



Analysis

A “clean city”: the Olympic Games and civil liberties

Chris Jones

Introduction

In 2005, the UK won the right to host the 2012 Olympic Games. Seven years later, the Games are due to begin, but they are not without controversy. Sponsors of the Games - including McDonald's, Coca-Cola, Cadbury's, BP and, perhaps most controversially, Dow Chemical [1] - were promised “what is chillingly called a ‘clean city’, handing them ownership of everything within camera distance of the games.” [2] In combination with measures put in place to deal with what have been described as the “four key risks” of terrorism, protest, organised crime and natural disasters, [3] these measures have led to a number of detrimental impacts upon civil liberties, dealt with here under the headings of freedom of expression; freedom of movement; freedom of assembly; and the right to protest. The Games will be hosted in locations across the country, but primarily in London, which is main the focus of this analysis.

Laying the groundwork

Following victory for the bid to host the Games, legislation - the *London Olympic Games and Paralympic Games Act 2006* - was passed “to make provision in connection with the Olympic Games and Paralympic Games that are take place in London in the year 2012.” [4] It is from here that limitations on freedom of expression have come, as well as some of the limitations on freedom of movement that stem from the introduction of “Games Lanes” to London’s road system.

Policing and security remains the responsibility of the national and local authorities. The Host City Contract between the International Olympic Committee (IOC), the British Olympic Association, and the city of London states that:

“The appropriate authorities of the Host Country shall be responsible for all aspects of security in relation to the Games, including the financial, planning and operational aspects related thereto... all the appropriate and necessary measures shall be taken in order to guarantee the safe and peaceful celebration of the Games.” [5]

The authorities in the UK have therefore based the Olympic policing and security operation on “the long-established command and control structures used successfully by

police forces and partners across the country,” [6] with the Association of Chief Police Officers (ACPO), the Home Office, and a new body, the National Olympic Coordination Centre (NOCC, based at New Scotland Yard and a “unique facility” with “a national overview of the Olympic security operation”) all playing a part. [7] Also involved are regional police forces, fire and health services, the UK Border Agency and local councils, amongst others. They will participate in a “meticulously planned” operation which “will be the largest and most complex security operation in this country since the Second World War,” [8] which now involves thousands of police officers; private security guards; and potentially up to 19,000 soldiers after security firm G4S failed to provide the required number of guards. Aside from the civil liberties issues discussed here, London has also been “wired up with a new range of scanners, biometric ID cards, number-plate and facial-recognition CCTV systems, disease tracking systems, new police control centres and checkpoints”, which have been analysed well elsewhere. [9]

Advertising and branding restrictions

Article 19 of the *London Olympic Games and Paralympic Games Act 2006* (hereafter the 2006 Act) states that “the Secretary of State shall make regulations about advertising in the vicinity of London Olympic events,” intended to “secure compliance with obligations imposed on any person by the Host City Contract [and] have regard to any requests or guidance from the International Olympic Committee.” These were laid out in the *London Olympic Games and Paralympic Games (Advertising and Trading) (England) Regulations 2011*, which in turn stem from what are known as the “Olympic technical manuals.” There are 33 of these, and they take up over four feet bookshelf space. [10]

The Host City Contract - only made publicly available after two years of freedom of information requests by an east London resident - states that:

“No Olympic venues, or major access points leading to Olympic venues, shall be encumbered during the period of the Games by any franchise, concession or any other commercial agreement, including the right to name the venue to promote any third party or third party’s products or services, that would conflict with or cause a breach of any agreement entered into the IOC or the OCOG.” [11]

This has led to demands for police officers to remove food not produced by an Olympic sponsor from its packaging and place it into clear plastic bags before taking it into Olympic sites, [12] and for children due to take part in the opening ceremony only to wear “Adidas [an official Olympic sponsor] or non-branded trainers.” [13] One incident saw a newsagent in London accused of using counterfeit Olympic balloons and bunting. After Olympic officials and council trading standards officers had left his shop, “a van full of police officers arrived at his shop to confront him.” [14]

These incidents are related to the wider introduction of, according to *The Independent*, “hundreds of uniformed Olympics officers” who have been deployed with the aim of “enforcing sponsors’ multimillion-pound marketing deals.” Apparently, nearly 300 “enforcement officers” are working across the country, “checking firms to ensure they are not staging ‘ambush marketing’ or illegally associating themselves with the Games at the expense of official sponsors such as Adidas, McDonald’s, Coca-Cola and BP.” [15] Under Articles 21 and 22 of the 2006 Act, entitled “Offence” and “Enforcement: power of entry”, “constables or enforcement officers” may enter land or premises in which they think breaches of Article 19 are taking place in order to “remove, destroy, conceal or erase any infringing article.” Fines of up to £20,000 can be handed down to those breaking the rules.

Businesses have also been banned from using certain words during the Games, if they are not officially affiliated with the Olympics. Included on the list of words are 'games', 'two thousand and twelve', '2012', and 'twenty-twelve', as are 'gold', 'silver', 'bronze', 'summer', 'sponsors', and 'London', if a formal connection to the Olympics is implied. [16] Quoted in *The Guardian*, marketing law specialist Paul Jordan noted that:

"Every major brand in the world would give their eye teeth to have [a piece of legislation] like this. One can imagine something like a Google or a Microsoft would be delighted to have some very special recognition of their brand in the way that clearly the IOC has." [17]

Freedom of expression

The 2006 Act does not only relate to the sale of goods or services. The regulations "may apply in respect of advertising of any kind including, in particular - (a) advertising of a non-commercial nature, and (b) announcements or notices of any kind." This relates to advertising "in any form", including "(a) the distribution and provision of documents or articles, (b) the display or projection of words, images, lights or sounds, and (c) things done with or in relation to material which has or may have purposes or uses other than as an advertisement." The *London Olympic Games and Paralympic Games (Advertising and Trading) (England) Regulations 2011*, enacted in order to clarify the obligations placed on the UK by the IOC, contains exemptions in Article 7 for:

"Advertising activity intended to -
(a) demonstrate support for or opposition to the views or actions of any person or body of persons,
(b) publicise and belief, cause or campaign, or
(c) mark or commemorate an event."

Despite the inclusion of these exemptions in the regulations, the actions of the authorities - seemingly in their attempts to provide a "clean city" - have led to restrictions on freedom of expression and some questionable uses of the law.

Protest group the Space Hijackers, established with the aim of "battling the constant oppressive encroachment onto public spaces of institutions, corporations and urban planners" and who describe themselves as "anarchitects", [18] took the decision to proclaim themselves "Official Protestors of the 2012 Olympic Games", making reference to a marketing operation which has led to all manner of goods and services - from chocolate bars to video games - being promoted as the "official" Olympic product. At the end of May the London Organising Committee of the Olympic Games (LOCOG) contacted Twitter to demand that the Space Hijackers' account be suspended due to a breach of the brand affiliation rules. Twitter did so but, unsurprisingly, this simply led to more publicity for the group's campaign. [19]

The group has recently pasted up billboards near the Olympics park in east London, listing the banned words noted above. This was done as part of a larger campaign by a group going under the name of Brandalism, "the world's first international, collaborative subvertising project." [20] Brandalism mustered over 25 artists, apparently "sparked by the strict enforcement of branding regulations in advance of the London Olympics," [21] who pasted up their own artwork over dozens of billboards across the UK.

However, in a city in which the advertising and branding restrictions required by the International Olympic Committee are in force, such activities have not been welcomed by all, [22] despite a degree of tolerance for street art emerging in the jurisdictions of some

local authorities in London over the last few years. Representatives of the advertising industry have referred to the Brandalism campaign as “spurious”, stating that they wish to “squash it as quickly as possible.” [23] A spokesperson for Brandalism stated that they are receiving photos of artworks that have remained in place, as well as those that have been removed, but that many of those that advertising industry representatives claim have been removed in fact remain in place.

Other examples point to a more heavy-handed approach to dealing with unsanctioned artwork. According to reports, the British Transport Police (BTP) have arrested a number of graffiti artists in the run-up to the Olympics. The BTP claim that only four people were subject to arrest, yet one of those arrested has repeatedly stated that there were somewhere around 30 people at the police station, “all arrested in similar circumstances” whom he knew from “keeping up with the graffiti community.” [24]

According to the BTP, the arrests were related to “a live and ongoing criminal investigation into linked incidents of criminal damage committed between January 2007 and July 2012.” The bail conditions imposed on those arrested, however, state that those subject to them should “not be at or within one mile of any Olympic venue in London or elsewhere in England,” leading a lawyer and journalist, David Allen Green, to question the purpose of this condition:

“What business is it of the British Transport Police to impose as a condition that those arrested should not be “at or within one mile of any Olympic venue in London or elsewhere in England”? That would not appear to be a matter directly relevant for those responsible for policing the transport network.” [25]

Ensuring that unsanctioned messages - whether commercial or not - do not appear on Olympic sites and routes seems to have become an important job for the authorities, whether local councils, the police or those employed for “brand enforcement” purposes. It has also been promoted as part of a commercial operation run between Procter & Gamble and London’s governing authorities, in which volunteers are encouraged to take part in “riverbank and canal clean-ups”; “litter picks”; “habitat restoration”; and, of course, “graffiti removal.” [26] A mobile phone app has been launched in conjunction with this program that “encourages Londoners to report ‘stains’ across the capital.” [27]

Freedom of movement

As well as billboards and other modes of advertisement, significant parts of London’s transport infrastructure have also been taken over by the Olympic organisers. Sections of path running alongside the River Lea canal have been closed to the walkers and cyclists who use it regularly, with “a small but deadly earnest military presence” in place. [28]

Changes to the road network have also provoked anger. Article 11 of the 2006 Act deals with the Olympic Route Network, allowing either the Secretary of State or the Olympic Delivery Authority (ODA, a public authority “responsible for developing and building the new venues and infrastructure” [29]), with the permission of the secretary of state, to “designate a road for the purpose of facilitating travel - (a) to and from London Olympic events, or (b) for other purposes connected with the London Olympics.” Other articles also inhibit the ability of authorities to act independently with regard to transport matters, which in Article 13 states that a “local highway authority, local traffic authority or street authority... may not exercise a function” without notifying the ODA and having the ODA approve their action.

There are 109 miles of roads making up the Olympic Route Network, with 30 miles of them dedicated exclusively to Olympic traffic only. These sections of road, now with the Olympic logo painted onto the tarmac, have been referred to as “Zil lanes”, in reference to roads in Moscow reserved for the use of senior Soviet officials. According to one commentator:

“Traffic lights will be programmed to turn green as the limousines approach and red again as they pass. Ordinary folk who inadvertently stray into the reserved lanes will face draconian fines.” [30]

The current fine is £130 for either bicycles or motor vehicles. The “Games Lanes” are intended to ease the passage of athletes, officials and the staff of corporate sponsors around the city. Significant congestion has been the result, [31] and anyone driving into London is greeted by signs advising: “avoid driving central London 25th July - 14th August.” These are accompanied by billboards from British Airways, one of the official sponsors, recommending that people “don’t fly” during the Games.

Numerous plans to protest against the Games Lanes are being made, from residents planning to walk across the Games lanes and back again, disrupting the traffic; to cyclists intending to fill the lanes in order to inhibit the traffic permitted to use the lanes and make clear their displeasure at having to give over significant parts of the road to those deemed more privileged. These protests, for which permission from the police is unlikely to be sought, may face some of the more restrictive measures the police have at their disposal (the postscript to this analysis contains further information on the police reaction to protests). Any policing operation will be directed from a police control centre which has been constructed in way that prevents people accessing public land. The base is located on Wanstead Flats and will stay in place for three months, [32] preventing people from accessing a green space historically protected by laws against building and enclosure. [33]

Freedom of assembly

The police have chosen to employ numerous powers in London for the Olympic period. One of the most controversial has been the introduction of “dispersal zones”, which can drastically limit the ability of people to assemble in public places. Dispersal zones can be put in place through powers given to police under the Anti-Social Behaviour Act 2003, and allow police officers or police community support officers to order “groups (defined as two or more people) gathered in an area deemed to be an anti-social ‘hot-spot’... This is regardless of age and time of day and refusal to obey can lead to arrest.” [34] If convicted, there is a maximum penalty of three months’ imprisonment and/or a fine of £5000. The powers also place a curfew on young people. Anyone under 16 who is “not under the effective control of a parent or a responsible person aged 18 or over” can be removed by an officer to their place of residence. [35] Further problems stem from the fact that it is unclear whether officers are required to provide those they disperse with written proof of the order, so that it can be challenged.

Research for the Joseph Rowntree Trust found that dispersal orders “have the capacity to antagonise and alienate young people who frequently feel unfairly stigmatised for being in public places in the company of friends.” [36] Despite this, the police have not been shy about introducing dispersal zones prior to the Olympics. In Stratford, home to the main Olympic park, a dispersal zone was put in place on 27 April, three months before the Olympic opening ceremony, with the activist Kevin Blowe noting that although the zone lasts for three months, “it is pretty obvious that an extension will happen automatically,” [37] something of which he has stated he is still convinced. In Leytonstone, a neighbouring

borough, a dispersal zone was put in place on June 26 and is not due to expire until November 20. A spokesman for the Metropolitan Police stated that “the Olympics was a consideration for the dispersal zone but this is not the primary reason for the implementation of the zone.” [38] Primary reason or not, the introduction of these measures only serves to further convince those who feel that the stringent police powers are being used to clean up the city for the Olympics: one local newspaper noted that “police patrols will be stepped up in Stratford town centre... just in time for the Olympics.” The police are taking a “zero tolerance approach to crime and antisocial behaviour,” and have stated that “it is unacceptable that anybody should feel threatened by groups of people hanging around.” [39]

The dispersal zones will be accompanied by the reintroduction of controversial stop and search powers (which the government stated they would abolish, but have instead been reintroduced in the *Protection of Freedoms Act 2012*) and “fast-track” courts, introduced for the Olympics but as part of a scheme due to be used nationwide. Stop and search powers have always disproportionately affected young black and ethnic minority people, and there is little in the new powers that will alter this. After section 44 of the *Terrorism Act 2000* was declared illegal by the European Court of Human Rights, a new section 47a was temporarily introduced allowing searches to take place in a particular area if a senior officer “reasonably suspects that an act of terrorism will take place.” [40] The *Protection of Freedoms Act* makes these powers permanent. The proposals for “fast-track justice”, [41] meanwhile, echo the system used during the riots in 2011, which has been criticised for playing a part in many “unduly harsh” sentences. [42]

Such measures have generated significant opposition, and the Newham Monitoring Project has established a scheme to train community legal observers due to concerns over:

“The impact that such high levels of policing will have on specific sections of the community, many of whom already experience disproportionate contact and often discriminatory treatment from authorities.”

The training of legal observers is intended to ensure that there are people present during the Olympic and Paralympic games to:

“Listen to, observe and respond to community concerns; ensure people are aware of and can utilise their rights by distributing rights information; [and] monitor, record and report back any treatment by the police or security officers that appears unlawful, discriminatory or improper.” [43]

A string of recent accusations of racism makes clear the need for such a scheme. Between April and June this year, “51 complaints related to allegations of racism” were made to the police watchdog. The most widely-reported of these allegations centred on police forces in east London and the scale of the problem has led to plans for a review of the measures intended to eradicate racism within the ranks of the police. [44] In the meantime, local people will be subjected to a police operation that, like so much else surrounding the Olympics, seems intended to ensure that there is a “clean city” in place, in this case free of undesirable or “anti-social” individuals.

Protest as a “threat”

Aside from young people whose favoured - or only - place to congregate is the street, the police may find that the introduction of dispersal zones and the provision by the government of new “anti-terrorist” stop and search powers may be used for dealing with protests. There have been a number of clear suggestions that, in a similar vein to only

officially-sanctioned advertisements and messages being on display in and near Olympic venues, little outside of officially-authorized protest will be allowed. Protests without the blessing of the authorities fall within the category of a “threat”, of which there are four altogether (the other three are terrorism; organised crime; and natural disaster).

The *Financial Times* has claimed that there will be “thousands of protesters... organising acts of mass civil disobedience against the Olympics on the day after the opening ceremony of the games.” [45] The Counter-Olympics Network (CON) has organised a demonstration in London for the 28 July, the first Saturday of the Games, under the slogan “Whose Games? Whose City? No Limos! No Logos! No Launchers! Demonstrate against the corporate Olympics.” One of the organisers, Julian Cheyne, was not as ambitious as the *FT* about the numbers of people expected at the protest, although he did say that there may be “a couple of thousand.”

The protest will be going ahead despite running into some problems with the authorities. Permission was required from the police, Transport for London, and Tower Hamlets council. Transport for London refused to authorise a march along Bow Road because it forms part of the Alternative Olympic Route Network, a back-up section of the Olympic Route Network described above. The organisers announced their intention to march anyway, arguing that “the idea that you ban free speech and shut down democracy to ensure that the rich have an alternative priority highway is an outrage.” [46] Transport for London then changed their mind and withdrew their objections. A second obstacle came from Tower Hamlets council, which has jurisdiction over the area in which the protest is planned. CON announced on 23 July that they would take Tower Hamlets council to court for its refusal to allow: “speeches or other events at Wennington Green, where the [CON] march will end. This is despite CON obtaining permission from the police and from Transport for London for its demonstration.” Tower Hamlets in fact originally suggested that the protestors use Wennington Green, then changed their mind, and are now stating that CON did not provide sufficient notice of the event. There is a suspicion amongst the organisers that there is strong resistance from some elements of the council to any event opposed to the Olympics taking place within their jurisdiction. CON have given the council until 25 July to allow the use Wennington Green, after which proceedings will be issued in the High Court for Judicial Review.” [47]

The police, meanwhile, were the only authority who did not issue any objection to the protest, perhaps because it is explicitly described as “family-friendly” and the organisers went through the procedures officially required. As Chris Allison, Assistant Commissioner of the Metropolitan Police and National Olympic Security Coordinator, has said: “If you want to protest, speak to us beforehand so we can manage your right to peacefully and lawfully protest.” [48] Allison has also stated that dealing with protests is “about flooding the streets,” which, given the number of police and security personnel present in London, should be relatively simple. [49] One east London resident has described the area as being “on lockdown,” a phrase that has been echoed elsewhere with reference to the police officers; security guards; troops; missiles; warships; and helicopters that will be present in London for the duration of the Games, and the surveillance and tracking systems that will remain in place long after they have finished. [50]

Pre-emptive arrests will be used if necessary. “As before the royal wedding last year, Allison said that, if there was ‘intelligence and justification’ for taking action before the Games against potential protestors, he would do so.” [51] Protesters subjected to pre-emptive arrests on the day of the royal wedding attempted to challenge the tactic in the courts, claiming that the police had operated an unlawful policy intended to ensure a “zero tolerance” approach towards protest and anti-monarchist sentiment in general. Their claims were dismissed, with the judgment stating that the “even if some individual

arrests were unlawful, it would not support the existence of an unlawful policy or practice... the fact that a small number of arrests were found to have been unlawful on their own facts would tell one nothing about policy or practice.” [52] The legitimisation of the controversial tactic may have “major implications for the policing of other major events, including the Olympics.” [53]

The intelligence upon which pre-emptive arrests will be based will in part come from the monitoring of social media websites “for signs of social disorder and, in particular, for organised protest.” One of the problems is for the police to analyse this properly, something that affected their response during the riots, where they were misled by messages posted on the internet. Speaking after the riots, Hugh Orde, head of the Association of Chief Police Officers (ACPO), described the analysis of the “huge volume” of information on social media websites as “a big piece of business” for the Home Office. [54] Allison has stated that “there is a lot of work that is being done anyway [on social media] and we will piggyback on that for the Games.”

The police have also stated that “we will take whatever action we can within the law to prevent you from disrupting the Games,” if they consider that to be the intention of protesters. [55] Two separate court cases have recently legitimated the controversial practice of kettling, [56] and this may be what is meant by “whatever action we can within the law.” It is worth noting that in keeping with the theme of a “clean city”, police forces regularly refer to areas over which they have control at a protest as “sterile zones” or “sterile areas.” [57]

Concerns have also been raised recently that:

“The government is pushing police forces to increase their stockpiles plastic bullets as part of the ‘security paranoia’ surrounding the Olympics, terrorism and the risk of further riots as austerity begins to bite.” [58]

Suggestions that the police are concerned by the prospect of unsanctioned protests would seem to be confirmed by an Olympic security preparation exercise that took place in late April. Under the name Operation Green Altius, government agencies from the police to the Health Protection Agency took part in an exercise “to test the information flow and decision-making” in response to a number of scenarios, including “the management of local protest movements, both lawful and those more disruptive elements,” according to a spokesperson for ACPO. A letter to the *Socialist Worker* newspaper claims that these protest movements included:

“The Voice of the Poor (VOP), a new protest movement. VOP marches were springing up all over the country - mainly good natured but including a hard core of troublemakers called Redcon... As if that wasn’t enough, French intelligence warned of the New Anticapitalist Party organising a blockade of Calais against the corporate takeover of the Olympics.” [59]

The police and other relevant authorities therefore seem to be well-prepared for any “disruptive” protests. The last major event around which there was controversy over policing was the royal wedding, the policing plan for which stated that “we accept that protest may, at times, cause a level of obstruction and disruption to everyday activity.” [60] Judging by the statements of the police in the run up to the Olympics, it does not seem that even this will be permitted. As already noted, Chris Allison is on the record as saying that the police “will take whatever action we can within the law to prevent you from disrupting the Games.”

The right to protest

The suggestion that protests at the Olympics will only be considered acceptable if undertaken with the sanction of the police seems to be backed up by the actions of the authorities in the run-up to the Games. Bail conditions, as imposed on the arrested graffiti artists, have also been used to prevent Trenton Oldfield from going near Olympic sites or events, as well as the state opening of Parliament or celebrations for the queen's diamond jubilee. Oldfield swam in the River Thames in order to disrupt the annual boat race between Oxford and Cambridge universities in April, in a protest against "elitism". His bail conditions also prevented him from going near the state opening of Parliament or celebrations for the queen's diamond jubilee. [61]

In at least one case an Anti-Social Behaviour Order (ASBO) has been used to bar a person from going near Olympic sites or events. Simon Moore was handed down an ASBO on 18 June that could potentially last for two years. [62] It was issued following his participation in actions attempting to prevent the transformation of a Leyton Marsh, a public green space, into a venue for Olympic basketball matches. The order prevents him, amongst other things, from "entering or remaining within 100 metres of any existing or proposed Olympic competition or practice venue or route or any competitors'/officials' residence/accommodation within England and Wales"; "entering or remaining within 100 metres of any road being used on that day for the passage of the Olympic torch"; "taking part in any activity with the purpose of disrupting the intended or anticipated official activities of the Olympic games." [63] Breaking the order can lead to a fine, a maximum of five years' imprisonment, or both.

People attempting to get near the torch have been tackled by a police team that jogs alongside it, most recently a 17 year-old in Gravesend, Kent who "dashed from the crowds and attempted to snatch the flame" before he was "grappled away by Olympic officials running alongside the convoy." [64] Two of the officers involved in Olympic torch security operation - PC Chris Healey and PC Giles Dainty - have been identified as members of the Territorial Support Group (formed in 1987 to replace the Special Patrol Group), which provides the "Metropolitan Police Service Strategic Reserve for public disorder and critical incident response." [65] Both were present at a student demonstration in November 2011 in plain clothes, where they mingled with the crowd and "terrorised and dragged people" out of it before arresting them. [66]

The magazine *Private Eye* has also reported "aggressive" policing of people seeking to make a political point as the torch relay comes to their towns. In one case Lindis Percy, a Quaker and joint co-ordinator of the Campaign for the Accountability of American Bases, [67] attempted to approach the US servicemen providing a "guard of honour" to the torch, in order to "have a calm discussion with them." The 70-year old was subsequently:

"Snatched, roughly and aggressively, away. Seven burly West Yorkshire policemen surrounded me and would not let me leave, although I was not under arrest. I was told that I should not be there."

She was then arrested for a breach of the peace, taken to the local police station, and released without going in front of a custody sergeant. She has formally complained and is "considering suing for wrongful arrest and assault." [68]

In Angus, Scotland, 70-year old Dave Coull wrote to the local paper with a letter on the origins of the Olympic torch relay in Nazi Germany, and suggesting he may go to protest when the torch passed through town. This was enough to get him visit from two plain-clothes police officers:

“I asked them if the protest was now illegal. They said ‘No it isn’t’, but there will be lots of folk out to cheer the Olympic torch, and we wouldn’t want you to get hurt by them, or vice versa.” [69]

This does not appear to be an isolated incident. In Wales, a student at Aberystwyth University, posted two tweets containing anti-Olympic sentiment. The student, Andrew Tindall, alleges that two plain clothes police officers entered his home without permission after this and attempted to question him about the tweets. [70] Across Devon and Cornwall, police “visited or spoke to” 18 people about their plans to protest as the Olympic torch made its way through the counties. [71] The campaign group *Big Brother Watch* submitted freedom of information requests to every police force in the country to see whether they had taken similar steps, but in almost every case the response claimed that “disclosure of the information requested would cause operational harm to [insert force name] and affect the force’s ability to fulfil the core function of law enforcement in the future.” It would therefore seem that: “someone, somewhere has supplied the forces with the template response to [the] request.” [72]

It has been made clear that political expression will not be welcome at the Olympic venues themselves. In January, seemingly in response to the Occupy movement (which uses long-term tent encampments as a form of protest), the Home Secretary Theresa May announced that visitors to Olympics venues would be barred from bringing tents and any other items that “could be used to demonstrate within the venue or sabotage property,” along with “any objects or clothing bearing political statements.” [73] This follows the banning in particular areas of “tents and similar structures” by both Westminster Council and the Greater London Authority earlier this year. [74] One author notes that:

“The Beijing Olympics organising committee drew much criticism for its restricted list which covered everything from a ban on sleeping outdoors, the need for government permission to stage a protest and barring prostitutes and those with ‘mental diseases’ or contagious conditions. Four years on and the London list is showing some similarities.” [75]

Despite claims by police that they “want to work with those who wish to protest so that their point can be legitimately made,” it is clear that even in the run-up to the Games, protests taking place against or near Olympic events, such as the torch relay, have been dealt with in a heavy-handed fashion. As noted above, the chief of Olympic policing considers protest as a “threat”. The examples recounted here indicate that far from permitting people to “legitimately” make a point, the authorities have in fact been at pains to ensure that Olympic events are not allowed to go ‘off-message’.

In combination with the measures intended to ensure that those deemed “anti-social” are kept off the streets in east London, it is clear that the “clean city” being provided for the Olympics involves more than just ensuring that only companies sponsoring the Olympics have their advertisements in key locations. The need to ensure that the Olympic venues, routes and their surroundings are a space in which only officially-sanctioned messages can be expressed has had an impact detrimental to some of those values that are espoused as central to the Olympic Movement: “social responsibility and respect for universal fundamental ethical principles”; the promotion of “a peaceful society concerned with the preservation of human dignity”; and opposing “any form of discrimination with regard to a country or a person on grounds of race, religion, politics, gender or otherwise.” [76]

July 2012

Postscript: Olympic policing swings into operation

Friday 27 July: Critical Mass

The size and strength of the policing operation and the determination of police not to let anything “disrupt” the Games was well-demonstrated on the same day as the Olympics opening ceremony, as 182 cyclists were arrested after part of a monthly Critical Mass bike ride made its way through Stratford.

On the last Friday of every month, cyclists, skateboarders and others in towns and cities around the world gather for large-scale bike rides, under the name Critical Mass. These are chiefly intended to demonstrate enthusiasm and support for cycling and to take back roads usually dominated by cars and other motor vehicles, although as the London group’s website says: “there are probably as many aims of Critical Mass as there are participants. Each individual comes there with his or her own idea of what it’s about.” July’s event in London happened to fall on the same day as the Olympic opening ceremony, leading to a policing operation that included two helicopters; Forward Intelligence Team (FIT) officers being deployed to film and photograph cyclists; police officers on bicycles (who arrived at the meeting point an hour early); and dozens of riot vans, with the officers inside eventually deployed to form a kettle lasting for several hours.

The police had placed conditions on the ride under Section 12 of the Public Order Act on the grounds that it “had the potential to cause serious disruption to the life of the community.” The conditions were that:

- The procession was not to commence before 18:00 hours on Friday 27 July and end no later than 03:00 hours on Saturday 28 July;
- Participants were not to go north of the River Thames (the regular starting point is on the south side of Waterloo Bridge);
- Participants must not enter any part of the Olympic Route Network;
- Participants were to remain south of the River Thames at all times during the times stated;
- Participants must keep moving on the procession route unless stopped or directed by police, or due to traffic signals. [77]

Many riders were unhappy at this, and many were quite possibly unaware that these conditions had been put in place - they were not made well-known to all those present. A report from one participant notes that:

“As ever on Critical Mass, many people were just there for a bike ride and did not understand about the police presence. There was [sic] only a few leaflets, [and] a car [rasping] out an undecipherable loud hailer message.” [78]

After some time cycling around south London, people attempted to cross the river and, after several times being blocked off by police, several hundred made their way over Blackfriars Bridge. With the bridge finally sealed by police many others remained on the south side, including around a dozen involved in a confrontation with police officers that led to an incident in which it is alleged that a policeman, with a police medic attempting to restrain him, pepper-sprayed a man in a mobility scooter. [79]

Those who had made it north of the river eventually headed east, gradually gathering more police attention as they came closer to Stratford. Here, many participants (and even some non-participants who were simply passing by) found themselves trapped inside kettles for approximately three hours. A video giving an aerial view of cyclists arriving in Stratford would seem to indicate that it is the police response that caused more disruption

that the cyclists themselves, with vans and cars being used to block a junction. [80] After being taken away in police vans and public buses rented for the occasion, many of those arrested had to remain sat in those vehicles for several more hours as police attempted to work out where to take them for processing. The arrests, according to one police driver, were ordered by Commander Mick Johnson, the ‘Silver Commander’ for Olympic policing and “responsible for deciding which tactics can best deliver the strategy set by the Gold Commander and passing that on to the Bronze commanders.” [81]

The bail conditions given to all those arrested, in order to “prevent further offences”, are:

- Not to go within 100 yards of any Olympic Venue
- Not to enter any Olympic only carriageway, unless that carriageway is open to all traffic at that specific time
- Not to enter the borough of Newham whilst in possession of a cycle
- Not to take part in any activity that disrupts the intended or anticipated official activities of the Olympic games
- Not to obstruct the movement or passage of any Olympic participant between their residence, practice venue or place of work and venues being used for Olympic competition or cultural purposes

The conditions expire in September, after the Olympic and Paralympic Games have ended. The vast majority of those arrested were bailed on the condition that they return for an interview. As of 31 July, police had charged just three of those arrested with any offences. [82]

Police in the UK have exceeded their own records for mass arrests three times in the last three years. In April 2009, 114 people were arrested in an operation intended to prevent protests at Ratcliffe-on-Soar power station. It was this incident that led to the trial in which policy spy Mark Kennedy was ousted. In March 2011, 145 people were arrested for staging a sit-in protest at luxury store Fortnum & Mason. The number of people arrested on Critical Mass is a new high, although unlike the other two cases noted here, it is far from clear whether what happened on 29 July can be considered a protest, despite continued use of the term by the police in their statement on the arrests. [83]

A petition launched by one participant in the ride is calling for the discharging of all bail conditions on those arrested, the removal from police records and destruction of DNA, fingerprint, and other information (such as names and addresses); and “an independent review of the police behaviour on Friday 27 July.” [84]

Saturday 28 July: the Counter Olympics Network protest

The demonstration organised by the Counter Olympics Network on Saturday 28th July took place peacefully, with wildly varying reports suggesting that somewhere between 400 and 1,000 people were present. One participant has described it as “the most heavily policed march I’ve ever seen.” The procession was heavily controlled and speeches at the end cut short due to the police “getting itchy about an overrun of the agreed protest time.” The same report notes that:

“It was extraordinary to see so many groups with a common focus - among them, unions, anti-cuts groups, anarchists, local campaign groups from displaced communities, those invaded by Olympic facilities or missile bases, civil rights and right to protest groups, police monitoring groups, anti-corporate campaigners against G4S, Dow Chemicals, and BP, and of course the socialists with their newspapers.” [85]

A spokesperson for LOCOG apparently urged those protesting “to consider the possible effect their demonstrations might have on the athletes,” stating that: “We implore any protesters to consider the impact of any action on the athletes, most of whom have spent half their lives preparing for London 2012.” [86]

The differing responses of the police to the two events outlined here seem to vindicate the argument outlined above, that only officially-sanctioned protest would be tolerated. In one case, a cycle ride in which “follow-the-leader” rules prevail and in which the route is never known in advance was stringently policed, with almost 200 people who strayed to close the Olympic site arrested. In the other case, a march coordinated with the police and local authorities, with stewards doing their utmost to ensure that it stayed on route and on time, was permitted to go on until the police got “itchy” and pushed for people to disperse. They did so peacefully.

Monday 30 July: Newham Council bans Newham Monitoring Project’s community legal observers from local park

Newham Borough Council, one of the five ‘Olympic boroughs’, has reportedly banned the Newham Monitoring Project’s community legal observers from Stratford Park, “a site open to the general public who wish to watch the free Olympic livescreens.” The legal observers were there to give out information on their rights if stopped and searched by police or security guards. Guards at the park have apparently accused the observers of “making it easy for criminals and giving them tips,” although justification of the ban was later made on the grounds that the cards cause litter. [87] Kevin Blowe has noted of the ban that:

“The idea that providing people with information about their rights is in any way a threat to public order or likely to cause criminality is, of course, utterly ludicrous. It is also deeply insulting to local people, whom the council’s security evidently look upon with immense distrust, a crowd ready to explode if it discovers that there is no need to provide their names and address if they are stopped by the police.” [88]

The Council has yet to respond to Newham Monitoring Project, who have contacted them in order to outline the role of legal observers and to question the right of security guards at the park to ban independent legal observers.

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