1996a) and Morris and Clements (2002) have noted the increased movement and eviction of New Travellers. So, space that New Travellers occupy is never legitimate, as they move from eviction to eviction.

The Caravan Sites Act (1968) required site provision for nomads in each county in England and Wales, but such provision was never created and the CJPOA removed such a requirement on local authorities. Therefore, the ability for New Travellers to pass through sedentary boundaries and settle occasionally has been removed. Half (9/18) of the police spoken to in this research make reference to the problem of displacement of New Travellers.

'All we do is move the problem along'. (POL – P01)

'We shouldn't move them from pillar to post when there isn't actually anywhere for them to go'. (POL – P04)

'You are perpetually going around this, you know, this vicious circle of these people coming into our county and we are having to deal with them' (POL – P06)

'Are we actually just throwing them off this site to create ourselves another problem in another part of the county?' (POL – P07)
'If you move people from one place they simply go and trespass elsewhere' (POL – P14)

As shown in Chapter 4, 'New Traveller Culture', only 3 of the 14 New Travellers interviewed felt that stopping travelling would occur because of difficulty finding sites and police eviction. Thus, the displacement of New Travellers continues because, as the New Traveller T11 says:

'They can't get rid of us, we just move around'. (TRAV – T11)

Seven police interviews included some comment regarding the displacement of New Travellers from one piece of land to a neighbouring piece of land in the immediate area (see also, Chapter 6, 'Application of the CJPOA'). One officer described the CJPOA as 'leapfrog legislation' (POL – P08) as the New Travellers simply move onto adjacent land, displacing them and requiring the whole eviction process to be followed again.

The problem of displacement results in a number of police officers viewing the process of eviction under the CJPOA negatively (7/18) and occasionally as worthless (5/18).

'From my selfish perspective there is a lot of merit in letting them stay put'. (POL – P01)

'I think that by far the biggest problem is knowing what you might do with the group once you eject them, and unless you have actually got a plan that encompasses exactly what it is you are going to do with them, don't start the procedure because all you actually do is move the problem'. (POL – P07)

Different police officers make the points that the New Travellers simply get frustrated and more antagonistic due to constant eviction, have nowhere to go, and cannot go to Traditional Traveller sites due to a mutual dislike between
types of Traveller. One officer suggests that the CJPOA has consolidated New Traveller culture:

'I think definitely Section 61 that has the effect, you know, made them stay in one place becoming a culture'. (POL – P01)

Some police officers (6/18) say that the New Traveller ‘problem’ is not one that can be dealt with by the police simply via the CJPOA because it is a social welfare matter, beyond their control. FFT (1996a) found similar police attitudes.

'I think at the level of this it is a social problem, whatever the causes, that problem will exist'. (POL – P01)

Insp. ***** said that the Act does not address the real problem with Travellers which is a social one. (POL – P16)

These officers appear to see beyond the boundaries of the law, their force and the New Travellers as deviants. Two officers even suggest that a space should be found for the New Travellers, though this may be simply serving their pragmatic concerns of resolving the matter easily and quickly (see Chapters 5 & 6, ‘Police Culture’ and ‘Application of the CJPOA’):

'They need to have somewhere which is acceptable for them to stay'. (POL – P06)

'They’ve got to go somewhere, they’ve got to end up somewhere haven’t they?' (POL – P09)

This does not mean that they perceive their responsibility as extending beyond their force boundary, but they are aware that the problem of New Traveller site provision does. A further discussion of the policing of New Travellers as a social
welfare matter is placed in the next chapter, 'From Police to Policing: Inter-Agency Working'.

A more bounded perception of the CJPOA as a tool to displace the New Travellers is put forward by four officers. Although some of these officers may recognise the displacing effect of the CJPOA, they do not see beyond their particular force boundary, and the deviance of New Travellers. On asking where they expected the New Travellers to go following eviction the officers showed little interest, so long as the New Travellers were not in their area.

Interviewer: 'Where did they go?'
Officer: 'To be honest I don't know, it wasn't our area'.
Interviewer: 'Do you think that by moving them off you are simply just displacing them somewhere else?'
Officer: 'I think I am helping them fulfil their lifestyle'.
(POL – P05)

Interviewer: 'Where did you expect them to go?'
Officer: 'We didn't, we just expected them to get out'.
(POL – P06)

One of these officers suggests that the New Travellers go 'home', as discussed previously in Chapter 5, 'Police Culture', representing the sedentarist principles of a conservative view of the social world.

So, the police view the CJPOA as acting to displace New Travellers. This displacement does not facilitate control of police spaces; rather it can pose further problems of eviction in other similar spaces. Unless the police can remove the New Travellers from their force area, it is difficult to gain control of their space. One way that officers are occasionally prepared to maintain control is by consenting to the New Travellers occupying a space, not using the CJPOA. In this research it was found that only one force did not use the CJPOA on
Travellers at all, all other forces interviewed had used it. However, it is impossible to say how often the police had not used the CJPOA, as a decision allowing New Travellers to stay on land would be discretionary and unrecorded. When New Traveller sites are tolerated by the police, they appear to be small sites (see Chapter 4, ‘New Traveller Culture’) in hidden places, such as the site I visited on a farm lane, both conceptually (out of sight, out of mind) and physically marginalised.

Having established the displacement of New Travellers and noted that the police perceive their responsibility as stopping at their force boundary, I will now go on to discuss the difference of action, policy and communication between police force areas, which evidences the striated, territorial nature of policing in England and Wales.

7.4 Different Force Areas

The police perceive their responsibility for New Travellers finishing when they reach their force border. As one officer says:

'It resolved itself because they told us that they were going into Nottinghamshire'. (POL - P07)

As each force manages New Travellers differently, according to their own force policy and their divisional practice (see Chapter 6, ‘Application of the CJPOA: Procedure Followed), it is unsurprising to find that the New Travellers (10/14) note that they are treated differently according to the force area they are in. The police also note this difference (specifically in 3 interviews, but generally there is recognition of difference between force areas).
'It depends where you go how the police treat you'. (TRAV - T02)

'It does depend where you go as to how the police are. (TRAV - T08)

The New Travellers particularly distinguish their treatment by the police as dictated by eviction, movement and surveillance (see Chapter 5, ‘Police Culture: Police Descriptions’). However, some police forces are recognised to be more or less sympathetic to them:

'Yorkshire's not a good place to travel in, around here is good'. (TRAV - T06)

'Humberside said, "Well, we are not bothered and if they come into Humberside then they can pitch here, our policy is to leave them alone". (POL - P07)

'In Brighton we parked up on council land and they weren't even bothered with you'. (TRAV - T02)

New Travellers therefore attempt to avoid whole police force areas in their travels, remaining in places with more tolerant policing policies. Four New Travellers stated that they would not travel in particular areas because of the intolerant attitude of the police there. Interestingly, each of these people said that they would not travel in Wiltshire and a further two New Travellers noted the bad reputation of Wiltshire police. This reputation emanates from the history of the policing of New Travellers and their collective understanding of the police in Wiltshire as negative due to the actions of police at the Battle of the Beanfield (see Chapter 5, ‘Police Culture: Police Action Prior to the CJPOA’):

Police tactics at Stonehenge worked – broke up the Travellers into smaller groups and people won’t travel through Wiltshire now. (TRAV - T11)
Three of the New Travellers said that they would not travel in Scotland, two of whom said that they had been, 'chased out of Scotland' by the police.

*Has moved all around the country, wouldn't go into Scotland or Wiltshire because of the police there. Has been chased out of Scotland.* (TRAV – T03)

'I wouldn't travel now in Scotland because the police are bastards there, or Wiltshire 'cos their reputation is not good and I don't want to test it'. (TRAV – T08)

The police in Wiltshire recognise their reputation and the effect that this has on other forces:

'As the Solstice is approaching we will get small groups of very small groups in Wiltshire just inside the County boundaries and just living on a piece of common land sort of thing. They won't do anything, but just outside the county boundaries they will get away with as much as they can. So Avon and Somerset, Hampshire, Thames Valley, they all have their own particular problems over the years and that's because they don't want to come into Wiltshire because they know they will be dealt with forcefully'. (POL – P06)

Two New Travellers interviewed said that they would travel in Wiltshire and had not experienced difficulty with the police there. This implies that the police are less intolerant than other counties, perhaps because they have fewer New Travellers coming into the county due to their reputation. One New Traveller, T11, expresses his resistance to the reputation of Wiltshire police and his intention to smoothly travel through any area (though he may not be prepared to stop!):

'Would travel through Wiltshire, fuck 'em, but I might not stop. No-one's going to stop me from going anywhere'. (TRAV – T11)

The least tolerant police forces physically take the New Travellers through their county by escort to be deposited in the next. Such action is similarly
noted by Morris and Clements (2002) and has been referred to as 'cross border dumping' (FFT, 1996a:26).

'Nottinghamshire police were not prepared to have them and set up a rather expensive operation to escort them through the county'. (POL – P07)

The New Traveller, T05, gave a detailed account of the forced movement of New Travellers from one police area to another:

One incident was particularly bad across lots of forces. A group of Travellers – a ‘few’ vehicles – were sent out of Bedfordshire, but no one would let them stop in their area until they eventually arrived in North Yorkshire. There was one stop on the way in Nottinghamshire because they had been travelling for 36 hours non-stop, but even in Notts they would only allow them to stop for 12 hours and they had to move on. Each police force ushered the Travellers on to the next force who ushered them on to the next. Thames Valley police had huge numbers of police blocking the roads. This was so extreme that the vehicles were not allowed to cross the road to get diesel, instead they had to park in a lay-by on one side of the road and cross the road on foot with cans for the diesel and then bring the fuel back to the vehicles and immediately move on. (TRAV – T05)

So, New Travellers and the police perceive police force areas as differing in their tolerance levels. Indeed, forces do act differently, but not necessarily according to the reputation of the forces, as Wiltshire police action shows. Some police forces are hopeful that the New Travellers will move into another county or they will physically escort them there and thus communication between forces becomes relevant.

7.5 Contact Between Force Areas

If police forces are sending New Travellers to other force areas or observing their movement into another force area, then communication of such movement to the neighbouring force is important for comprehensive policing. The SIU and NIU were created, in part, to transfer information about New Travellers
between forces to enable 'joined-up' policing. Trends in modern policing show a move towards intelligence led approaches and the police have even been perceived as 'information brokers' who are increasingly required to manage information on risk for dissemination to other agencies (Ericson and Haggerty, 1997). Indeed, such an approach is entirely relevant to certain aspects of policing. The management of information about New Travellers will be addressed in Chapter 8, 'From Police to Policing: Inter-Agency Working'. However, in examining my data on the communication between police forces and divisions, it is interesting to find that such communication is limited.

In three interviews with the police and one with a New Traveller it was noted that the police do not communicate the movement of New Travellers from one area to another, even within the same force.

'When you come to talking between one force and another, agreement locally, if not nationally, but we don't do that, it does not exist between my sub-division and the next or my section and the next one'. (POL – P01)

Got escorted through Cumbria once by police but they didn’t inform the next county they were coming which annoyed the next county. (TRAV – T11)

In five interviews with the police some communication between areas was noted. However, the only officers who spoke of such communication positively were those working as part of the SIU or NIU. In one of these interviews the officer said that each force has a,

'Designated liaison officer who is responsible for sending us information and dealing with the information we send out to that particular force'. (POL – P09)
No other police interview made any mention or showed awareness of such a designated officer. Otherwise communication between forces was considered as a negative action:

‘One of the difficulties that we had was that we heard of their movement into the county almost at the eleventh hour from Norfolk which is where they were leaving to come to us’. (POL – P07)

‘When we did the operation in the car park, we rung them up, the two neighbouring divisions. I’m tempted not to do it again because one of the divisions, literally blocked the roads to stop them coming onto their division’. (POL – P04)

One interview did mention the responsibility of handling such information as being in the hands of the SIU, but this interview was in the police force and station that the SIU was located in.

Since this research was carried out the SIU and NIU have been closed and responsibility for Travellers is held by individual forces and divisions. Thus, information on such travelling groups has followed the opposite route to the national trend of centralised information systems. The current policy in the National Policing Plan is the National Intelligence Model (NIM), ‘with information and intelligence flowing between levels and between neighbouring police forces and law enforcement agencies’ (Home Office, 2000:1). In the past, particularly during the 1980s miners strike, ‘mutual aid’ policing meant that forces communicated their needs to each other and provided manpower to manage strikers. However, it was the lack of communication between police forces that led to the unrestricted Castlemorton Common event, which resulted in the creation of the CJPOA (see Chapter 5, ‘Police Culture: Policing New Travellers’). The police in my research have still not communicated well though; retaining their sense of territory, even within their own force. The divisional management of New
Travellers now implies a similarly bounded police attitude. Thus neither the CJPOA nor modern intelligence practice removes the territorial nature of policing.

The principle of 'constabulary independence' which holds that policing policy is determined autonomously by senior police officers, without the interference of politicians, is 'entrenched in the minds of senior police officers, politicians and judges' (Jones, 2003:612). Such a policy confirms the territorial boundaries of each police force whose practice can be quite different according to the policies of the Chief Constable and the culture of the force. Reiner (2000) says that despite the similarities of police culture across areas (see Chapter 5, 'Police Culture'), there are also differences which have been evidenced by Wilson (1968), Cain (1973) and Foster (1989). Whether these differences are due to policy or cultural and political make up of any particular area is harder to determine. The territorial nature of policing is clear though and equally the differing approach of these bounded forces. The protection of the autonomous nature of police forces is of paramount importance to the service (Jones, 2003).

My findings here show that the police do not always effectively communicate with each other, hindering the process of 'joined up' policing which is part of the modern policing agenda. The autonomous nature of the police can go some way to explain the territorial nature of their practice. The importance placed on this autonomy by the police can be explained as a protective attitude which impedes attempts to create cross-border communication or inter-agency working (Crawford and Jones, 1996). Public policy may be for a more integrated policing approach across areas, but the protection of territorial autonomy at the local level of policing leads to a poor or perfunctory practical application of such policy. According to Lipsky (1980) such practice is more common amongst organisations where there are high local levels of discretion, which the police
certainly represent. I will go on to discuss inter-agency working in more depth in Chapter 8, 'Police to Policing: Inter-Agency Working'. This discussion, as do most, will focus on the relationship between the police and other welfare providers. The point here is that the police are not necessarily working together between their own forces, which confirms the territorial nature of their practice and their consequent difficulty in managing New Travellers without recourse to tactics beyond the law as described above in 'Displacement', in Chapter 6, 'Application of the CJPOA' and below in 'Guerrilla Tactics'.

7.6 Guerrilla Tactics

In a paper presented at the British Criminology Conference in 2000 (James and Innes, 2000), my colleague, Martin Innes and myself considered the policing of 'mobile communities', addressing the concept of spatial awareness in policing. Here we identified the use of tactics by the police which we referred to as 'guerrilla tactics'. I intend to continue to use this term as it is effective in conveying the meaning of the police action I will go on to describe in this section. Guerrilla actions are 'surprise attacks' (Robinson and Davidson, 1999:595) which erode stability by threatening communications and causing 'expense, havoc, and damage to morale over a potentially indefinite period' (Isaacs, 2001:547). As the police are legitimated by their control of space (Herbert, 1997) they will carry out practice that ensures such control, even if it involves alternative methods to those we recognise as traditional policing which is encapsulated in investigation, arrest and prosecution. To maintain order the police will engage in disruption, destabilisation and spatial exclusion of the New Travellers to move them on, or control them within a particular space. Other examples of the use of disruption tactics by the police have been evidenced by researchers investigating the policing of stolen goods (Kock et al, 1995, Clarke, 1999 and Sutton et al, 2001).
and the policing of 'serious crime' such as drug trafficking (Gill, 1994). Maguire (2000) suggests that 'disruption' is a technique used as part of modern proactive, intelligence led policing that has developed in recent years (See Chapter 8, 'From Police to Policing').

The policing of New Travellers as a matter of maintaining public order was formalised by their management in the law under the Public Order Act 1986 and the CJPOA. I have outlined the literature on public order policing in Chapter 2, 'Literature Review' presenting the main issues in this area and revisiting them in Chapters 5 & 6, 'Police Culture' and 'Application of the CJPOA'. To summarise very briefly: the policing of public order has been understood in the academic literature as a 'two pronged' approach whereby the police deal with problems preemptively at first using intelligence and negotiation, followed by the use of paramilitary tactics when disorder occurs (King and Brearley, 1996). Discussions of public order policing focus on the genesis of public order problems and their legitimate management via paramilitarism. King and Brearley have cited the policing of New Travellers as an example of 'two pronged' policing. I will propose in this section that a third 'prong' needs to be added to an exploration of the policing of New Travellers which addresses guerrilla tactics by police.

I have already evidenced the negotiating stance of the police in dealing with New Travellers, and likewise, the use of paramilitarism is also evident in some of the analysis I have presented: in Chapter 6, 'Application of the CJPOA' I have shown that the police will call upon their full resources and a show of force to evict New Travellers from land when negotiation is ineffective (I will consider the use of 'intelligence' in the next chapter, 'From Police to Policing'). In the history of policing New Travellers paramilitarism has been used, most famously at the Battle of the Beanfield in 1985 (see Chapter 5, 'Police Culture: Policing New
Such experience has resulted in New Travellers having an ambivalent attitude towards the police, showing fear and animosity when evicted, on the move and under surveillance. Likewise the police are similarly ambivalent towards the New Travellers with a general acceptance, countered by fear and animosity at such times (Chapters 4 & 5, ‘New Traveller Culture’ and ‘Police Culture’). Before I discuss guerrilla tactics it is necessary to elaborate on further data which evidences aggressive styles of policing that reflect the literature on the paramilitary policing of public order problems. It should be noted here that the actions described are generally not as extreme or as common as those recounted by New Travellers, police and in the literature as occurring in the 1980s (see Chapter 5, ‘Police Culture: Police Action Prior to the CJPOA’).

There are twenty occasions in my data when either the police or New Travellers have mentioned the use of aggressive policing in their current experience. Most commonly spoken of was the use of large numbers of police officers to carry out evictions. Such large numbers of police were noted to be dressed in riot gear or accompanied by large vans and JCB’s for removing New Traveller vehicles.

\[\text{The police turned up in large numbers with vans and JCB's. (TRAV - T05)}\]

\[\text{At Braeburn though the eviction was 'pretty brutal', with JCB's and loads of police. (TRAV - T08)}\]

\[\text{Officer: 'When we kicked them off the last site at Brauncewell we used 120 policemen'. \quad \text{Interviewer: 'In riot gear?'}}\]

\[\text{Officer: 'Part of them in riot gear, yeah'. (POL - P07)}\]
One New Traveller noted damage caused to vehicles by police in the eviction process. In two interviews mention was made of the removal of children by the police:

"The police separated me from the kids until I would give them proof of my ID. It was terrible, the kids were really screaming and upset." (TRAV – T01)

In one interview the police officer mentions the use of army helicopters as support prior to eviction. In another the officer says that armed police are used in eviction:

"We arrived with the fleet of armed vehicles and a number of officers aboard and said you know, the time has come, your time is up!" (POL – P06)

Such extreme tactics, including the deployment of armed police officers, to carry out an eviction of New Travellers exemplifies the paramilitarism of public order policing, which continues to occur despite its reduction in use compared to the policing of New Travellers in the 1980s. These findings also reflect other research in this area (Earle et al, 1994, FFT, 1996a, Hester, 2000). When the police use a ‘show of force’, as described in Chapter 6, ‘Application of the CJPOA’, they utilise the full range of their resources. Managing New Travellers in this way is therefore costly and the keenness of police to minimise such cost (see Chapter 6, ‘Application of the CJPOA: Resources) and the pragmatism of senior officers results in use of other methods. The police will use guerrilla tactics to maintain control of their territory when the New Travellers travel through it or attempt to settle in it.

Having described the New Travellers as culturally understood by the police via the stereotype of ‘police property’ (Reiner, 1992a) in Chapter 5, ‘Police Culture’, and using the definition to understand the failure of due process in
Chapter 6, 'Application of the CJPOA', it is worth re-visiting this definition as a reminder of the continual effect it has on treatment of New Travellers, beyond perception and process. Reiner (1992a:118) says that, 'The concern with "police property" is not so much to enforce the law as to maintain order using the law as one resource among others'. Thus the police follow the traditional public order policing route described above, with negotiation and paramilitarism used to effect control. However, the pragmatic concern of the police in dealing with New Travellers (see Chapter 5, 'Police Culture') and their desire to win (D. Waddington et al, 1989) control of space results in their also using tactics of disruption, de-stabilisation and spatial exclusion. Johnston suggests that 'techniques of disorganisation' are used by security services in the management of organised crime. He says that the object of this is to, "make life difficult" for those whom conventional law enforcement agencies cannot reach' (2000:60). Indeed, he suggests that such tactics are becoming more common in late modern society. In the case of New Travellers guerrilla tactics appear to be used as one tool out of many to quickly and efficiently manage the New Travellers. The impact of late modernity on policing styles will be discussed in the next chapter.

I will now go through each of the guerrilla tactics used by the police on New Travellers. To 'disrupt' a group is to 'interrupt the progress of it' (Collins, 1989:240), whereas to de-stabilise a group is to remove its lasting steady position or balance (Collins, 1989: 829). When the police act to manage the New Travellers, they commonly cause disruption to them, but some of their actions de-stabilise the New Traveller community itself, as well as causing general disruption. One tactic mentioned by a police officer in my data is the use of telephone calls to a particular group of New Travellers with the aim of disrupting their network of communication. One New Traveller notes action by the police to move the New Travellers a number of feet from their original stopping place:
'They did come when we first got here and made us move ten feet. We were parked up over there by those trees and they made us move here on to the path as apparently it's OK here but not there, so all these coppers came down just to move us ten feet'. (TRAV – T11)

Other similarly disrupting action is the use of stop and search powers by the police which has been recorded by other research into New Travellers (FFT, 1996a) and is evidenced in my data.

You’re pulled by the police all the time you are actually on the road. (TRAV – T03)

The police were alright except when they were always stopping you. (TRAV – T02)

Actions by the police which are disruptive, but also cause to de-stabilise the New Traveller culture are particularly interesting to note. Three police officers and one New Traveller mention the 'raids' carried out by police on New Traveller sites. These actions are the arrival on site of police officers who are searching for particular items; either drugs or stolen goods (note the connection here with disruption techniques used by police to deal with the handling of stolen goods, Kock et al, 1995).

'There was a great long battle (between different landowners) and we got sick of this so we did a big drugs raid and they went'. (POL – P17)

'There were a variety of drugs raids that we did during the course of their stay and we recovered bits and pieces, cannabis, nothing of significance in terms of volume'. (POL – P07)

'I woke up and there were 150 fucking police in riot gear coming over the hill in front of me, I thought it was a fucking early eviction, and all it was for was this one nicked vehicle'. (TRAV – T03)
As has already been noted in Chapter 4, 'New Traveller Culture', the level of crime amongst New Travellers is minimal and recognised as such by the police. However, they continue to use raids on New Traveller sites. These actions are clearly disruptive, but they will also act to de-stabilise the community created by the New Travellers who become fearful of raids occurring and fearful of members of their community partaking in illegal activity. Such fear will undermine the good community relations created on many New Traveller sites (see Chapter 4, 'New Traveller Culture'). Fear of crime is an increasing problem in Britain (Povey et al, 2003) which undermines community feeling and involvement (Etzioni, 1993). The presence of police can actually serve to increase fear (Crawford et al, 2003).

I have already mentioned the use of 'stop and search' procedures and 'raids' by the police to cause disruption and these actions are accompanied by use of legislation. Thus the police use drugs and property legislation to make arrests. However, such criminal behaviour by the New Travellers is also ignored or not acted upon by the police. As already noted in Chapter 5, 'Police Culture', the police do not always apply drugs legislation. As the following quote shows, the police appear to be using legislation other than the CJPOA as a tool to manage the New Travellers.

_We are better than others (at) enforcing criminal legislation, convention usually drugs legislation and we do hit them fairly frequently with the Misuse of Drugs Act, so that has been fairly effective, but I am bound to say that I think they have got wise because, well certainly in my sub-division there is very little drug activity._ (POL – P01)

The variable use of legislation is particularly noticeable when we look at the application of vehicle legislation. Earle et al note that the police remove New Travellers 'turning a blind eye to illegality just to get them off the land' (1994:126),
only for them to be stopped and charged for no MOT, tax and insurance while travelling to their next available site. My data shows similar findings which should be considered alongside the evidence of stop and search procedures discussed above:

'To be honest we don't worry about that because it defeats the object not to let them go on the road because they haven't got tax'. (POL – P05)

'Now the Ford Anglia itself will be taxed, MOT, all of the works, their main truck, their main lorry will be decrepit and you are left with a dilemma, the local people want shot of these people, the vehicles are often not safe to be on the road and you have got this dilemma, do I put these people on the road in unsafe vehicles or if I confiscate the vehicle, put an order on the vehicle preventing its movement I am stuck with the people'. (POL – P07)

'On occasions what we've done is we've sat outside where they camped and every time they drive onto the road we've stopped them and reported them for no insurance because invariably they haven't got insurance'. (POL – P03)

The variable use of vehicle legislation is de-stabilising to the New Travellers as the potential removal of their vehicles means the removal of their homes. Having defined the nomadic status of the New Travellers as their principal cultural characteristic, their vehicles become extremely important in expressing their culture (see Chapter 4, 'New Traveller Culture').

So, the police use the guerrilla tactics of disruption and de-stabilisation as part of their ‘toolkit’ to manage the New Travellers. I will now go on to detail the use of spatial exclusion by the police as a third alternative tactic to deal with the New Travellers. I have already detailed above in ‘Different Force Areas’ that the police will sometimes escort New Travellers through their territory, not allowing them to stop. This practice clearly excludes the New Travellers spatially from settling in a particular police territory. In Jefferson's (1987) article on paramilitary policing he notes large numbers of armed police physically move
people around which can cause resentment from those moved. Clearly Jefferson is talking about the movement of crowds, but the principle he discusses is very relevant here. The police that are described above as escorting New Travellers through their area are also described as drawing on a large number of resources. Thus a great effort is put into ensuring the spatial exclusion of New Travellers by police escorts. In two interviews it is even noted that the police are prepared to give the New Travellers money for fuel to facilitate their movement out of the police territory:

'We have actually given them five pounds of diesel to which to move them on'. (POL – P01)

The police gave the Travellers diesel to ensure they did not stop. (TRAV – T05)

Spatial exclusion is most commonly carried out in areas by the 'bunding' (protection) (Morris and Clements, 2002:85) of land. This means the physical blocking of areas by ditch digging or dumping of hardcore or gravel at entrances to land or in lay-bys. In some cases it may mean the blocking of land by vehicles. There is evidence to show that a number of people 'bund' land, including landowners, local authorities and police (Morris and Clements, 2002, FFT, 1996a, Earle et al, 1994, Hester, 2000).

'We were able to prevent the whole of the group going by blocking the access'. (POL – P07)

'If we know they are going on to a piece of land, and I've done it myself, I put my car across the entrance to the car park to stop them driving on'. (POL – P18)

Overall then, the police use a number of guerrilla tactics to manage New Travellers. They police according to our traditional understanding of public order
policing, utilising negotiation and paramilitary tactics, but it is necessary for an analysis of the policing of New Travellers to consider methods used beyond these. It is possible that such tools of deviance management are part of the peace keeping role of the police which is not aggressive and serves to protect the police from public criticism (Johnston, 2000). However, the perception of New Travellers as 'police property' in Reiner's (1992a) typology removes the importance of public opinion and is supported by the fact that there has been little public outcry when the treatment of the New Travellers by police has been questioned. I would suggest that the practice of 'guerrilla tactics' by the police is more likely an extension of their pragmatic attempt to deal with the New Travellers quickly and efficiently and thus maintaining legitimacy by controlling their particular territory (Herbert, 1997).

7.7 Conclusion

In this chapter I have utilised spatial theorising to understand the policing of New Travellers. Drawing particularly from Herbert’s (1997) work on policing in the USA and the spatial theorising of academics exploring New Traveller culture I have outlined the particular way that New Travellers and police conceive and use space. Industrial capitalism promotes sedentarism and thus those who attempt to exist as nomads in this society create tension by violating sedentarist boundaries and highlighting inequities in modernity. New Travellers are therefore a threat to the norms of sedentarism, posing a risk that the police must ultimately manage (see Chapter 8, 'From Police to Policing: Inter-Agency Working').

The CJPOA removes all available space for New Travellers to settle on which has actually served to highlight the conflict between nomadism and sedentarism. Rather than exerting social control over New Travellers by stopping
them from travelling the legislation has re-affirmed their nomadic status: the police continually move them on, increasing their nomadic habit rather than promoting their settlement. The New Travellers are therefore fulfilling their boundary setting role according to Hetherington (2000). In modern society New Travellers exist in marginal spaces from which they will not move into sedentarist environments.

The bounded nature of policing is shown in this chapter to result in different practices in police forces and a lack of communication between areas, which again perpetuates the disjuncture between sedentarism and nomadism. The police perceive their responsibility for New Travellers as ending at their force border and are occasionally prepared to carry out 'cross border dumping' where New Travellers are escorted into the neighbouring force without communication of their arrival. Such action and the 'bunding' of spaces to prevent New Traveller settlement in a force area evidences the territorial nature of policing and has been explained here as a consequence of the autonomous independence of police constabularies. The police are therefore failing to provide 'joined up' policing which is part of national policy via the NIM. Such communication in policing could potentially address New Travellers 'smooth' movement through 'striated' space (Halfacree, 1996). Communication between forces and with other agencies is discussed further in the next chapter.

As the CJPOA does not facilitate effective police control of space without use of resources and force and the police require such control to retain their legitimacy, they employ 'guerrilla tactics' to manage New Travellers. Guerrilla tactics create a third 'prong' to our understanding of public order policing, additional to the pre-emptive strategies and paramilitarism already used by academics and this thesis to address such action. I have presented evidence in
this chapter of the police controlling space using aggressive tactics which furthers the previous discussion of use of force in Chapter 6, 'Application of the CJPOA' and outlines the continued relevance of analyses of paramilitarism. I have then gone on to explore the use of guerrilla tactics that involve the disruption, destabilisation and spatial exclusion of New Travellers by police. The use of such tactics on New Travellers is particularly relevant as they have the potential to 'eliminate' such 'problems' (Maguire, 2000:319) as the New Traveller network (as perceived by police – see Chapter 4, 'New Traveller Culture: Networks') in the same way that they are used to deal with criminal networks. Hence the high cost of using the CJPOA may be averted by new policing measures that similarly aim to remove New Travellers from sedentary spaces and thus resolve the conflict between nomadism and sedentarism. In the next chapter I will go on to address other new techniques in policing which aim to provide proactive policing of risk in late modernity.
8. FROM POLICE TO POLICING

In this chapter I will assess the changes that have occurred in late modern society in policing which are commonly understood as signifying a move from traditional understandings of the single agency of public 'police' to 'policing' carried out on multiple sites by multiple agencies. I will begin by briefly outlining the concept of 'late modernity' and relating its relevant principles to the study of policing. I will then place these theoretical ideas with the development of policing policy and practice since the 1970s, particularly charting the effect of Thatcherism on the police service in the 1980s. Having presented the concept of change in policing theory and practice I will go on to outline two particular academic arguments which put the case for and against the idea that there has been a fundamental 'transformation' in policing. By critically addressing these ideas I will then be able to present my data using the most relevant concepts put forward: risk based policing, use of new technology and changed management and organisation in the police. These three areas reflect the literature on late modernity and thus my data evidences a shift in policing practice, if not a 'transformation', at the end of the 20th century.

8.1 Policing in Late Modernity

Social theorists tend to argue that society has changed in the last three decades from a state of modernity to one of late modernity (Giddens, 1990, Beck, 1992, Garland and Sparks, 2000, Rose, 2000). This change in society has come about due to a process of both economic and political globalisation which has occurred and is particularly signified by the expansion and speed of communication and information due to new abilities in technology. Other characteristics of late modernity outlined by Giddens (1990) and Beck (1992) are
reflexivity, risk awareness, increased importance of the cultural as expressed through lifestyle and consumption, political scepticism, recognition of connections between ideas, processes and spaces, responsibility towards the environment (O’Donnell, 1997). Late modernity is perceived by Giddens and Beck as a stage of the modern period, rather than a complete and fundamental epochal break from modernity. Indeed, many aspects of modernity continue to structure the social world: our reliance on and belief in the rationality of science, our aim to socially progress, nationalism, emphasis on economic growth, power of the state and complacency in the natural environment (O’Donnell, 1997). Some theorists such as Bauman (1993) argue that society is in a post modern state, which resembles a distinct break from modernity. However, the principal aspects of modernity, which continue to structure society as described above, and the industrial capitalist state through which modernity functions has not changed, hence my use of the term and understanding of 'late modernity'. This thesis will go on to discuss the relevance of late modern changes to society as represented in police action, but also aims to make clear the importance of more traditional theorising on policing which works from the perspective of modernity. Despite the difference in opinion on the connection between modernity and late or post modernity in academia, the characteristics of societal change in recent decades are generally agreed between social scientists. It is from within this framework of ideas that criminologists have developed theories of criminality and control.

Garland and Sparks suggest that the coming of late modernity has been accompanied by the reorganisation of social class (in Britain) and these two ‘transformative dynamics’ have ‘changed the way we think and act upon crime’ (2000:15). Late modernity and class upheaval have removed restrictions in social life for people and thus they are able to make more choices in communication, consumption and culture. However, accompanying this new order is a new
disorder and general insecurity in society as high crime rates are normalised. It should be noted here that these 'high crime rates' are disputed within academia on the basis that they simply reflect changes in recording practices or artefacts of changes in tolerance of particular behaviours and more efficient enforcement (Maguire, 1997). Garland (1996) describes the culture which has developed around this normalisation of perceived high crime rates as the 'crime complex' in late modernity. 'The primary themes of the new penal policies – the expression of punitive sentiment, concern for victims, public protection, exclusion, enhanced control – are grounded in a new collective experience from which they draw their meaning and their strength' (Garland and Sparks, 2000: 17). People are fearful of becoming victims of crime, they are frustrated by their experience of criminality and impatient and untrusting of measures to deal with offenders. As Lianos and Douglas say in their chapter of Garland and Sparks edited collection of essays, the world appears a more dangerous place than it has done in the past because we are constantly reminded of the risk of victimisation by crime prevention tools and technologies, related public awareness campaigns and the mass media; people are aware of the risks in society and 'the potential dangerousness of other people' (2000:103).

In a society where the measurement of risk is paramount to provide security to individuals, technology holds a revered position. Risk can be identified and managed through the use of technology such as closed circuit television (CCTV) and computer collated databases of crime and criminal information. 'Policing' is thus carried out by technology itself, particularly in the case of voice and face recognition computer systems (Norris, 1995). Foucault's (1975) 'panopticon society' is perhaps realised, as power is enacted in all aspects of societal interaction and surveillance occurs beyond individuals, it has become, 'ubiquitous, automatic and anonymous' (Parker and Sim, 1997:85). Johnston
(2000) says that technological developments in the second half of the 20th century have resulted in more expert surveillance systems. Although the police have been using surveillance techniques for a number of years, the technology available now means that surveillance has expanded in police action. Johnston describes this development of surveillance as ‘the cement which binds together the various risk based strategies’ (2000:61) in policing.

So, risk management is increasingly carried out by the police in late modernity. This proactive, rather than reactive policing style is facilitated by the use of surveillance, aided by the development of technology, to identify risky or dangerous groups and individuals. ‘Risk management is actuarial, proactive and anticipatory, the application of those principles requiring the collation and analysis of information obtained through the systematic surveillance of those at risk or likely to cause risk’ (Johnston, 2000:56). Simon (1988) pointed out that a new ‘actuarial’ style of control was ensuing in late modernity, where the job of control agencies is to ensure the exclusion of those who are dangerous, rather than incorporating them. Such bounded treatment of people is examined in the previous chapter of this thesis on ‘Policing Space’. Ericson and Haggerty (1997) suggest that the risk based strategies used by the police, via this actuarial style of control have changed the structure and organisation of the police, resulting in their being ‘information brokers’ amid numerous agencies who carry out a policing function.

I have already identified a lack of communication between police forces in this thesis (see Chapter 7, ‘Policing Space’) and thus am loath to view the police as simply functioning on this communicative level. However, their role as communicators of risk in a multi-agency environment is apparent in some circumstances. To return to Johnston’s (2000) analysis, the police in late
modernity respond to the complex nature of society in a similarly complex way. As well as being pragmatic as described in Chapter 5, 'Police Culture', they respond reactively, as described in the quick and forceful tactics used when dealing with New Travellers outlined in Chapters 6 & 7, 'Application of the CJPOA: Ease/Difficulty of Applying the CJPOA' and 'Policing Space: Guerrilla Tactics'. They also act proactively in some circumstances, as I will go on to describe in this chapter. King and Brearley (1996) note the use of surveillance and intelligence gathering methods by police in managing the Castlemorton Common event that was a catalyst to the creation of the CJPOA. The use of 'guerrilla tactics' by police (see Chapter 7, 'Policing Space: Guerrilla Tactics') is both proactive and reactive as the police manage the risky population of New Travellers by a variety of both pre-emptive and reactive strategies.

Thus, in late modern society the police role has developed into one which requires the management of risk as well as traditional protective and investigative functions. In order to understand the changes in policing we must be aware of the change in society which has occurred due to increased communication between states: globalisation (Leishman et al, 1996). The perception of and measurement of risk has grown out of the insecurity of society as communication has developed. We have more information and are therefore aware of the risks surrounding us. This communication occurs on a global level, crossing state boundaries. Although the mass media play a major role, aided by new information communication technologies, the resultant change in our perception of risk has been facilitated by government policy which has particularly developed since the 1970s.

'Risk is an invention based on imagined fears and on imaginative technologies for dealing with them' (Ericson and Haggerty, 1997:39). Within 'risk
society the police thus rely increasingly on intelligence gained by surveillance. Such intelligence is 'brokered' by the police (Ericson and Haggerty, 1997) and shared between other state agencies who facilitate control in society alongside the police as part of the dispersal of discipline described by Cohen (1985). The requirement to share information is necessary as, 'crime can no longer be effectively controlled by what have become the traditional responses of the central state and the criminal justice institutions' (Maguire, 2003: 386). So, rather than control occurring via the 'police', control occurs as a result of 'policing' by surveillance tools and multiple state and private agencies. This is exemplified in the National Intelligence Model (NIM) which intends to provide 'solutions' to crime problems from outside of the criminal justice system via functioning partnerships with outside agencies. The NIM has been designed by the National Criminal Intelligence Service, as a 'business model' for policing (Maguire, 2003), incorporating commercial business strategies for gaining 'efficiency and effectiveness' in policing.

Overall then, the changes in society that have occurred due to the process of late modernity have had a direct impact on policing. Society continues to be structured by industrial capitalism, following sedentarist principles (as outlined in Chapter 7, 'Policing Space'), but the development of global communication and technology has meant a qualitative shift in the functioning of the social world. Bayley and Shearing (1996) suggest that there has been a 'transformation' in policing whereby there has been a pluralization of policing and a search for a new identity in the public police. Jones and Newburn (2002) have responded to this thesis, saying that there have been changes in policing in Britain, but these do not constitute a 'transformation', but rather show a gradual shift that has been noted by many authors as a part of the process of late modern change. Jones and Newburn say that there are five areas of this shift identified by
In this chapter I will analyse my data by considering three of the areas identified by Jones and Newburn and discussed broadly above. Firstly I will address the reorganisation and management of policing by considering the degree to which the police work with other agencies. I will then go on to consider the use of new technology and risk based styles of policing by analysing the use of surveillance and intelligence gathering techniques by the police when dealing with New Travellers. By focusing on these three aspects of policing I do not mean to ignore the relevance of private security and transnational policing. Indeed in James and Innes (2000) the relevance of these aspects of policing were discussed as wholly relevant to the practice of policing in late modernity. For the purposes of this thesis however, neither the use of private security, nor transnationalism have arisen from the data as relevant analytic tools.

In order to contextualise the changes in society and policing I will now go on to describe the process of change in policy and practice relating to policing in the past three decades.

8.2 Changing Policing

Johnston (2000) and Leishman et al (1996) note that the process of globalisation, which underpins late modernity, informed the reform agenda of the British Conservative Party in the 1980s and 1990s. As the global society developed via increased communication and information, so the British government responded with radically new ideas of how to manage the public.
services. Leishman et al (1996) argue that globalisation has resulted in the restructuring of states with a transition from the 'welfare state' to the 'competition state' (Cerny, 1990). It is also the case that the British Labour Party has been similarly influenced since they gained power in 1997. Hence it is important to consider the process of change that has occurred in these years and affected the police.

In the 1970s policing became politicised (Reiner, 1992a) and the Police Federation supported the Conservative Party, who gained power in 1979 under the leadership of Margaret Thatcher with a 'right realist' agenda. The Conservative Party were the champions of 'law and order' political rhetoric at this time, supporting the police when other public services were being cut. The police received increased funding from central government, with better pay, higher numbers and more expenditure. However, crime rates continued to rise and the Conservatives, although still committed to a 'law and order' principle, stopped trying to reduce crime figures by increased funding of police. Instead they began to pursue a 'Financial Management Initiative' (FMI).

'The FMI was generally designed to encourage effectiveness, efficiency, and cost savings in the public sector services by applying private sector management methods and imposing market disciplines on them' (Morgan and Newburn, 1997: 47). Leishman et al, refer to this process as the influx of New Public Management (NPM) in government policy. They connect the use of NPM to the process of globalisation itself as it represents the 'hollowing out of the state', as 'peripheral functions are shedded to focus upon the core competencies of the state that enhance it's competitive function' (1996:10). Leishman et al describe the key characteristics of NPM as: 'private good, public bad', competition, centralisation, decentralisation and fragmentation (1996: 11).
practical terms the pressure for 'effectiveness and efficiency' by use of market led, commercial sector business techniques began with Home Office Circular 114/83, produced in 1983, entitled 'Manpower, Effectiveness and Efficiency in the Police Service' (Home Office, 1983). This document presented new management strategies for the police, including 'Policing by Objectives', giving 'value for money'. It was at this point that police support for the Conservative government began to wane (Morgan and Newburn, 1997). Indeed, Leishman et al (1996) point out that the police were ultimately to resist the changes imposed on them by the Conservative Government, despite their initial support for the Party.

In the 1990s the Conservatives took their reform agenda forward through the use of legislation, whereas previously they had used guidance via Circulars (such as Home Office Circular 106/88). They used 'penal populism' according to Bottoms (1995) to maintain their popularity by introducing hard-line legislation and essentially 'governing through crime' (Simon, 1997). The 1992 White Paper on ‘Police Reform’ resulted in the Police and Magistrates Court Act 1994 (PMCA). This Act created the biggest changes to policing for thirty years, resulting in a de facto national police force (Reiner, 2000:168). The police were to receive three quarters of their expenditure from central government and the Home Office would set national objectives. Police authorities were required to produce a policing plan and set performance targets for achieving Home Office objectives. It should be noted here that this 'top down' approach in public policy has been shown in research to be subverted according to local needs and conditions (Pressman and Wildavsky, 1973, Lipsky, 1980). Such use of the law according to local interpretation has been highlighted recently by the Soham murder trial which showed the Humberside police had interpreted the Data Protection Act 1998 distinctively. The PMCA also reduced the size of police authorities and their make up was altered, including fewer democratically elected members. The role of the
police authority was also changed from their requirement to maintain an 'adequate and efficient' force to an 'efficient and effective' force. This change in terminology typifies the use of business ethics (NPM) in managing the police through the PMCA. The PMCA resulted in a weakening of the role of the police authority in the tripartite structure of police accountability set down in the Police Act 1964.

Following the 'Police Reform' White Paper in 1992, the Sheehy Enquiry Report and the Core and Ancillary Tasks Review in 1993 introduced further private business principles to policing. Although the government did not take up all the suggestions put forward by these reports a number of policing tasks were removed such as the transportation of prisoners and escorting wide loads on motorways. The changes brought about by government advice and legislation appeared to make little difference to crime rates though. 'As crime rates continued to rise, despite the increase in resources devoted to policing in the early 1980s, the causes of crime were said to be more complex and the responsibility for preventing it more diffuse' (Morgan and Newburn, 1997:58). Thus a process of 'responsibilisation' (Garland, 2001) has occurred, whereby the public themselves and both public and private organisations are responsible for the management of their own risk. The police cannot be seen as the sole managers of risk in society. Crime prevention strategies were developed and increased in importance throughout the 1990s (Gilling, 1997). There is general agreement with the responsibilisation thesis in academia; 'order and security ultimately depend not on formal agencies of criminal justice, but on informal social controls exercised within civil society' (Loader and Sparks, 2002:89). But, as Loader and Sparks continue to say, it does not provide equity as police services are moved to benefit the advantaged in society, rather than the
disadvantaged who cannot financially or socially support prevention strategies themselves (Shearing, 1996).

Alongside the development of crime prevention, an increased focus on local consultation and inter-agency working has developed. This again places the responsibility for the management of crime and criminals, or the risk of them occurring, in multiple sites. In 1984 Home Office Circular 8/84 encouraged all agencies to get involved in crime prevention and in 1990 a further Circular (44/90) identified successful partnership working. The Morgan Report of 1991 (Home Office, 1991) fully supported a partnership approach, although it was largely ignored by the Conservative government due to cost (Wright, 2002). The focus on inter-agency working has been emphasised and legislated by the Labour Government who came into power in 1997. The Crime and Disorder Act 1998 (CDA) follows the recommendations of the Morgan Report, stating the need for a partnership approach to policing, where the police work with other agencies to resolve crime problems. Incorporated in this Act is the requirement for 'Best Value' in practice: confirming the New Labour government approach to crime as a continuation of the previous governments' market led, commercial business approach. There is a tension between the use of NPM and partnerships in policing however, as the police are torn between 'joined up' working; viewing crime as a social problem, and strict performance measures of their crime clear up rates (see Chapter 7, 'Policing Space' and Long, 2003). Most recently the Police Reform Act 2002 has been passed which describes policing as a function carried out by numerous agencies, one of whom is the police (Newburn, 2003). The move from our conception of the 'police' to one of 'policing' has thus been legislated.
The Audit Commission has played an increasingly important role in the development of the police in the last thirty years. Their remit is to ensure that 'public money is spent economically, efficiently, and effectively in the areas of local government, housing, health and criminal justice services' (Audit Commission, 2003:1). The Commission has therefore been influential in promoting commercial business ideas as resolving issues of efficiency and effectiveness in policing. Reports have been produced throughout the 1990s by the Commission on policing. In 1993 the Commission reported that a proactive, intelligence led approach in policing would be effective in providing well collated information. The reality of intelligence led policing has been shown by research to be less ideal however as the process of gathering and utilising intelligence can break down due to limited resources, poor communication and time constraints (Innes et al, 2002).

Tilley (2003) argues that the use of 'intelligence led' policing fits well with traditional policing methods and incorporates aspects of other new policing styles such as 'problem oriented policing' (Goldstein, 1990) and 'community policing' (Alderson, 1979). Each of these styles of policing is apparently proactive, rather than reactive. Intelligence led policing has been incorporated into police practice to a large degree, particularly supported by the use of surveillance and modern technology (Maguire, 2000). As Her Majesty's Inspectorate of Constabulary (HMIC) noted in 1997, 'good quality intelligence is the life blood' of modern policing' (HMIC, 1997:1). It is important to note however, the concerns expressed as to the ethics of this style of policing (Tilley, 2003, Reiner, 2000, Maguire, 2000). In terms of using intelligence led policing for dealing with public order matters, HMIC endorses the use of such methods as a more cost effective form of policing potential disorder (HMIC, 1999).
Since the 1970s then policing has been changing and despite some efforts by the police to prevent this change, and a large gap between policy and the calibre and consistency of practice on the ground, we must now conceive of the police as an organisation amongst many who are required to carry out a policing function. The reform of the police was initially carried out under the auspices of the Conservative government, but has continued under New Labour. The condition of late modernity and the reforming agenda of the Conservative and Labour governments has resulted in changes to the police force and our conception of policing in Britain. 'The development of “intelligence led”, risk oriented, inter-agency, and “partnership” policing methods has accentuated the breadth and depth of pre-emptive surveillance and analysis in all police forces' (Reiner, 2000: 76). It should be recognised, however, that the use of these methods of policing runs alongside disciplinary approaches as described in Chapters 6 & 7, ‘Application of the CJPOA’ and ‘Policing Space’. The pragmatic approach of police to resolve matters with a minimum of effort and resources fits well with the ‘efficient and effective’ nature of intelligence based, risk managing methods, but also promotes the use of disciplinary (and occasionally military) methods (O’Malley, 1992). This combination of risk-based and disciplinary techniques in policing ‘exposes issues of justice, effectiveness, and accountability’ (Johnston, 2000:69). The policing of New Travellers is already noted as minimising the likelihood of due process as New Travellers tend to leave a site before formal eviction procedures begin due to the pre-emptive, pragmatic approach adopted by the police in dealing with them and their fear of aggressive eviction (see Chapter 6, ‘Application of the CJPOA’).

Having outlined the academic descriptions of policing in late modernity and the effects of government policy and legislation on police practice I will now go on to outline my findings in this area. I will return to Jones and Newburn's
(2002) analysis of late modern policing addressing inter-agency working and intelligence led, surveillance policing to consider the degree of changed management and organisation in the police and the impact of risk based policing using new technology.

8.3 Inter-Agency Working

The organisation and management of the police denotes their priorities. In Chapter 7, 'Policing Space', I have noted that some police officers view the management of New Travellers as a social matter, rather than a criminal one which would be of concern to police. The drawing of a distinction between 'criminal' and 'social' or welfare issues is interesting as it relates the discussion here to the original and current functions of the police. The police service originally dealt with a number of tasks in the community, including fire services, regulation of businesses and surveying of roads. Indeed, the current police service likewise carries out numerous functions apart from dealing with crime and criminals. The police manage traffic, announce sudden deaths and deal with domestic disputes. These non-criminal functions have lessened in importance for those managing police and making policy in policing in the last couple of decades. The police are measured on their performance in dealing with crime via the Police and Magistrates Court Act (1994) and they have been described in late modernity as being a 'professionalized' force whose principal role is to manage crime. Political rhetoric has also defined the police role as crime oriented - the Conservative government said that the police's primary role was to 'catch criminals' (Home Office, 1993). However, the police continue to deal with social welfare matters. This is partly due to the simple fact that the police provide a fully resourced 24 hour service, which other agencies do not (Bittner, 1975).
Bayley (1996) suggests that the police spend only a small proportion of their time dealing with crime. Having reviewed research from the USA and UK he found that only 25% of an officer's time is spent dealing with crime. Although this figure may be increased when account is taken of crime prevention tasks carried out by police and poor recording practices of what amounts to criminal activity, it is clear that police spend a good proportion of their time dealing with non-criminal matters. In 1985, Hough found that the uniformed patrol officer spent 31% of their time acting in a social service role to the public. These studies show the continued relevance of the title 'secret social service' given to the police by Punch and Naylor in 1973. The police have always been regularly required to communicate with other public organisations who deal with social welfare matters: social services departments, the health service, housing departments, and local authorities. It is only the creation of the CJPOA that has placed the New Travellers within a discourse of discipline and punishment (Bancroft, 2000), which makes their management a criminal rather than social welfare matter. However, as this thesis shows (see Chapter 6, 'Application of the CJPOA') it is extremely rare for police dealings with New Travellers to become legal undertakings. Bowling and Foster note that even when the police are dealing with wholly criminal matters, they are not exclusive of social issues as 'crime is often interconnected with other social forces' (2002:1001). It was recognition of the links between crime and social welfare problems such as poverty and poor housing that led to the recommendations of the Morgan Report which were taken up in the CDA 1998 and resulted in the promotion of inter-agency working via a 'partnership' approach.

The focus of policing on criminal matters in management and policy is reinforced by the occupational culture of policing. The police have a sense of mission in their work which results in a preference for action (Reiner, 1992a). This
orientation towards action means that the police place more value on dealing with serious crime and criminals than on their social service role. The formalisation of 'partnership' and 'joined up' policing in the CDA and subsequently the NIM means that the police are apparently required to engage more deeply with social welfare matters and they are being mandated to work alongside social agencies who have very different discourses, ideologies and conceptions of the 'client' group. Despite the fact that the police have always had to deal with such matters, new tension is caused by the pressure to produce results from criminal matters and work within a 'best value' and partnership approach as described earlier in this chapter. The police deal with these contradictory requirements by generally acting according to their own pragmatic concerns. As Gilling (1997) has suggested in reference to community safety; partnership can occur as part of 'rhetoric' rather than reality.

In this research I have found that the police do work with a number of different agencies when dealing with New Travellers. The majority of officers said that they worked with their local authority, eight referring simply to 'the local authority' and seven saying they had worked with the county council, district council or simply 'the council'. Four officers said that a Gypsy Liaison Officer, who is appointed by the local authority, had worked with them. Individual officers also said that they had dealt with the 'housing department', 'environmental health' and the 'legal department' of the local authority. Likewise ten New Travellers said that they had been dealt with by 'the council'. Other agencies mentioned by the police were: the social services (3/18), the Forestry Commission (1/18) and the army (1/18). Thus, the principal partnership for the police in managing New Travellers is with the local authority, whether that is constituted by the local, district or county council. However, only two police interviews stated that there was a formal relationship between the local authority and the police in managing New
Travellers. Five police officers did relate a functional and effective relationship with the local authority:

'Wards police liaise heavily with the local authority and the landowners and a decision is made about who should act in evicting Travellers'. (POL – P16)

'We offer to be there when they come to do evictions... We are willing to be there if necessary. That's up to the local authority to ask us to be there and the timing, then when they are going to do it and there is a Gypsy Liaison Officer that works for the town and, well he's an ex-police officer, so we've got a good relationship'. (POL – P04)

'We went into consultation with the county council and asked the county council if they would invoke their powers'. (POL – P07)

The police viewed their role as supporting local authorities in eviction under Section 77 of the CJPOA which empowers local authorities to evict 'unauthorised campers'. The police did not refer to their having need for, or a relationship with, the local authority as part of a Section 61 eviction other than when they were owners of the land or the police needed potential vehicle storage. The local authority was therefore required to carry out a policing role itself, by utilising Section 77 of the CJPOA. This expectation on local authorities to police New Travellers is also evidenced by Morris and Clements (2002). Two New Travellers interviewed noted the role of police as separate to the council, other than in eviction:

*Don't really deal with the police here as they don't get involved. It's the council that deal with us.* (TRAV – T11)

*Don't generally deal with police as always park up on council land. The police get involved if there are any complaints about the Travellers and they come and check out new sites. They help the bailiffs with evictions.* (TRAV – T06)
In three interviews with the police there was recognition that the police must work with the local authority in a supportive role, but the local authority was viewed as incompetent in some way:

Eventually the council got the Travellers evicted, but the police had to become involved as the council were 'pretty useless'. (POL – P10)

'If the council hadn't come to us and, that would have grown from the 3 or 4 vehicles that are there ... if the council had been left on their own and we hadn't had that liaison, the next week we'd probably have twice the number then, 20 and rising'. (POL – P13)

One police officer noted that the local authority did not liaise with the police at all and were thus causing a problem:

'The people we are having problems with at the moment are the local authority, the district council, they've got a group who they keep moving from one council site to another. They don't involve us, they just go up there and they use Section 77 for unlawful camping'. (POL – P17)

Such autonomous policing carried out by the local authority as stated here and above by New Travellers is interesting as it suggests another routinized relationship between the New Travellers and a control agency, reflecting my findings of the relationship between the New Travellers and the police.

There is a recognition from the police here that liaison with the local authority is effective and required. However, in describing the relationship between them, the police consider themselves to be the more powerful group who hold the expertise and strength to command an eviction situation. This is despite the fact that their own experience of eviction can be similarly frustrating and ineffective as described in Chapter 6, 'Application of the CJPOA'. Barton (2002) evidences similar findings regarding the police participation in partnership. Police officers in his research say that they are keen to retain 'control' which can
be lost through inter-agency working. They do this by taking both the problem and
the solution to inter-agency meetings ‘and pass it off as a sort of fait accompli’
(2002:114). Likewise research has found that the police attempt to take the lead

Interestingly, in two interviews the police view themselves as a type of
referee between the local authority and the New Travellers – effectively holding
themselves apart from the proceedings:

‘The police were there literally as referees because of the two sides were
having a go at each other’. (POL – P01)

‘We were only there to ensure fair play’. (POL – P08)

Police communication with other agencies is similarly detached. Although the police in my research communicated with the social services, for
example, this was via the local authority who were pursuing the welfare needs of
the New Travellers, as required since the Wealden case (for full details of this see
Chapter 6, ‘Application of the CJPOA’).

‘Social services were involved in trying to look after the needs of the group’.
(POL – P07)

Other writing on New Travellers has suggested that there are stronger links
between the police and the social services who are apparently informed of the
New Travellers whereabouts by police (Dearling, 1997a) and become involved in
police Section 61 eviction procedures (Hester, 2000). The lack of such evidence
in this thesis may be an artefact of the methodology used: the purpose of the
original Home Office research was not intended to address specifically the role of
other agencies in eviction. However, little empirical evidence is available of such
professed connections. Also, the detached attitude of the police in their communications with other agencies, including the local authority, is reflected in their poor communications between different police forces (see Chapter 7, 'Policing Space: Contact Between Forces'). This is explained usefully by Crawford and Jones (1996) as the police's attempt to maintain their autonomy. Crawford and Jones say that partnership practice is carried out by agencies to varying degrees as those agencies attempt to protect their organisational identity. They suggest that those agencies who are most protective of that identity will engage in partnership practice which does not affect their own working practice. These agencies are described as working in a 'multi-agency' format, rather than an 'inter-agency' one where working practices become aligned and agencies lose their independent nature. The importance of autonomy to police forces has already been highlighted in Chapter 7, 'Policing Space: Police Spaces', where the concept of 'constabulary independence' is used to explain the territorial nature of policing. It is also recognised that the different complex natures of public services management and organisation means that the practical application of partnership is difficult to attain and therefore occurs in a 'patchy' fashion (Liddle and Gelsthorpe, 1994a, b & c, Gilling, 2000).

So, the police do engage in multi-agency working, but they do so from a bounded perspective which aims to protect their independence, autonomy and occupational culture. The data presented here shows that the police see the benefits of working with other agencies, but they perceive themselves as ultimately able to resolve matters relating to New Travellers without recourse to other agencies unless the land is owned by them. This is clearly propounded by one police officer:
'We often as the police force put in situations of dealing with other people's problems and at the end of the day, the bottom line is it is the government's problem, not the problem of the police. We only enforce the law, we don't actually make it, and I mean, that is the bottom line isn't it, and we don't only see it with just this, I mean we see it in all aspects of policing. You know we have constantly social workers, you know people come to us with their problems which aren't a matter for the police at all but the bottom line is there isn't anyone else daft enough to actually deal with this, so we inherit all these problems, and it is true isn't it.... These people's lifestyle should really be a matter for the social services or, I mean they can't, won't, wouldn't address it. Nobody can make them do so, so it becomes a police problem but we always pick up the tab'. (POL – P06)

Although the communication between the police and other agencies means that Ericson and Haggerty's (1997) perception of the police as 'information brokers' holds true to some degree, it does not wholly explain their practice. The police are prepared to engage in 'multi-agency' working, but not 'inter-agency' working. Inter-agency working would prove to be more beneficial according to Crawford and Jones and the NIM and CDA, but it threatens to weaken police independence, their world view and their occupational culture. The benefits of inter-agency working are not perceived by the police as enough to warrant their participation. Other agencies, such as those involved in child protection, can see the mutual benefits of inter-agency working and thus take part (Barton, 2002). Also, in this instance, the police can see that they are dealing with a social welfare problem which the legislation does not serve to resolve. The job of policing New Travellers is thus an exercise in partnership which is limited by the ultimate aim of retaining police autonomy and with recognition of the social service function being fulfilled by the police without need for recourse to the law. The practice of policing has not been 'transformed' in late modernity, rather traditional police practice continues and is informed by new initiatives – in this case by the promotion of partnerships between agencies.

Other agencies are required to carry out a policing role, as the local authority is expected to apply Section 77 of the CJPOA on New Travellers and
the Wealden case has meant the involvement of numerous agencies to ensure New Traveller social welfare (and arguably to impose sedentarist principles of such welfare) when such eviction occurs. There has thus been a change from the police managing the New Travellers, to social welfare agencies also doing so. Such a dispersal of the policing function and formalisation of social control (Jones and Newburn, 2002) occurs here independently of the police, via legislation, but ultimately the police are required to support such policing as they are the last resort. Rather than working with other agencies to resolve problems, they pragmatically respond to the problems no one else is prepared to deal with or they complete the policing tasks other agencies have failed to manage. They also continue to carry out a primary role in managing New Travellers as they apply Section 61 of the CJPOA independently of other agencies.

8.4 Intelligence, Surveillance and New Technology

Having established that the police's organisation and management has been influenced by the partnership approach, but not radically transformed, I will now address the degree to which the police are utilising new technology and surveillance to gain intelligence on New Travellers and thus assess risk. The lack of communication between police forces and between the police and other agencies and their spatial boundedness as evidenced here and in previous chapters suggests that risk assessment could be limited. For police intelligence to function successfully communication of risk is vital.

The policing of New Travellers had involved the gathering of information on them in this research. Two intelligence units had been set up to manage and disseminate information regarding New Travellers: the SIU and the NIU. However, as noted previously in Chapter 7, 'Policing Space', these units have
now been closed, leaving information gathering on New Travellers to individual forces. In this research awareness of these intelligence units was limited between forces, though the two units communicated with each other coherently. The SIU and NIU did use technology in the form of computer databases which contained details of New Traveller identities and vehicles alongside details of people involved in protest and raves.

*The Southern Intelligence Unit now has a database containing details of those involved in illegal action against the CJPOA (1994). The database now has 8701 records which contain details of 3420 people... The database also includes some photographs.* (POL – P15)

'**We have one or two databases, but we each have access to each others database. So they can search ours and visa versa. The computers have information swapped on a regular basis. And really certainly I see it as trying to have a national law overview, of issues in relation to illegal trespassers**'. (POL – P09)

I have been unable to establish from the police what has happened to these databases since the closure of the SIU and NIU. The potential for use of such information in proactive policing is broad. However, the poor communication between police forces and between the intelligence units and forces evidenced in Chapter 7, ‘Policing Space’, suggests that this information may not have been disseminated prior to closure of the units. It is possible that the National Criminal Intelligence Service holds this information (Hester, 2000). Innes et al (2002) found in their research that communication of intelligence occurred on an informal basis due to the obstructive nature of bureaucratic systems and the need for speedy responses by police to intelligence information on crime.

Other than the creation of the SIU and NIU, formal intelligence action by the police has been in the form of police ‘operations’ according to officers interviewed in this research. Such military terminology and organisation of
information gathering is important to note here as it reflects the use of a military model for police action, which conforms to our traditional notion of policing public order according to either a paramilitary model or via negotiation and surveillance (King and Brearley, 1996). The operations carried out by police in this thesis involved coordinated information gathering by one particular force and by the NIU. Operations in the first half of the 1990s were named by officers as 'Operation Magpie' and 'Operation Wagtail'. The literature also refers to 'Operation Nomad' and 'Operation Snapshot' (Lodge, 1998, Hester, 2000).

'I was involved in Operation Wagtail, have you heard of that? Basically what happened is that we had information from a variety of sources that there was going to be a huge gathering of New Age Travellers. We gathered our information, and at an early stage we established who the main organisers were'. (POL – P02)

'The structure we have in place now is Operation Magpie to look at intelligence in relation to intended gatherings, raves, to get an early warning and additionally to monitor intelligence in arrangements to criminal activity on the sites'. (POL – P01)

The above quotes remind us that the police tend to view the New Travellers as an organised network connected with other groups such as protesters, ravers and drug dealers. The perceived organised nature of the New Travellers implies they hold a threat to public order (see Chapter 4, ‘New Traveller Culture: Networks’) and can be dealt with en masse (see Chapter 7, ‘Policing Space: Conclusion’).

Operation Wagtail was deemed particularly useful to one force who gained information of a 'rave' to be held on a New Traveller site in their area. This information was passed to them from the NIU. Despite the positive implication from this dispersal of information, the original 'intelligence' was rather poor as fear of a rave and preparations for such were stopped when it was realised that New Travellers had been speaking of 'Northamptonshire', rather
than 'North Hampshire'. Hence, the NIU informed Northamptonshire police that a potential rave was in their area.

Despite the occasionally poor quality of intelligence information and the lack of communication between forces, the police interviewed were found overwhelmingly to cite use of information gathering as part of their procedure in managing New Travellers. This reflects the findings of FFT (1996a) and Hester (2000). In fifteen of the eighteen police interviews some mention was made of 'intelligence', 'information gathering' or 'evidence gatherers'. The police were never negative about the use of such techniques in policing, generally presenting a positive attitude towards their information gathering practice.

'There is evidence gathering units available'. (POL – P06)

'One of the PC's was our local intelligence officer, I got the vehicles but he took the names of the owners of the vehicles who were present there'. (POL – P05)

'Hopefully our intelligence is good enough that we know they are coming upon us over a few days. We have an option and ability to plan for it and we look at our options to see which is the best way to go and that is included in the negotiations with the parties involved'. (POL – P06)

The officer quoted above describes the way that intelligence led policing fits with the traditional working practice of the police, as Tilley (2003) suggests, and hence explains why use of intelligence has been taken up by the police more than inter-agency working. Here the officer describes how the police use their intelligence information to plan their actions pragmatically and utilise negotiation as one tool to resolve matters. Such pre-emptive policing is part of the 'two pronged approach' described by King and Brearley (1996) in public order policing which has, alongside pragmatism, been clearly outlined by this thesis as determining police responses to the New Travellers. Thus the police also use
information gained from intelligence according to their own cultural workings, 
'they have made information police property. They have interpreted it in 
accordance with their own interests and within their own cultural assumptions and 
typifications. Information has been used to achieve rather than to set objectives' 
(Chatterton, 1991:8).

In six of the fourteen New Traveller interviews some note was made of 
the police gathering information on or observing the New Travellers and the New 
Travellers interviewed generally showed little concern about this:

*The police come onto the site and wander around and check out what’s 
going on.* (TRAV – T03)

*They might come and check you out, not really bothered.* (TRAV – T02)

*Police come around the site and act friendly to see what’s going on, 'but we 
have no problems here with them'.* (TRAV – T04)

Only one New Traveller expressed concern over police action:

*The police followed the Travellers in a van full of officers. These officers 
were dressed differently to normal officers (they were all in black) and T05 
felt sure they were not riot police. He was convinced they were a special 
force.* (TRAV – T05)

This description does appear to be rather paranoid, especially as I have no data 
or findings from other research which similarly pertain to such a 'special force'. 
However, such paranoia may be a result of being under surveillance for extended 
periods of time, as described above by both the police and the New Travellers 
themselves.
So, the police use the language of intelligence and information gathering to describe how they manage New Travellers. The New Travellers are aware of their actions and appear generally unflustered by police surveillance activity. However, the way that intelligence is enacted falls commonly according to a paramilitary organisational tool via 'operations' and intelligence information is utilised according to the pragmatic concerns of the police to aid negotiation. Hence the intelligence led policing of New Travellers appears to occur within our traditional conception of the policing of public order: via paramilitarism or negotiation, rather than intelligence led policing taking a lead role. To consider this further I will now address the way the police gather information.

The method of information gathering by police was varied in this research. I will now outline each of the methods described by police and New Travellers.

Details of vehicles on New Traveller sites were taken by police along with names and descriptions of individuals. This was necessary because the CJPOA prevents New Travellers from returning to land within three months of occupation. However, recording such information proved very difficult and was applied differently in different forces. For a description of these recording practices see Chapter 6, 'Application of the CJPOA'. Such records were taken by hand written notes and utilising the tools described below.

Four police officers and one New Traveller note that the police used video and took photographs of New Travellers:

'Oh yeah, we video the live Section 61s'. (POL – P13)
'Evidence gatherers were at the scene taking still photographs and tapes'.
(POL – P16)

They have been up and down here to take any numbers and photographs.
(TRAV – T05)

These descriptions of recording practice by police are less in the form of intelligence gathering to inform police action (proactive policing), but rather are 'evidence gathering' for the purposes of enacting the CJPOA. As one officer says:

'The purpose of recording numbers at that time was to seek evidence'.
(POL – P07)

The police record their practice as a tool to protect themselves too – placing themselves under surveillance (Ericson and Haggerty, 1997). The New Travellers likewise record police action:

'They filmed us the whole time, they were filming and recording us the whole time because we were using the Act, which was of interest to them'.
(POL – P05)

The gathering of intelligence to inform proactive policing measures was not generally identified by the police as distinguishable from evidence gathering. The New Travellers speak of the police 'checking out' sites as detailed above and one police officer says that 'surveillance' of a site occurred. As already stated in Chapter 7, 'Policing Space', the police aim to control particular spaces and this aim is enacted by full knowledge of New Traveller spaces via surveillance.

'We had surveillance on the camp at varying times, the types of people that arrived'. (POL – P07)

Two police officers spoke of intelligence gathering specifically and very positively:
'I have no doubt after our experiences last year that intelligence saved us last year and intelligence will help us immensely in the future, that really is the key'. (POL – P08)

'Successfully stopped a rave on a ... site two weekends ago by pro-actively working through the intelligence activity'. (POL – P01)

One of the above quotes refers specifically to an incident which was discussed in two police interviews where New Travellers were believed to be organising a rave. Here the police mentioned the use of ‘infiltrating’ the New Travellers site to gain information. Such covert action is also noted by King and Brearley (1996) in public order policing.

'We infiltrated and they found a number of telephone numbers you could ring to get directions basically'. (POL – P08)

'The police went on to the site as council workers and gained a great deal of intelligence'. (POL – P10)

This use of covert measures by police to gain intelligence raises the issues of ethics and accountability in intelligence led policing. As Maguire (2000) says, the misconduct of police in the past means that trust in their actions in the present is hard to attain. However, one officer did say that covert action would not be carried out on a New Traveller site as,

'It is difficult to justify the use of resources for that type of issue'. (POL – P01)

Perhaps then, the costing of police action is relevant here, according with the policy of NPM in late modern policing. The importance of cost analysis to the process of policing New Travellers has already been highlighted in Chapter 6, 'Application of the CJPOA'. The limited use of in depth intelligence gathering via
new technology found in this research as opposed to the gaining of intelligence for the purposes of evidence gathering may be partly explained by its high cost, both morally and fiscally. The proportional gains do not outweigh the costs (Maguire, 2000).

A final method of information gathering is described by two New Travellers who said that they had been followed by the police. One of them is quoted above and the other said:

*When doing raves, police would come to Traveller site and follow them around all day.* (TRAV – T13)

Such action by the police may be better understood as a disruption tactic than information gathering. Thus, the police are utilising the third method of public order policing that I describe in Chapter 7, ‘Policing Space’: guerrilla tactics. The above quote is followed by a description of how the New Travellers would circumvent the police attempt to follow:

*To counter this the Travs would set up 3 days early and then on the day of the rave all set off in different directions and meet up later.* (TRAV – T13)

Similarly, a New Traveller says that police attempts to come onto a site to seize drugs would be known by New Travellers and evaded:

*Wouldn't get nicked for dope on site. 'They know we'd know they were coming and get rid of it'.* (TRAV – T04)

This confidence in New Travellers may explain their relaxed attitude towards police officers entering sites. It is potentially aided by the fact that the police lack confidence to gain evidence of criminal activity on New Traveller sites. This is because criminal activity seems to be low (see Chapter 4, ‘New Traveller
Culture'), the criminal context of New Traveller identity being created by the legal status of their encampments, rather than their actions.

Overall then, the police have used new technology to manage New Travellers via computer databases, video and photograph evidence. However, the new technology has not taken on the role of policing itself, nor has it impacted largely on traditional policing practice, other than as a means to record situations and events. Clearly New Traveller sites are always moving and are located in hidden or rural spaces. Such locations mean that use of closed circuit television (CCTV), which is popularly described as the advance in new technology which creates a surveillance society (Johnston, 2000), is inappropriate. Both the NIU and SIU mention the existence of computer 'databases' containing information on New Travellers which are also a matter of concern to FFT (1996a). However, computer aided recording of New Travellers is not mentioned by the police or New Travellers otherwise in this research as a tool to gain or aid intelligence gathering for proactive policing. The police are using some new technology as a tool to collate information, confirming the concept of police as powerful knowledge holders of who presents a risk in society (Ericson and Haggerty, 1997: 41). However, they are not disseminating this information and thus applying the principles of intelligence led, proactive policing as designed in the NIM.

In terms of the use of 'intelligence led' and 'surveillance' policing this thesis has found that the police gather evidence and carry out surveillance, but they perceive these actions similarly - utilising the late modern language of 'intelligence', while practicing traditional methods of policing in the main. There is very little data here of the dissemination of information on New Travellers that will inform police practice prior to New Travellers arising as a 'problem' in a police area. The only incidence where the information gathered by police is used
proactively is when a potential rave is going to take place on a New Traveller site. Even when the police have prior knowledge via intelligence of New Travellers arriving in their area they respond to this information pragmatically and utilising traditional public order policing methods as described in Chapters 6 & 7, ‘Application of the CJPOA’ and ‘Policing Space’.

Maguire (2003) says that the NIM may not be able to penetrate ‘traditional police cultures’ and this research appears to confirm his point. The NIM is reliant on the police communicating risk effectively, rather than simply using risk analysis in the immediate circumstances of a problem occurring to facilitate immediate action. If the police are so acting, then the analysis of risk does not result in proactive policing, rather the police are continuing to be reactive. Interestingly Leman-Langlois (2002) argues that the police use of technical surveillance is likely to result in a purely reactive form of policing. Although CCTV for instance may be installed as a proactive measure, its use results in reactive responses. Research by Maguire and John (1995) and Amey et al (1996a, 1996b) also found that the police were still pre-disposed to response-led policing, rather than proactively working. Likewise, studies of community policing have expressed similar findings (Fielding, 1995).

The police have incorporated information gathering via new technology and observation into their practice. They perceive their job as including ‘intelligence’ and view this as a positive step forward in their ability to manage spaces. In practice though, the police are acting in a number of ways that cannot simply be described using a totalising discourse which is reductionist. The police hold information on New Travellers, but they do not pass it on to other forces or agencies comprehensively. They utilise intelligence in certain circumstances, such as a potential rave, but they most commonly gather evidence. Even when
intelligence is passed between forces, they respond to that information pragmatically using a number of means, both reactive (paramilitarism and guerrilla tactics) and proactive (negotiation and guerrilla tactics). Similarly to the incorporation of inter-agency working in the police, there has not been a 'transformation' of policing via new technology and risk based policing, but they have influenced police practice.

8.5 Conclusion

In this chapter I have assessed late modern changes in policing in order to understand how the New Travellers are policed. Initially it was necessary to outline the concept of late modernity as presented in social science and relate it to the study of crime, criminality and deviance. The process of political and economic globalisation via increased communication, new technology and risk awareness has resulted in changes to everyday social actions such as policing. The perceived 'dangerousness' of people in risk society has meant that groups such as New Travellers are potentially excluded and demonised by fear. The job of policing is required to manage such groups and I have analysed here how much the police are using methods informed by new notions of their role in late modern society and if other agencies are carrying out a policing role. I have described the development of policy and legislation which has promoted the use of new techniques which are considered to offer 'best value', utilising other agencies to police and new technology for information sharing and surveillance. Late modern theory, policy and law, as described in the first part of this chapter suggests that policing is in the process of changing and will continue to do so according to the requirements of late modernity.

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In order to analyse the changes in policing in late modernity I have utilised three areas of change from five that have been identified by Jones and Newburn (2002). These areas have emerged from my research data as specifically relevant to the policing of New Travellers. The areas of change informing my discussion are: reorganisation and management of police, use of new technology and risk based policing. These subjects are represented in my analysis as: inter-agency working, representing the reorganisation and management of police and intelligence, surveillance and new technology, representing the use of new technology and risk based policing. By analysing these areas I have been able to consider whether there has been a transformation in policing in late modernity as described by Bayley and Shearing (1996) or if in reality change is limited or represents a gradual shift in police practice as Jones and Newburn contend.

I have shown here that the police do work with other agencies to carry out a policing role. Indeed, the policing of New Travellers is carried out by local authorities to some extent, showing that policing and thus control occurs beyond the police, confirming Jones and Newburn’s thesis (2002) that there has been some dispersal of the policing function. However, the degree to which the police are prepared to work with other agencies is limited by their aim to retain their independence, autonomy and occupational culture. I have used Crawford and Jones’ (1996) useful analysis of inter-agency working to show that the police engage in some communication with other agencies, but the limitation placed on such communication results in their practice being multi-agency rather than inter-agency. Multi-agency working allows the police their independence and a sense of superiority over policing matters. This is confirmed by the fact that the police are used by local authorities in a supportive role in eviction and the police are required to carry out evictions when the local authority fail to do so. When the
police act, they do so pragmatically, utilising other agencies as a tool amongst many. The police do not call upon other agencies as aid to their own evictions under Section 61 of the CJPOA.

Overall the police do not function with an embedded notion of inter-agency working in their practice, but they can see the efficacy of working with other agencies when it suits their pragmatic concerns. Other agencies carry out policing, but the police are ultimately responsible for the policing of New Travellers despite their being a social welfare problem, rather than a crime matter. Policing New Travellers thus shows a development in the management and organisation of police, but not a transformation. The social welfare nature of policing New Travellers may also be useful in explaining why late modern concerns of private policing and transnational policing are not relevant to this thesis, but identified by Jones and Newburn as part of the change in late modern policing. The mundane nature of dealing with such matters, which is common to the job of policing, means that they are left to the public police to manage without the use of any private policing agency or transnational initiative. The public services police New Travellers: local authorities and primarily the police.

Having established that police practice has been informed but not radically changed by notions of inter-agency working I have gone on to show similar findings relating to the relevance of intelligence, surveillance and new technology in policing. Although the police use new technology and surveillance in the practice of managing New Traveller groups, it is generally used for evidence gathering purposes, rather than to inform proactive policing. The police take photographs and video footage of New Travellers and their vehicles and sites. There was also a computer database containing information on New Travellers held by the SIU and NIU. I have shown here that the term 'intelligence'
is commonly used by the police and has thus become a part of their working practice, but analysis of what police officers mean by the term and actually do is shown to relate to the gathering of evidence. It is only when a more serious breach of public order is imminent, in the form of a potential rave that the police gather information covertly and use it for proactive means (raising many questions of ethics and due process). Otherwise information is used to act according to traditional notions of public order policing; via negotiation or paramilitarism.

The New Travellers do pose a risk that the police manage. However, the police assess the riskiness or dangerousness of New Travellers as most relevant when they are involved in another activity such as organising a rave. It is only in these circumstances that the police choose to use late modern policing techniques of surveillance and intelligence gathering to inform proactivity. Otherwise the police continue to act pragmatically, using information gathered for evidence purposes. Technology itself does not carry out policing of New Travellers. I have shown that there has been a shift in police practice then, with risk awareness and new technology playing their part in the management of New Travellers, again confirming the findings of Jones and Newburn: a transformation has not occurred.

Finally, this chapter has assessed the changes in late modern policing and found them to be limited, though influential. 'Policing' is primarily carried out by the public police on New Travellers. Although the police are using new technology, surveillance, intelligence and inter-agency working in only a limited sense to manage New Travellers; what is important to note here is, that they are doing so at all. Such practice is clearly applicable to New Travellers and it is the
potential for the policing of New Travellers and other similarly non-criminal groups to increasingly change that will be discussed further in Chapter 9, 'Conclusion'.
9. CONCLUSION

In this chapter I will initially briefly outline the key findings of this research and consider them in relation to each other and to the original empirical research question. I will then go on to address the principal aim of the chapter which is to consider the implications of the research findings. The implications of this research will be addressed on three levels: in terms of the law, policing and community.

In this thesis I have explored the policing of New Travellers in order to answer my research question: What happened when the police applied the Criminal Justice and Public Order Act 1994 to New Travellers? In answering this question I have engaged with a number of issues relevant to police research. This research is empirical, but has engaged theoretically with the literature to provide a comprehensive understanding of the application of the law. Indeed, the thesis provides an analysis of police action which functions on a 'meta level'; articulating the process of policing through action and structure (Fielding, 2002). The thesis is organised accordingly. A micro analysis of New Traveller culture in Chapter 4, police occupational culture in Chapter 5 and the application of the CJPOA in Chapter 6 provide analysis of New Traveller and police action that inform our understanding of policing. However, such action cannot be fully understood without a macro analysis of the structural changes in policing in late modernity, manifested as policing space addressed in Chapter 7 and the move from conceptions of police to policing considered in Chapter 8.

By exploring the action and structure of policing New Travellers a number of key issues have arisen that warrant identifying here and subsequently addressing as having implications for the application of law, policing and
communities. In 'New Traveller Culture' the deviant status of New Travellers has been defined as their nomadism and their lifestyle has been evidenced as determined by their continual movement and subsequent use of space. However, their past and present experiences of policing described in 'Police Culture' similarly affect their actions and choices of when to move and where to go. In each of these chapters an ambivalence of attitude is identified in both the New Travellers and police towards each other that has been determined by their interaction over a number of decades. A mutual suspicion is also prevalent. This suspicion leads police to consider New Travellers as a threatening, organised network.

The principal facet of police occupational culture that affects action on New Travellers has been shown in this thesis to be their pragmatic attitude. This pragmatism, as opposed to previous confrontational policing in the 1980s, has been explained as a result of the process of senior officer recruitment and accompanying professionalism in policing in the 1990s. Indeed, when the CJPOA has been applied as described in 'Application of the CJPOA', the police make concerted efforts to gain quick and easy resolution to their New Traveller 'problem' without use of extensive resources. In order to serve their pragmatic concerns the police attempt removal of New Travellers by informal means, but they are prepared to use force, conforming to our traditional notion of the two-pronged approach of public order policing.

Procedures used to police New Travellers, such as negotiation and directions to leave land under Section 61 of the CJPOA, are hidden from public or state scrutiny and have been shown here, commonly, to pervert the course of due process. Accompanying such actions is police use of guerrilla tactics that incorporate spatial exclusion, disruption and de-stabilisation of New Travellers. I
have suggested in 'Policing Space' that the use of guerrilla tactics by police needs addressing in police research as a third 'prong' of public order policing. Spatial theorising aids our understanding of such police tactics and also informs our knowledge of late modern police practice as the police fail to communicate effectively with each other, let alone with other agencies as they are required to do under the auspices of inter-agency working. The police function with a bounded conception of space that results in New Travellers existing in 'marginal spaces', exposing the conflict between sedentarism and nomadism.

Late modern thinking on the management of crime and criminal justice has been identified in 'From Police to Policing' as having an impact on policing policy. However, my findings show that the extent of policing driven by late modern concerns is limited. The use of inter-agency working, new technology and surveillance are mitigated by the pragmatic concerns of the police and their aim to retain their force autonomy and position of expertise.

Overall then, the police apply the CJPOA according to a number of criteria: they aim to minimise cost and effort, but are prepared to use force and new policing styles to attain their goal of removal of the New Travellers from their force area. They recognise the New Travellers as a social, rather than criminal, problem but define them as potentially threatening, despite the New Travellers' lack of criminality or disruptive and threatening behaviour. The police definition of New Travellers as 'police property' aids our understanding of their policing methods as it notes the lack of importance of New Traveller subculture in the public gaze. It is thus possible for the police to use action on New Travellers that fails to follow due process. In fact, both the police and the New Travellers appear to have created a way of managing each other that minimises conflict, but compromises process and civil rights. This informal framework, whereby the
police use the range of methods described in this thesis and the New Travellers move on at the last minute from sites and attempt to live in marginal spaces and on publicly owned land, exists within the formal framework of the law.

What are the implications of these findings then? Legally the application of the CJPOA has broad implications. The application of the law on Travellers without a subsequent provision of space for them in which to reside, means that a number of social groups who are nomadic are immediately criminalised and thus placed within a discourse of discipline and punishment due to their nomadic lifestyle rather than as a result of any criminal behaviour. As identified by Campbell (1995) the Travellers are only acting within the law when they are on an authorised site or when they are actually travelling on the road. Given the limited numbers of authorised New Traveller sites, as opposed to some Traditional Traveller sites, in England and Wales, the New Travellers are particularly vulnerable to legal prosecution and loss of their homes via confiscation. The law then is being used to promote sedentarism by criminalising nomadism and New Travellers are living in constant fear of punishment for living nomadically.

Use of hard line legislation to socially manage or control groups of individuals who are not acting criminally has broad ranging implications. Other groups who could be controlled similarly are the homeless and asylum seekers. The difference between these groups and other less negatively-regarded subcultures and social movements is that the identity of these individuals is criminalised, rather than their actions. Asylum seekers are the current ‘folk devil’ (Cohen, S. 1972) of the mass media whom the government has legislated on most recently in 1999 and 2002. There is a long history of managing the homeless similarly via legislation in England and Wales: the Vagrancy Act 1824 created a summary conviction for being a ‘rogue or vagabond’. However, the
requirement in the law to provide accommodation for vagrants was set in the Vagrancy Act 1924, upon which precedent the Caravan Sites Act 1968 functioned. Hence the CJPOA, with the repeal of the requirement for local authorities to provide Traveller sites under the Caravan Sites Act, removes the general acceptance of nomadism within statute. The Human Rights Act 1998 provides some protection in legislation for the private rights of individuals to live as they see fit. However, for the New Travellers to engage in a debate over their civil rights and thus utilise the legislation, they must first engage with the criminal justice system by refusing to move on when required to by the police. Such action by New Travellers places their homes at risk of confiscation and their children at risk of care proceedings.

The fears of New Travellers that they will experience police use of force, have their homes removed or their children taken away determine their choice to function informally with the police within the law. The reasonableness incorporated into the CJPOA and police pragmatism promotes such informal action. Similarly the guidance issued by the state as Home Office circulars and currently ‘Best Practice’ promotes caution in use of legislation. This leaves the New Travellers in a tenuous position where they are reliant on the law not being used as a facilitator of their lifestyle, rather than their actions and lifestyle being legally recognised. As this thesis shows, the police do not use their powers according to the requirements of the law, nor are their actions recorded effectively; due process therefore fails to protect the citizenship rights of New Travellers. P.A.J Waddington (1999a) says that New Travellers do not have full citizenship rights as they choose to live unconventional lifestyles that remove them from mainstream society. Again, it is clear from this thesis that the New Travellers do not ‘choose’ their travelling lifestyle, but are ‘pushed’ or ‘pulled’ into it. To suggest that unconventionality removes the rights of citizenship fails to
recognise the fragmentation of society in late modernity and the inability to define the homogeneity which P.A.J Waddington suggests accords such rights to individuals (Reiner, 1992b, King and Brearley, 1996). The ability of the law and policing to allow a failure of citizenship rights to New Travellers implies that other 'unconventional' groups can be similarly managed and excluded, as well as migrants/asylum seekers described above.

However as King and Brearley (1996) note in their discussion of the implications of late modern forms of policing, unconventionality has changed in the late 20th century as more non-deviant people become involved in subculture and actions such as protest. Thus those people commonly judged as 'normal' or non-deviant are drawn into a role which is policed and modern methods of policing are used against them: widening the 'net' of social control (Cohen, 1979). This thesis confirms this point as the New Traveller identity is determined by their nomadism, rather than unconventionality. It therefore poses the problem that in managing the New Travellers, the state and police are showing that they are prepared to use action on communities, rather than only on public order problems such as protest. Here Presdee's (2000) use of cultural criminology is helpful as it argues that the cultural is criminalised in late modernity. According to Presdee the powerful people in society define norms according to their own commodified understanding of social order. In the past carnival provided a space for expressions of transgression but now such transgressive acts have been dispersed into society and are acted out as cultural expression. Carnival acts are played out in society in multiple ways by different people such as New Travellers whose cultures are consequently criminalised creating 'the carnival of crime'.

Police occupational culture is particularly recognised by this thesis as a determinant of police action. The decision for action against New Travellers or
other such groups is made by senior officers who are primarily motivated by their pragmatic concerns. The fixed nature of 'cop culture' has been recognised by many authors (Chan, 1999, Reiner, 2000) but this does not mean that analyses of policing should not continue to question and critique such police orientation and action. Rather, the immovable nature of this culture warrants further and deeper analysis. The fragmentation of cultural expression in late modernity described above emphasises the inappropriateness of the police’s stereotypical understanding of deviance and difference. Few studies analyse or evaluate police definitions of deviance. Since the Macpherson Inquiry into the murder of the black teenager, Stephen Lawrence, interest in police occupational culture has focused on the racist nature of policing. This thesis shows that racism is prevalent in policing Travellers as police attitudes to Gypsies and other Traditional Travellers are commonly negative and arguably racist. Such racism should be highlighted and tackled comprehensively. However, the sole focus on issues of race rather than difference simply serves to fail to recognise all discrimination. Thus academic discussion of police discrimination via their occupational culture must incorporate and recognise all such discriminatory practice and processes. The focus on racial analyses of policing may result in a perpetuation of the other discriminatory practices of the police as they are required to confront their racism, rather than the issue of discrimination itself.

Police use of new techniques, such as technology, surveillance and inter-agency working, as a response to late modern concerns are limited in the findings of this thesis. However, such techniques have been used to some extent on New Travellers and the language of intelligence-led policing and pro-activity is clearly a part of police practice. Policing policy and legislation firmly places intelligence led, inter-agency approaches as central to policing today and thus the trends towards such methods identified in this thesis in the mid 1990s continue
The implications of such policing methods are extensive. Maguire (2000) says that inter-agency working functions on a local level with new technologies, surveillance and information sharing in policing to deal with both serious and minor offending behaviour, including 'nuisance'. New Travellers come into this nuisance category, as they are perceived as a public order problem. He suggests that such techniques, previously used against organised crime, are now used by the police to remove or 'eliminate' whole networks (2000:319). If the aim of inter-agency working is to facilitate the elimination of whole networked groups, then in practice this has not been evidenced here. However, the application of policy and legislation (the NIM and CDA) since this research was carried out may mean that the possibility of such action is more relevant. The network of New Travellers, whom the police perceive as an organised threat, could thus be 'eliminated'. Such action is serious indeed, as the New Travellers represent a community rather than a criminal fraternity. Hester (2000) likens such action by the state via its agencies to the attempted eradication of the Gypsies in Nazi Germany. Though such comparison is extreme, it is relevant as it highlights the proportionality of policing actions that should be considered as determining their justification (Maguire, 2000). In other words, do the New Travellers represent a threat/risk that is so great to the police that it is worth the elimination of their whole community?

Risk assessment is a vital part of modern policing ideas as the police are required to ensure and account for their efficient and effective practice. The risk posed by New Travellers is related distinctly to their organised nature which poses a threat to public order. The new police accountability requires the police to justify their actions via measures such as performance indicators. The lack of formal action on New Travellers means that such measures can not be applied and thus such accountability is hard to determine. Likewise, the hidden nature of
the policing of New Travellers via negotiation and guerrilla tactics are difficult to judge via traditional accountability tools such as record keeping. These methods in policing result in what Mathiesen (1983) describes as 'hidden discipline', where whole groups of people are controlled in society by methods that are not visible and are therefore unaccountable. The informal management of New Travellers by police and use of guerrilla tactics accompanied by their lack of accountability implies that there is a distinct potential for the police to actually eliminate them as a group or at least so disrupt their lifestyle as to prompt the exit from travelling of those less committed to the lifestyle. The continued use of force by police when New Travellers will not move on additionally increases the pressure on New Travellers to return to sedentary living. Thus, both old and new policing methods and attitudes and the lack of scrutiny of such actions combine to have dire implications for New Travellers.

I have already discussed above the implications that the application of the CJPOA has on other groups similar to the New Travellers. Likewise the policing of New Travellers can be applied to other cultural groups. The implications of such legislation and police action on communities are great as there is clearly the potential for communities to be policed and legislated out of existence or out of their existence in 'normal' society. Indeed, the police are developing tools that can potentially be used to quiet any dissenting voice. A broad literature on the social exclusion of societal groups has developed in sociology and criminology that generally focus on the fiscally excluded, whereas this thesis highlights the social exclusion of groups who are culturally excluded in sedentarist industrial capitalist western societies. The 'dangerisation' of individuals in risk society means that we live according to our knowledge of safe spatial areas or zones which are managed by control agencies such as the police (Rose, 2000). Outside of these zones live the socially excluded whose space is
ever shrinking as public space diminishes in the interests of private ownership and capital (Shearing and Stenning, 1981). This marginal space is not solely occupied by the poor however, as the culturally excluded are forced into it as well. Lianos and Douglas (2000) simply describe those who occupy the marginal spaces in society,

‘They are not the moral incorrigibles of the past and they are known to be disadvantaged. They are not to be morally condemned but they are to be contained. They are not to be patronisingly “treated” but they are to be avoided, even though without value judgements. They are not detestable but they are disposable. They are simply “dangerous”, “suspicious”, “aggressive”, “threatening”, “dodgy”. They do not need to break rules to be excluded.’ (Lianos and Douglas, 2000:104)

I have outlined here how legislation and new policing methods have implications which affect civil rights, the welfare of individuals and communities and the integrity of the police. Policing is clearly changing in ways which can not and should not be ignored by police research, criminology or sociology. However such macro analyses of policing, particularly those placed in late modern and post-modern theorising should not ignore the empirical evidence on a micro level which here clearly shows that the police are commonly acting according to many traditional notions of policing issues. As Chan (1999) notes in her discussion of the new accountability in policing, such new processes and structures are layered upon old processes and structures resulting in a confusing mix of practice and tradition. Although it is tempting in the academic market to run away with new ideas and concepts to explain social action (Downes and Rock, 1998), it is also necessary to recognise the validity of previously held theories and develop empirical study that addresses such understandings alongside new conceptions of the social world.
This research on the policing of New Travellers under the CJPOA evidences the relevance of studies of deviance as opposed to studies that focus only on criminality, 'subculture', or 'social movement'. It recognises the continued importance of 'cop culture' in motivation for police action and it reflects on theories of spatiality and late modernity in police studies. Ultimately, policing is ambivalent, as are the police who act and the New Travellers who are object of their actions, because the State provides an ambivalent message to its control agencies (Garland, 1996). The police are guided by policy to use minimum resources and work with other agencies and communities to gain efficient and effective results, while also utilising hard line legislation to maintain strong and stern control over the marginal spaces of society, prepared to act with force when necessary. In reality the empirical evidence shows that the police act according to criteria set out by an officer interviewed in this research:

'What we do do is approach the problem creatively and constructively and try to resolve it in a way that we judge, probably we are the only ones can judge, on behalf of the public the best way at a certain time'. (POL – P01)

The policing of New Travellers as analysed in this thesis therefore articulates important current and traditional policing issues.
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INTERVIEW SCHEDULE, RE: SECTION 61

1) Please could you go through, in detail, each incident where a Section 61 direction has been given.

* How long had you known about the site?
* How did you serve the direction?
* Who served the direction?
* Are the people referred to gypsies or NAT's?
* Where do you expect the travellers to go?
* Are each of the incidents mentioned separate or are they the same group of people?
* What steps had previously been taken to move these people on?
* Was any action taken by the landowner?
* What, if any, damage had been caused to the land?
* Had any of the travellers been threatening/abusive/insulting to the landowner or any of the landowners family/aquaintance?
* Had the police received any complaints from local residents?
* How many vehicles were on the land?
* How do you record who is on the land?
* Where was the site situated?
* What reasoning was behind the length of time given for the travellers to move on?

2) What would previously have been done about the travellers?

* Which acts would have been used?
* Has the CJPOA been very helpful to this police force?
* Has this force considered use of other parts of this act?
* Does this force feel fully confident about using the CJPOA?

3) Are there any permanent traveller sites in this police force area, either gypsy or NAT?
* Have any cases arisen where a Section 61 notice has been considered but not used because the occupiers of the land have proved they are not trespassers or they have a 'reasonable excuse' for failing to leave the land?

4) When people are moved on are they simply being displaced?

* Do you warn your neighbouring police forces that travellers may be coming into their area?

5) Why do you think everyone has complied with your directions to leave?

* Do you have the facilities to invoke Section 62?

* How involved does the local authority become with evictions? Particularly regarding pregnant women and children.
NEW TRAVELLER INTERVIEW GUIDE

Basics

- Sex?
- Age?
- Family?

Site

- What county?
- Good/bad?
- Size?
- People?
- Clean?

Economy

- Dole?
- Work?
- Festivals?

Lifestyle.

- Why are you travelling?
- Festival Circuit?
- Habitat?
- Kids?
- Moving around?
- Distance Travelled?
- Animals?
- Intention of length of stay?

History.

- How long travelling?
- Stonehenge, Stoney Cross?
- Changes: people, sites, raves?

Police

- Treatment by?
- Friendliness?
- Force Used?
- Knowledge of law?
- Vehicles Taken?

Law

- Difference between county's?
- Knowledge of?
- POA?
- CJA?
- Caravans Act?
- No. of convictions?
- No. of evictions?

Recruitment

- How became traveller?
- Why became traveller?
Who are travellers?
Leavers.

- Why?
- When?
- Police?
- Are there less travellers now?
REQUEST FOR USE OF DATA FROM RESEARCH ON THE PUBLIC ORDER REVISIONS IN THE CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994

Thank you for your note of 1 September. I confirm that I am content for Zoë James to have the access to data which she requests.

JOHN USHER
From: Tom Bucke  
CCJU (RSD)  
Room 841  
QAG  
X 3799  

1 September 1997  

cc David Brown

John Usher, OPPU

REQUEST FOR USE OF DATA FROM RESEARCH ON THE PUBLIC ORDER PROVISIONS IN THE CRIMINAL JUSTICE AND PUBLIC ORDER ACT 1994

I enclose a copy of a letter from Zoë James who assisted me in research examining the use of the public order provisions in the Criminal Justice and Public Order Act 1994.

2. Zoë has recently completed her Home Office contract of employment and has begun a PhD at Surrey University on environmental protest with the main focus being on road building. In her letter Zoë asks whether as part of her PhD she can draw on some of the interviews conducted during our research. These interviews would form part of a wider set of data, including interviews with other groups involved in environmental protest. Zoë’s PhD will not be completed for a number of years and will be only be seen by a small number of assessors. She also states that Home Office approval would be sought for any resulting publications.

3. David Brown and I are both happy for Zoë to have access to this data, however we would like to know whether you are content for us to allow this access.

TOM BUCKE
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SECTION 61 AND 62 OF CJPOA

Section 61

61 (1) If the senior police officer present at the scene reasonably believes that two or more persons are trespassing on land and are present there with the common purpose of residing there for any period, that reasonable steps have been taken by or on behalf of the occupier to ask them to leave and -

a) that any of those persons has caused damage to the land or to property on the land or used threatening, abusive or insulting words or behaviour towards the occupier, a member of his family or an employee or agent of his, or

b) that those persons have between them six or more vehicles on the land,

he may direct those persons, or any of them, to leave the land and to remove any vehicles or other property they have with them on the land.

(4) If a person knowing that a direction under subsection (1) above has been given which applies to him -

a) fails to leave the land as soon as reasonably practicable, or

b) having left again enters the land as a trespasser within the period of three months beginning with the day on which the direction was given,

he commits an offence and is liable to summary conviction to imprisonment for a term not exceeding three months or a fine not exceeding level 4 on the standard scale, or both.

Section 62

62 (1) If a direction has been given under section 61 and a constable reasonably suspects that any person to whom the direction applies has, without reasonable excuse -

a) failed to remove any vehicle on the land which appears to the constable to belong to him or to be in his possession or under his control; or

b) entered the land as a trespasser with a vehicle within the period of three months beginning with the day on which the direction was given,

the constable may seize and remove that vehicle.