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Police discretion and the role of the 'spotter' within football crowd policing: risk assessment, engagement, legitimacy and de-escalation

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ABSTRACT

Discretion is a key feature of policing, yet its surrounding research has historically been heavily reliant upon exploring interpersonal or dyadic encounters between individual officers and members of the public. More recently, studies have explored how discretionary decisions by police officers impact upon and interact with group-level and organisational processes but few studies have explored the relevance of discretion to debates in the literature on public order policing. Correspondingly, there is to date only a limited body of research exploring the nature and dynamics of dialogue-based football-related public order policing. This study addresses these combined gaps by drawing upon data from interviews with specialist football officers, referred to as 'spotters' or Dedicated Football Officers, from five English police forces. Our analysis critiques the idea that these specialist roles revolve merely around the surveillance, categorisation and enforcement of fans who are considered to pose a risk to public order. We highlight how these officers understand their roles in terms of the use of discretion. We argue that in a complex intergroup environment officers utilise discretion to manage perceptions of their legitimacy among supporters. This 'social capital' in turn enhances their capacity to de-escalate and avoid disorder through the promotion of self-regulatory behaviour. We discuss the relevance of our study for theoretical approaches to understanding discretion and consider the implications of our analysis for developing a more formal dialogue-focused and discretion-based approach to football crowd policing in and beyond England and Wales.

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Introduction

Police discretion

Discretion has long been understood as a key feature in the work of street-level police officers (Lipsky 2010, Holdaway 2019). Indeed, Stenning (2009) observes how legislation governing policing formally permits the use of discretion by stating officers 'may' (as opposed to 'must') use their powers in each situation. However, much of the academic literature to date focuses merely upon police discretion during interpersonal or dyadic encounters between individual officers and members of the public

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(e.g. Lister and Rowe 2016, Wood 2020, Hough 2021). More recently, studies have begun to explore how discretionary decisions by police officers impact on and interact with group-level and organisational processes. For example, in their recent ethnographic study of routine policing in England, Pearson and Rowe (2021) acknowledge that discretion performs a central role in policing and when used ethically it can be beneficial. Yet they contend that adequate analysis of discretion needs to extend beyond individual officer judgments to consider the broader social and organisational context, such as how decisions are made about which calls for service to attend or why patrols are targeted in some areas as opposed to others. Correspondingly, Pearson and Rowe (2021) also raise concerns about how discretionary decisions by individual officers, who often patrol unsupervised, can and do affect community relations.

In this regard, the literature has begun to touch upon how police discretion affects group-level processes and as such has important relevance to debates in the literature on public order policing. For example, in his earlier work on football policing, Pearson (2012) observes how officers often 'keep the peace' not through a strict law enforcement approach but by exercising high levels of discretion. In other words, discretion is a tool that officers can deploy to shape the intergroup relationships and group-level processes that shape collective behaviour during crowd events. With this study, we therefore contribute to the literature on police discretion by considering how specialist police officers talk about employing law enforcement judgements in the complex intergroup environment of football crowd events. We explore their understanding of how they utilise discretion to manage their intergroup relationships with supporters and to steer situations away from 'public disorder'.

Dialogue and the policing of crowds

Across the last two decades, the Social Identity Approach to crowd psychology (SIA)¹ has acted as a theoretical tool to help police understand how to interact with crowds in ways that do not inadvertently inflame disorder. Specifically, the theory emphasises that where the policing of a crowd event is experienced by crowd participants as indiscriminate, disproportionate, and hence illegitimate, it may create forms of collective psychology conducive to the emergence and spread of collective violence. The corollary of this is that the police can harness these social and psychological dynamics to enhance a normative climate of 'self-regulation' within crowds by managing and maintaining perceptions of police legitimacy among participants. Doing so helps to de-escalate tensions and undermine the potential for widespread conflict (Stott *et al.* 2007, Stott *et al.* 2008a, Hoggett and Stott 2010). Consequently, a major review of public order policing in England and Wales over a decade ago stressed the importance of developing police capacity for communication and dialogue as the primary tactic through which police forces can interact with crowd participants to enhance their capacity to proactively manage these social identity dynamics (HMIC 2009).

Following the death of a member of the public during a protest, recommendations by the then Her Majesty's Inspectorate of Constabulary² led to the creation of Police Liaison Teams (PLTs). PLTs are specialist officers deployed at protest events. They wear light blue tabards to distinguish themselves from their yellow-jacketed public order colleagues and, as a standard operating procedure, are kept as distinct as is possible from any formal criminal intelligence gathering capacity. Based on the Swedish Dialogue Police (Hoggersson and Knutsson 2011), PLTs are often the first point of contact between protesters and police in the planning phases of an organised demonstration. PLTs are tasked with forming trust-based relationships with crowd participants by exercising high-levels of verbal engagement, discretion, negotiation and mediation before, during and after protest events. In so doing, PLTs use dialogue as an important tool in their strategic goal of establishing and maintaining police legitimacy among those within the crowd, both in terms of early problem solving and creating a 'no surprises' agenda (Gorringer *et al.* 2012, Stott and Gorringer 2014). The PLT has been regarded as successful by police forces across the UK in terms of improving the management of demonstrations and as such have become an embedded part of protest-related public order policing. However, at the time of writing PLTs have not seen a similar systematic uptake in the

context of football-related public order policing so it remains unclear how this important crowd management function is being achieved (Stott *et al.* 2019b).

Football intelligence and 'spotters'

Within football policing in England and Wales, the Dedicated Football Officer (DFO) and football 'spotter' have existed for decades in various forms (Frosdick and Marsh 2011). As part of their day-to-day role, DFOs have responsibility for matters such as club liaison and pre-event planning. In contrast, spotters tend to have full-time roles elsewhere (e.g. patrol, neighbourhood) and predominantly only work as spotters on match days. When deployed, DFOs and spotters are identifiable by the wearing of a high-visibility jacket with a royal blue 'yoke' on the upper half. They are required to have an awareness of public order tactics (some forces specify spotters must be public order accredited) and are often trained to use hand-held video cameras. Spotters are expected to be deployed routinely to all matches risk assessed as requiring a police presence. Both DFOs and spotters must complete accredited training delivered by the United Kingdom Football Policing Unit (UKFPU) (College of Policing 2020).

During a football-related public order policing operation, DFOs and spotters work together and have two main objectives. According to national doctrine and guidance, one aspect of the DFO and spotter role requires them to gather information and intelligence on football fans judged likely to engage in disorder (classified formally as 'risk' fans) and gather evidence on them for criminal prosecution and Football Banning Orders (FBOs). FBO legislation is found in Part II of the Football Spectators Act 1989. There are two sections, 14A and 14B, with 14A enabling a ban to be imposed by a court following a conviction for a football-related offence. Under section 14B, a ban can be applied for at the request of a Chief Constable in circumstances where an individual is alleged to have been involved in football-related disorder. Current legislation states 'A court must impose a banning order in relation to the person unless the court considers there are particular circumstances relating to the corresponding offence or to the person which would make it unjust in all the circumstances' (Home Office 2022). FBOs prevent an individual from attending football matches and may have additional restrictions attached such as geographical bans and travel restrictions in certain circumstances (Crown Prosecution Service 2022).

Researchers have questioned the proportionality of FBOs as well as their effectiveness in reducing disorder (e.g. Stott and Pearson 2006, Hopkins and Hamilton-Smith 2014, James and Pearson 2018). Nonetheless, police forces receive funding from the Home Office via the national coordinating body for football policing, the UKFPU, for securing FBOs. Hopkins (2014) discusses how this funding model can create a target-driven culture whereby FBOs may be sought not merely to prevent threat and risk but to sustain revenue. Although subsequent research by Hester (2020) found some evidence to suggest funding was a driver for FBOs, he argues DFOs and spotters are generally adopting a more preventative approach by seeking funding for initiatives such as youth diversion projects.

A second formal aspect of their match day role requires DFOs and spotters to 'to act as a link between the police and a club's supporter community, with a view to achieving increased trust and confidence between the football operation and supporter community' (College of Policing 2020). However, despite their ubiquity and centrality to football policing, both domestically and internationally, there is little research on the role spotters play in relation to their capacity to provide this latter community function. While there is some research on football dialogue police in Sweden (Stott *et al.* 2019a) and some preliminary work that explores the community engagement and dialogue focused work of spotters (c.f., Stott *et al.* 2008b) the literature overwhelmingly focuses on the role of spotters in intelligence gathering for FBOs (see for example Stead and Rookwood 2007, Hopkins 2014, James and Pearson 2015). Therefore, if and how spotters and DFOs deliver and maintain the dialogue and liaison aspect of their role during crowd events is currently poorly understood both theoretically and empirically.

Sports dialogue police

Seven years after their development, the Dialogue Police unit in the Swedish city of Stockholm began to move beyond a focus exclusively upon protest and apply their methods to the often-challenging environment of policing football supporters from the city's three major football clubs. All three of these clubs experience serious public order-related issues on a regular basis. In their drive to address these, the Sports Dialogue Police officers began working alongside, but separately from spotters, the latter being colleagues whose sole task became to identify, prosecute and exclude fans involved in violence and criminality (Stott *et al.* 2019a). A study by Stott *et al.* (2019a) suggests the Sports Dialogue Police quickly became highly effective at preventing disorder. Through their high levels of engagement with fans and lack of involvement in surveillance, intelligence gathering and banning orders, the Sports Dialogue Police developed positive working relationships with risk fans. Doing so enabled them to de-escalate, problem solve and avoid otherwise conflictual situations. Similar dialogue-based approaches for managing high-risk fan groups have also been developed by Danish police and the Danish Railway system, with positive impacts on overall levels of criminality. Indeed, in Denmark, studies have shown that levels of football-related disorder and damage on the railway network involving fans travelling to and from fixtures have declined exponentially since their introduction (Havelund *et al.* 2010).

As Stott *et al.* (2019a) discuss, this dialogue-based approach in Scandinavia appears to work because it affords the police a capacity to operate with high levels of discretion. This in turn helps Sports Dialogue Police to establish community relationships with risk groups due to an emergent and shared perception of officer legitimacy among such groups. However, while research in Switzerland also argues for greater use of dialogue-based approaches to reduce disorder between risk fans and police (Brechtbühl *et al.* 2020), important questions remain about if and how a similar discretionary-based approach could be replicated elsewhere such as the UK.

The current study

Following decades of investment and policy development, the use of football spotters is universal in the football context across England and Wales. The context therefore offers an ideal opportunity to advance the literature by exploring how spotters describe their role, particularly in respect of supporter engagement, dialogue and the use of discretion. The literature currently suggests that efforts to introduce a dialogue-focused approach to the policing of football fans in England and Wales have at best been problematic, evolving only in piecemeal fashion where a small number of forces have begun to utilise PLTs in an ad hoc fashion as part of their football operations (Hoggett and West 2018, Stott *et al.* 2018). Despite evidence of the positive impact of these innovations, research remains limited on how a dialogue-based policing approach can be achieved (Pearson and Stott 2022). Moreover, research of football policing in the UK suggests the presence of PLTs has resulted in tensions within the police, most notably football spotters concerned about their role being undermined and duplicated by the presence of PLTs (Hoggett and West 2018, Stott *et al.* 2018). Consequently, in this study, we will contribute to the literature by exploring how spotters and DFOs talk about their role, analyse how this relates to their understanding of police discretion and examine any perceived benefits they consider their approaches to deliver.

Methods

The data presented are the product of semi-structured interviews and focus groups conducted with 22 police officers who work across England and Wales as football spotters. The sample was drawn from five English police Forces and the collective experience of those interviewed spanned 20

English clubs along with European cup competitions and, in the case of 2 DFOs, the England national team. All force areas sampled had a minimum of three football league clubs, meaning that to varying degrees (dependent on the frequency with which clubs were in the same league) participants had experienced working high-risk 'local derby' fixtures. Participants were selected opportunistically based on their experience in the role, an average of seven years, and willingness to be interviewed. The data were gathered between January 2019 and February 2020. Participants were provided with anonymity and assigned a pseudonym (Table 1).

A semi-structured interview schedule was developed with the aim of exploring engagement, dialogue and the use of discretion in the spotter role. An inductive approach was employed to enable themes to emerge from participant descriptions of their experiences and views on topics discussed (Bryman 2016). Interviews lasted between one and two hours and all were audio recorded. The interviews were transcribed, and a process of thematic analysis was employed. The purpose of thematic analysis was to identify and interpret elements of data relevant to the study aims (Braun and Clarke 2017). This involved the first author reviewing all the transcripts to identify relevant data. These extracts were grouped together thematically and shared with the co-authors who met on several occasions to analyse and iteratively hone the data into a series of coherent themes, which are presented in the following analysis. The extracts used did not necessarily represent the numerical frequency of data within themes, rather they were selected for the extent to which they usefully represented its broader content (Smith and McGannon 2018).

Analysis

Risk assessment and categorisation

In line with national guidance, spotters defined their primary role as gathering information that would be used as part of risk assessments to support the tactical considerations of the public order operation within which they had been deployed.

Table 1. Force and participant information.

| Force | Level of clubs | Participants |
|-------|---|---|
| 1 | Premier League Championship League 1 National League | DFO16 Interview (INT) SP17 Focus Group (FG) SP18 FG SP19 FG SP20 FG SP21 FG SP22 FG |
| 2 | League 1 League 2 National League | DFO11 INT DFO14 INT SP15 INT |
| 3 | Premier League Championship League 1 | DFO12 INT |
| 4 | Championship League 2 National League | SP1 FG SP2 FG SP3 FG SP4 FG SP5 FG SP6 FG DFO7 FG SP8 FG SP9 FG SP10 FG |
| 5 | Championship League 1 | DFO13 INT |

How do you see your role in football, what is it that your role focuses on, what is it that it brings to policing? Can we start with the spotter and DFO roles in the first instance?

Spotter (SP)1: Really, it's about gathering intelligence and information and give that on the day and give it back to the commanders so they can make the decisions. That's the main role, to be out there, on the streets, gathering that intelligence, that information.

Interviewees invariably describe how their assessments are shaped by national guidance and therefore revolve primarily around the categorisation of so-called risk fans. However, several contested the functionality of this approach by arguing that the category 'risk' was so all-encompassing that it was at times meaningless because it could incorporate almost anyone.

What is the definition of a 'risk' fan then?

SP2: As I say when they go to a game, and they are looking for trouble. If I went to a match and I had to defend myself that doesn't make me risk. That makes me somebody who is defending myself. I don't believe in this A, B, C³ thing. So, I don't use that. I know a lot of other forces do now. If someone says to me where are your risk? Well, there are four and a half thousand there, mate.

In line with the arguments put forward by Pearson and Stott (2022), when describing violence and disorder, some described how much of what took place was less a product of premeditation among risk fans and more as something emerging from circumstance. A similar observation is made by Hoggett and West (2018) when discussing how people with no pre-existing intent can and do become involved in football-related disorder as a function of the interactional dynamics of crowd events.

How often do you find active risk groups conspiring to confront one another in a football context?

SP2: It's reasonably rare now isn't it.

SP1: Yeah.

SP2: The police have got a grip of it in that sense.

SP1: It's mostly spontaneous now days.

SP2: Yes, mostly spontaneous.

Accordingly, our interviewees suggested that risk is dynamic and context-dependent rather than a fixed 'property' of certain individuals and/or fan groups (i.e. risk fans; c.f., Stott *et al.* 2018, Stott *et al.* 2019b), requiring them to continually (re)interpret situations on an ongoing basis. Our interviewees described how the systematic and longitudinal nature of their role was particularly important in their capacity to generate risk assessments because it allowed a fuller and deeper understanding of the fans they were responsible for. In this regard, several participants equated their role less to a spotter and more to that of a neighbourhood police officer developing ongoing relationships with their communities.

Do you think there is anything you can take from how you deal with risk groups in terms of relationships that could be built on in other areas of policing?

DFO12: Having a dedicated person doing it and getting out there and speaking to them. Our neighbourhood just happens to be the football stadium on a match day. Like I said, you're a beat officer just working the football and those skills of community officers is what it is to be a spotter.

Reflecting Bittner's (1967) observation that an officer's ability to understand events on their beat is closely related to the levels of knowledge they possess about the people involved, risk assessment in this context was less about categorising than it was about establishing a more tangible 'look and feel' of an event based upon a nuanced understanding of the situation and the people who populated the crowds being observed.

How do you see your role in football, what is it that your role focuses on, what is it that it brings to policing?

SP1: Because you tend to work most of the games, so you get that feeling, with the crowds and the fans coming. You know if it's boiling or if it's a bit subdued. You get that feeling because you tend to work those home and away fixtures.

Accordingly, participants discussed how, unlike their public order colleagues, they were afforded high levels of autonomy to determine how and where they deployed within the operational footprint (i.e. their beat) to fulfil their role.

What level of independence do spotters get to do their work in your experience?

DFO16: They (spotters) are left to do their own thing but they are regularly sort of, not checked up on, but liaised with to see where they are, what they've got, what the mood is and I will sort of have a roaming patrol where I can work out where it's quite busy. I'll go to that area and assess it with them and then move onto the next one.

This operational independence was described as enabling routine observation of incidents involving risk supporters across an operation and from one operation to another. Similarly, as Gorringer *et al.* (2012) discuss in relation to PLTs to operating within crowds, these surveillance activities provide commanders with detailed 'ground level' information which informs both the necessity and proportionality of any police response.

However, Pearson (2012) discusses the importance of police public order operations being able to distinguish between risk supporters and what he terms 'carnival' fans. He asserts that the behaviour of carnival fans often involves large gatherings, excessive drinking and collective singing which can attract police attention due to assumptions such behaviour will escalate into disorder (Pearson 2012). Furthermore, O'Neill (2004) argues that many officers involved in football policing lack the requisite knowledge to accurately identify risk supporters. In these ways, our interviewees also described how their autonomy combined with capacity to develop long-term knowledge of supporter groups enabled them to help shape the decisions of public order commanders and steer them away from inadvertently, unnecessarily and disproportionately policing the 'carnavalesque'.

In general terms, as a spotter what would your role on a match day be?

DFO12: We are people that are furnishing commanders with information and intelligence about the whole supporter community, not just risk supporters, so that the Bronze [commander] who is in charge of where the resources go can decide what's best to do. If we've come across a group of fans, they might be noisy, they might be vocal, singing songs. Other people might think they're a risk but because of the amount of time we spend with these fans we get to rule those out.

Building relationships with risk fans

In addition to problematising the 'risk' fan category, our participants described how its application was dynamic. In other words, while on the one hand, it was a relatively fixed and static categorisation, the extent to which such fans were judged to pose a risk would vary in terms of the context, underlying motivations and behaviours.

What sort of factors do you look at to assess the risk they pose on that day versus another game?

DFO16: One of the main things will be who they are playing against. If they are all out together and it's against a big rival, there's a history then they are going to be a risk to that operation. The other things you've got to look into is where they are, tucked away, hiding from us or are they out for a birthday party, things like that.

As the above extract implies, their description of risk fans was based upon recognising changes in behavioural patterns which, in turn, enabled our officers to detect increased or lowered threats of disorder. For instance, an unusually low level of interaction from risk supporters was often described as indicative of underlying criminal motivations.

If you've got a 'risk' group together on a given day, how do you evaluate their threat?

DFO11: I've been doing it a reasonable amount of time with these groups. You get to know them and if you are there trying to chat to them about football, which I think helps if you've got a little bit of knowledge of football you can talk to them, but they're just not interested or they're not even talking to you, you know then that there could be a risk of disorder later in the day.

In such ways, our participants described using longer-term relationships with risk supporters as the basis from which these fuller, richer, and more functional assessments could emerge. Moreover, they described how the key skill was not merely one of surveillance but also the building of rapport. For example, some reflected on how a key competency was a capacity to engage in the normative football fan behaviour of collective humour and 'banter'.

Having described what you've got there, a challenging 'risk' group, how do you go about engagement, communication with them?

DFO16: If you can go in there and have a laugh with them, a bit of a chat, make a comment and things like that it works very well.

Pearson (2012) discusses how such humour is considered an important aspect of supporter culture and that fans have the normative expectation that those policing football should be able to engage in 'banter' with them if they are to offer those officers any respect. Our interviewees acknowledged there were occasions when they would be on the receiving end of such sardonic humour and there was therefore a need to develop skills to deal with this situation. The officers described how they needed to be 'thick skinned' and 'hold their own', since reacting poorly in such interplays would damage important intergroup relationships.

What do you think makes a good spotter?

DFO13: They've got to have thick skin. If you've got any insecurities about any physical attribute you might have, I guarantee a football crowd will point it out. You've got to remember, don't take it personally.

Such interchanges were also observed by O'Neill (2005) in her work on football policing. Thus, the ability to engage in 'banter' with risk groups was described as a key skill, since the social capital such interactions afforded was an important resource that helped deliver a less confrontational approach.

How do you go about getting a group's co-operation, say if they've got to be escorted to a ground, taken out of a pub or something like that?

DFO13: Use a bit of humour, use a bit of banter. As a rule, they used to do what we'd say, where it used to get a bit tense was when you'd have a big line of PSU's⁴ all just ready to go. So I used to say 'I'll walk in the middle of you, they're not going to come at us' 'cos that was the other thing, they'd be worried they were going to get a bit of a hiding from the police, they'd had those kinds of experiences in the past.

As the above extract implies, several interviewees acknowledged that their supporters often held negative views about the police because of historical confrontations. Our participants described providing reassurance and, in the case of the above example, positioning themselves not in opposition to but working *with* risk supporters to reduce the likelihood of conflict. Correspondingly, some described how discretionary interventions designed to prevent arrests could serve as valuable opportunities to cement these more positive relationships with risk supporters.

What about the ability of spotters to de-escalate conflict situations?

SP21: We spoke to the serial, he was borderline going to get arrested for breach of the peace but upon seeing us his behaviour level just dropped completely, was able to speak to the serial and us in a completely different way just by seeing our faces. He subsequently didn't get arrested and then going forward for me I think that was a quite a turning point for me with the risk group. I was more accepted by the risk group from that match because they felt I had helped, prevented one of their members being arrested or helped to de-escalate the situation.

Research by Bradford *et al.* (2014) suggests that in a group setting, the ability to develop trust with key individuals is likely to influence how other members regard the police. Indeed, some of our participants described how their engagement led over time to longer-term relationships of trust. In this sense, our participants' accounts reflect how discretion was an important building block of their functional relationships with risk groups, in the sense that this social capital and sense of legitimacy could be utilised to de-escalate tensions and promote compliance among those supporters collectively. Indeed, Bittner (1967) discusses how when an officer seeks to manage behaviour, they do not merely rely upon arrest to gain co-operation and contends that a decision 'not to make an arrest is rarely, if ever, merely a decision not to act; it is most often a decision to act alternatively' (p. 703).

Intergroup legitimacy and promoting self-regulation

Whilst the term 'spotting' implies surveillance and identification, as we have already discussed, our data suggest a more complex role. Specifically, our interviewees described how their capacity to de-escalate was based not merely on instrumental compliance but also – and perhaps primarily – upon generating normative compliance through effective communication, relationship building and problem-solving. As a result, some of our participants expressed frustration at a lack of communication among their public order colleagues, an observation consistent with existing research (see for example O'Neill 2005, Stott *et al.* 2019b). One interviewee who had served as both a spotter and within a PSU described the issue as he saw it.

SP6: At a game recently, there was a prime example at (names a pub) where a group of (names risk fans from a club) were kept there and they wanted to know why and bobbies on the PSU weren't talking to them. We went in and explained it to them. They weren't happy 'but at least someone told us'. So, the biggest issue at the minute is communication.

Our interviewees often talked about how their role was important in such contexts because it delivered communication through which a problem-solving approach was used as the basis of their capacity to reduce confrontation. Our participants described how their ability to de-escalate situations was not about enforcement but a direct outcome of building social capital through interaction, as one interviewee describes after resolving a ticketing issue for risk supporters.

Is it just building that relationship that gives them, like you say, that trust in you, that you proved you're a person of your word?

DFO16: I'd already put a phone call in to the club to say look after these people cos this is what's happened. They all get their tickets, bring the vouchers to them all. 'Really appreciate that, thanks very much' and that is just how it works. If they think you're doing them a solid (favour) then you've got them really and they'll be good as gold for you but if you're there like we said hands off, not helping, going heavy handed, not talking to them, 'I'm going to ban you', all this sort of stuff you're not going to get anywhere.

Interviewees therefore reflected on how their interactions were in effect a form of negotiation with risk fans. Here there was often implicit recognition of how power and legitimacy were central dynamics which needed to be managed. One of the strategies they described to achieve this was through the establishment of a shared understanding with risk supporters of the limits of acceptable behaviours. As O'Neill (2005) discusses, behaviour at a football match which may technically be a criminal offence does not necessarily result in arrest (e.g. abusive behaviour). As such, for our participants determining behavioural limits was not merely about strict law enforcement but rather more about the discretionary application of legislation (c.f., Hawdon 2008). Consequently, a recurring phrase in this regard was 'the line', which was used to refer to a position where both spotters and the bulk of risk supporters had a shared understanding of behavioural limits.

Is discretion beneficial in building longer-term relationships with a risk group?

DFO13: There are times when you must explain to the football crowd, there's the line and I'm giving you that line there, don't cross it otherwise there is going to be consequences. Like I say there's a line, our line's probably a bit further back than some other officers, but they appreciate that as well.

As the above extract implies, this was not merely a blunt assertion of power by the officers, but a 'grey zone' and opaque settlement that would act as a means through which discretion and enforcement could be exercised in ways that were interpreted as legitimate by the risk group (c.f., Pearson 2012). A discretionary way of negotiating and establishing the boundaries of mutually acceptable behaviour over time was described as important because it meant risk groups, spotters and DFOs understood a shared set of 'rules' around which the legitimacy of transgression and enforcement was managed (cf. Marsh *et al.* 1978). Where this was achieved it was described as helping to build regulatory norms among the risk groups they policed.

Do you get to a position where they almost self-police if someone steps out of line to prevent you having to do something because they know that behaviour is not going to be tolerated?

SP21: The older prominent risk members will get into the younger ones, and we've seen them take the younger ones off to one side and almost do their own policing of their own risk group and they will come and apologise, or they just won't do that behaviour again.

Our analysis reflects the work of Spaaij (2008) who also discusses how risk group activity is often centred around influential individuals who will challenge member behaviour likely to attract police attention. What our work adds is to show how this form of group self-regulation is something our officers felt they could actively shape using discretion. Indeed, our interviewees suggested that their relationships with risk groups could create circumstances where the need for significant police intervention and potential disorder were removed entirely. In this sense, as O'Neill (2005) drawing on Goffman (1959) explains, spotters and risk supporters are operating 'backstage' to enable a capacity for de-escalating situations that might otherwise become violent.

DFO13: (referring to another DFO de-escalating a situation) I saw him single-handedly virtually stop what would have been serious, serious disorder. Three or four hundred fans all moving towards cops, inside the stadium, line of cops, all in the PSU riot gear and it looked like it was going to go mental at any minute. He walked through the line of the PSU cops, basically pointing at the fans saying, 'I know you, I know your dad, know your grandad, know your mum' and it just took the wind out of their sails. Right ok, so they see you as their cop, don't always like you but it's important.

Enforcement, organisational accountability and objective tensions

Our analysis so far has highlighted how our participants focus on engaging with risk groups to build trust and legitimacy. However, our interviewees also described the objective tensions in the spotter role (see Stott *et al.* 2008b; Stott *et al.* 2019a) in that they are also expected to actively seek intelligence towards civil banning orders and provide evidence to secure criminal prosecutions. Correspondingly, the use of technology by spotters has increased in recent years with the introduction of individual body worn video (BWV) and Stead and Rookwood (2007) discuss the negative impact the use of video cameras by spotters can have on football fans. Reflecting this, one of our participants described how wearing BWV had initially threatened the working relationship with his club's risk supporters because they believed their conversations with spotters may be recorded covertly. To manage this objective tension, he explained to the group of supporters how it worked and how he planned to use it with discretion. Correspondingly, he describes how this transparency enabled him not only to sustain the relationship but to use the camera functionally on occasions as a deterrent without further threatening his legitimacy.

What impact do you think having body worn video has, if any, on the relationship with your 'risk' group?

SP19: I went into the pub and briefed all the football hooligans that were in there about how this thing works. The benefit of that is they then think 'he's a good lad he's told us how it works'. But of course, then now when we are out and about if we need to use it tonight for example and we turn it on I will say to them, 'the body worn is on' and that's a massive deterrent.

The incident described above is just one of many examples of spotters acting outside of what may be perceived by some as orthodox police convention and applying a discretionary approach. This was described as something done deliberately to maintain social relationships regarded as legitimate by risk supporters, precisely because it then enabled them to better manage emergent conflicts without relying on the use of force or making an arrest.

As spotters have you regularly found yourselves in situations where you have to intervene to prevent disorder?

SP17: It can be literally grabbing hold of someone using a common law power and then having a very quiet word in their ear and saying 'you need to stop what you're doing now' but that can stop it dead and that's from knowing them and having a relationship but if you didn't have that relationship you couldn't do it.

As Pearson (2012) also suggests, the proportionate use of force by police in such situations may not impact on the perceptions of police legitimacy held by the risk supporter(s). What our data highlights in addition to this is that in the football context, discretion and the long-term relationships of trust it affords helps underpin such outcomes, enabling officers to create the contexts where proportionality – and hence legitimacy – are achieved.

Moreover, interviewees described their relationships with risk groups as being subject to a process of ongoing (re)negotiation, often interacting with 'spotter' capacities to deliver upon the negotiation, deterrence, and evidence-gathering aspects of their role. For example, a 14B banning application under Part II of the Football Spectators Act 1989 often involves evidence-gathering over an extended period (James and Pearson 2015). This evidence typically originates from DFOs and spotters, given their regular presence at matches. Such enforcement actions were recognised as threatening relationships with risk groups, who often consider this tactic 'sly' or underhand. Our interviewees described the need to manage these tensions using discretion. For example, while there is no legal requirement for police to inform the subject of an application until it is formally served, our participants described divulging this information beforehand to help build transparency and regulate behaviours.

DFO16: (discussing trust) I've always gone and told people that have come up on the radar, but they've not really committed arrestable offences. Their behaviour, they tick the box for 14B bans and they get spoken to before. 'Look you're very close to it now, one more mark on your sheet and the papers are going up, it's up to you'.

Additionally, this type of informal and discretionary notification suggests an absence of the target-driven FBO culture discussed by Hester (2020) because an individual becoming aware of police attention may reduce the chances of the ban being achieved. Whilst our participants acknowledged individuals subject to court proceedings would often be less inclined to engage, they also suggested that through being transparent and objective, positive group relations could be maintained despite enacting prosecution. For example, a DFO who provided evidence for a football-related court case describes being approached off duty by 'risk' supporters after 10 members of the group had been imprisoned:

DFO12: They said, 'mate this isn't a personal thing, this is football, if we get caught then that's our fault' and they just carried on down the road. That kind of like gave me a bit of confidence that you know, treat people fairly and describe what they've done, and they know they've done it, they can't really moan too much about it.

Correspondingly, our interviewees ubiquitously acknowledged the use of discretion as a tool to manage the complexities of their intergroup relationship with fans categorised as risk supporters.

Thus, when considering the necessity to make arrests for low-level offences they described considering the importance of these longer-term, more strategic objectives (c.f., Jackson *et al.* 2012).

DFO16: The bigger picture is policing the football, the whole operation. You can't be there locking people up for minor things, I'm not saying they get away with committing crime, I'm trying to think how to word it, you know having a bit of a rapport, having a trust with them and you know some conversations that you'd have, I'm not saying we become mates with them, but you become a little bit more acceptable with some of the things they say.

Our interviewees often reflected on the role they considered discretion to play in achieving operational aims. They therefore acknowledged how this approach can and does result in minor infractions of the law not being enforced. In other words, a key feature of their role is to operate with high levels of discretion. Such an approach resembles that of the historical 'watchman' officer discussed by Wilson and Kelling (1982), who they argue maintained 'the public order' not through blunt instrumental coercion but by using discretionary methods their respective communities saw as legitimate. However, using discretion instead of making arrests was described as presenting our participants with an issue if there was organisational reliance on banning order funding from the UKFPU of the sort discussed by Hopkins (2014). As such their discretionary approach was not necessarily recognised as positive by commanders:

Do you think that using discretion is beneficial in some cases when you are looking to build those longer-term relationships with the risk group?

DFO14: Yeah, it's definitely beneficial. If I went to a boss and told them what my discretion was they'd probably be fuming because that's not what their policing's all about. Policing's not about discretion, gathering information for the greater good.

Indeed, some described how tensions did emerge with commanding officers which exposed them to risks of harming their professional reputation. For example, one described a situation where two risk groups from opposing teams were in the same pub. On receiving this assessment, the public order commander decided to deploy public order officers inside on the assumption there was going to be disorder. However, the spotter knew that the risk groups had a positive affiliation historically and judged there was no potential for conflict. He managed to convince the senior commander not to send his resources in although a colleague reflected how this decision would have left him exposed had disorder then actually emerged.

Do you find information you give forces is influencing things or do you find it frustrating sometimes?

SP2: There was no need to send bobbies to it. We went down there, and they were all drinking and playing pool together in the pub. So, they have got to trust you and you have got to know your stuff.

SP3: It puts a lot of weight on spotters though. Because if you go into a pub and say they are alright, you go away, they don't put any resources on it and it kicks off, then it's going to come back on you'.

The above extract highlights the need for commanders to be able to trust information spotters provide them with, particularly if it means utilising discretion and not intervening in each situation. As Leach (2021) argues, risk averse public order commanders may be reluctant to reduce visible resource levels despite a risk assessment suggesting such resources are not required. In using discretion as a core element of their role, spotters must consider and manage complex and often competing accountability demands from different 'audiences' (e.g. strategic police leaders, fans, the clubs; c.f., Cronin and Reicher 2006, 2009, Bottoms and Tankebe 2012). How these dilemmas are both understood and resolved operationally (c.f., Leach 2021), are key considerations in the ongoing development of the spotter role.

Discussion

The primary purpose of this study was to improve empirical and theoretical understanding of the role of DFOs and spotters within football-related public order policing operations in England and

Wales, particularly in respect of engagement, dialogue and the use of discretion. Our analysis of interview and focus group data from 22 of these officers suggest their role is not merely one oriented toward the surveillance, identification and categorisation of fans judged to be posing a risk to public order. Instead, our analysis highlights how spotters describe themselves as delivering a more complex array of functions to avoid the emergence and escalation of disorder during football-related public order operations.

Many of these functions appear to revolve around the kinds of contributions delivered by Sports Dialogue Police in Sweden, Event Police in Denmark and PLTs in protest-related public order operations in the UK. While utilising the categorisation of risk fans as a primary tool, spotters describe developing risk assessments based upon their extensive cultural knowledge. They argue that their more nuanced understanding of risk supporters is derived from developing functional working relationships with such fans across multiple events. Central to this appears to be the officers' capacities to build intergroup relationships of trust and legitimacy with risk supporters by employing high levels of discretion. Across time, the data suggest they utilise discretion as a key tool in their work toward a strategic goal of shaping group processes among risk supporters. In short, our sample of officers describes establishing a shared understanding of behavioural limits and norms accepted by risk supporters and through which a culture of self-regulation emerges.

Our analysis suggests that spotters then use these relationships and the social capital they afford to de-escalate tense situations or avoid wider police intervention and disorder altogether. However, as the data highlights, the enforcement aspect of their role can result in tensions with risk fans which spotters seek to manage using discretion. Such use of discretion may be regarded as being outside orthodox policing approaches to football disorder (i.e. arrest and prosecution), resulting in tensions with commanders who may not recognise the importance of long-term relationship building. Likewise, the risk assessment advice they offer commanders can leave them exposed to criticism if the situations they assess do not materialise as predicted.

Therefore, our data suggest spotters operate in what we have described as a 'grey zone', often deploying discretion to achieve normative compliance from risk groups as opposed to seeking instrumental compliance through the routine use of police powers. Sunshine and Tyler (2003) argue such an approach increases the likelihood of police achieving co-operation without using force. Hawdon (2008) discusses how the 'watchman' policing style maximises officer discretion to achieve desired aims and our study suggests spotters recognise that using high levels of discretion can positively influence the wider group relations they seek to develop and maintain. However, as Newburn (2022) argues, it is difficult for officers to consistently apply fairness in their encounters and it is therefore important that any use of discretion by spotters is both consistent and appropriate as part of any strategy to develop relationships with risk supporters.

For some interviewees, the 'community policing' aspects of their work are the most salient and akin to that performed by *Sports Dialogue Police* in Stockholm or PLTs in protest-related public order policing. This study therefore provides a solid empirical platform from which to consider further developing the spotter role to enhance more specialist dialogue-oriented capabilities. Hester (2020) suggests spotter deployment may have been reduced during austerity as financial constraints diverted resources away from football. We would argue our evidence suggests that further investment in and refinement of the spotter role, coupled with an uplift in their numbers, provides the opportunity to reduce overall resourcing levels and associated financial costs. The rationale for this is that according to the evidence in this study, spotters possess a detailed understanding of football culture and how disorder develops. Importantly, they have the dialogue skills and social capital required to engage effectively with high-risk groups to de-escalate tension before disorder occurs. A review being conducted of existing working practices in football policing provides the opportunity to consider such an approach.⁵

In the review, the role of spotter has been removed and replaced with the concept of the Operational Football Officer (OFO). The OFO role is broadly like that of the spotter but does acknowledge the specialist nature of their work. Our analysis suggests this presents an opportunity to change the

orientation as to how the spotter (OFO) is developed, utilised and understood. We argue that this is an opportunity for a more dialogue-focused approach which maximises existing spotter skillsets of community policing, engagement, negotiation and use of high levels of discretion.

Given that spotters interviewed were themselves cognisant of tensions arising from evidence-gathering, we suggest greater consideration is given to assigning roles within football units. For instance, in forces with multiple football teams, 'spotters' associated with another club could be tasked with evidence-gathering at high-profile fixtures to minimise the impact on spotter relationships with their own risk fans. As we have highlighted, spotter relationships with risk groups can remain intact where prosecutions are considered legitimate by risk supporters. It is therefore important that legitimacy is considered in prosecution decisions, particularly in respect of 14B banning applications so as to avoid accusations of generating funding via bans and undertaking what risk supporters may consider to be underhand evidence-gathering.

An increased and recognisable investment in the new OFO role by forces would provide commanders with the confidence to employ a more meaningful engagement-focused strategy, as opposed to one often reliant on achieving compliance using public order tactics (Pearson 2012, Stott *et al.* 2019b). The new guidance emphasises the contribution OFOs can make towards operational outcomes desired by commanders due to their specialist knowledge of, and relationships with, football supporters. To achieve this, OFOs would need to be deployed frequently to develop meaningful relationships with risk groups. Our analysis highlights how this process takes time and whilst commanders may consider that low-risk matches afford the opportunity to reduce OFO deployment, they offer valuable engagement opportunities less likely to occur at high-risk fixtures. As our findings suggest, the ability of the OFO to use such relationships in confrontational situations is a central component of efforts to reduce disorder during football policing operations. We also suggest that allowing spotters to operate with autonomy and use appropriate discretion increases operational capability to proportionately manage group-level dynamics in the football context.

Yet despite these insights, it is important to acknowledge the limitations of the study. We have presented the views of a small number of spotters from five English police forces and so we do not seek to generalise about what all spotters do as part of their role. Neither does the study include the views of risk supporters, the people our interviewees predominantly discuss. The study is reliant on spotter 'talk' and we accept there can be a difference between officer talk and their behaviour, as highlighted by Loftus (2010).

However, the way spotters spoke about their work enabled us to identify several emergent themes for analysis which further our understanding of the complex way they manage group dynamics and intergroup relations through the use of discretion. As we have outlined, much of what the spotters described is supported by existing theory and research on crowd dynamics. We therefore contend this study makes a valid contribution to the debate on how to improve football policing by providing a fresh perspective on the work of spotters and the use of police discretion at a group level.

Notes

1. The SIA to crowd behaviour incorporates both the Social Identity Model and Elaborated Social Identity Model of crowd behaviour.
2. Her Majesty's Inspectorate of Constabulary has subsequently been renamed Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services.
3. Category A, B and C were terms used by police officers to identify the level of risk fans posed. Cat A = low risk, Cat B = medium risk and Cat C = high risk. Current terminology defines supporter risk categories as non-risk, low risk, medium risk and high risk.
4. A Police Support Unit (PSU) is a formation of police officers trained to use force to maintain and restore public order. A PSU consists of three vans, each containing a driver, six police Constables and a Sergeant. Every officer is equipped with 'protective equipment' or 'riot gear' including a shield, baton, helmet, overalls and padding. The three vans are commanded by one Inspector and each van of a Sergeant and six police Constables is known as a 'serial'.

5. The College of Policing has issued new guidance on the role of the 'spotter' as part of a wider review of public order policing which is yet to be formally published.

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