

# #Notallcops: Exploring ‘Rotten Apple’ Narratives In Media Reporting Of Lush’s 2018 ‘Spycops’ Undercover Policing Campaign.

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## Abstract (150 words)

This article offers a commentary on the media framing of high-street ‘ethical cosmetics’ firm Lush’s 2018 ‘paid to lie’ campaign. The viral nature of Lush’s intervention into the undercover policing of activism in the UK highlights the significance of media reporting in the construction of narratives surrounding policing and activism. Based on a qualitative content analysis of articles published online in the immediate aftermath of the campaign launch, this article argues that the intensely polarised debate following Lush’s ‘paid to lie’ campaign was representative of a wider discursive framing battle that persists. Within this battle, the state and police establishment promote ‘rotten apple’ explanations of the undercover policing scandal, which seek to individualise blame, and shirk institutional accountability (Punch, 2003). This is significant as identifying systemic dimensions to the spycops scandal is a key focus for activists involved in the on-going Undercover Policing Inquiry (UCPI) (Schlembach, 2016).

## Keywords:

Undercover Policing, Media, Activism, Rotten Apples.

## Introduction

In June 2018 many UK consumers were surprised to see ‘police tape’ adorning the store-fronts of the ‘ethical cosmetics’ chain Lush. A closer inspection revealed a carefully planned awareness raising campaign, highlighting harmful cases of police spying on activists. It generated significant media interest. This article argues that the heavily polarised debate, which immediately followed the launch of Lush’s ‘paid to lie’ campaign, can be understood as part of a wider discursive framing battle that persists between activists and the state. A central contention of spied-on activists has been the systemic nature of the harms perpetrated, whereas state responses have sought to individualise blame and amplify ‘rotten apple’ explanations for the scandal- placing responsibility on individual officers as opposed to systemic police practice- thereby shirking institutional accountability. In addition, debates surrounding the case are very frequently diverted away from the harm done to activists or the problematic nature of the criminalisation of protest, towards parallel discussions around which organisations and actors are entitled to make political arguments, and how those arguments should be conducted. This paper empirically demonstrates the way in which ‘rotten apple’ explanations come to dominate media reporting of cases of police misconduct. In doing so, the paper contributes to critical criminological literature on the spycops case (Apple, 2019; Fitzpatrick, 2016; Loadenthal, 2014; Lubbers, 2015; Schlembach, 2016; 2018; Spalek and O’Rawe, 2014; Woodman 2018a; 2018b; and XXXX, Forthcoming). The paper also contributes to critical media studies literature on the role of the media in manufacturing consent for mainstream ideologies and systems of domination (Almiron, et al; 2018; Cammaerts, 2015).

The article begins with a discussion of some high profile cases of police misconduct, before offering background on the spycops case and on the Lush campaign. It continues with a discussion of criminalisation of protest, placing the research in a theoretical context, in particular through Punch's (2003) discussion of 'rotten apple' explanations for police wrongdoing. The article then discusses the methodology of this qualitative content analysis of online news articles, explaining how the sample was drawn and data analysed. The article continues with an in-depth discussion of the findings, structured around the three core themes that emerged from the research; namely *#notallcops* narratives, which emphasise the idea that in highlighting these abuses in the way it did, the campaign had unfairly tarred all police with the same brush; *responsibility and risk* narratives, which emphasise the idea that the campaign was in some way reckless and/or dangerous; and finally *confusion* narratives, which emphasise the idea that the campaign was bizarre and/or that it was inappropriate for a high street firm to behave in this way. Finally, the article concludes with a discussion of the implications of the paper for campaigns against intimate state surveillance.

## Context and Overview of the Spycops case

First, by way of contextualising this study, it is worth underlining a pattern that can be evidenced internationally, where cases of police misconduct and corruption are initially ignored or written-off with 'rotten apple' explanations, before eventually being shown to be the result of widespread systemic practice. Examples include the 1994 Mollen Commission into corruption in the New York police department (NYPD), which found that instead of addressing corruption, the NYPD had allowed a culture that fostered misconduct and concealed lawlessness by police officers to flourish at every level (Raab, 1993). The 1997 Wood Royal Commission in Australia, investigated corruption in the New South Wales

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<sup>1</sup> 'Spycops' is a term that has been widely adopted by activists to describe the undercover police officers who spied on them. This term was also adopted by Lush in their campaign (Lush, 2018b).

police; with its remit later being extended to include investigating the activities of organised paedophile networks (Brown, 2007). It concluded that a state of “systemic and entrenched corruption” existed within the organization (Chan and Dixon, 2007: 443). The ‘Rampart scandal’ involved widespread corruption within the anti-gang unit of the Los Angeles Police Department (LAPD) in the late 1990s (Kaplan, 2009). Corruption was so widespread that over 70 officers were implicated, and more than 20 were fired or resigned, with several of those being convicted on criminal charges (Kaplan, 2009).

A significant example in the UK is the police’s response to the racist murder of London teenager Stephen Lawrence in 1993. The botched investigation meant that no criminal conviction was secured for his murder for almost twenty years. An official inquiry concluded that the London Metropolitan Police Service was ‘institutionally racist’ (MacPherson, 1999). Media interest in the case was initially limited. The Daily Mail even ran a story criticising anti-racist protestors for capitalising on the murder (Burrell and Peachey, 2012). Stephen’s father, Neville had previously done plastering work in the home of then Daily Mail editor Paul Dacre, and was able to challenge him directly, prompting a shift in the paper’s editorial interest in the case (Burrell and Peachy, 2012). The paper would go on to run a now infamous front page with photographs of the five men suspected of killing Lawrence, under the headline ‘Murderers’ (Burrell and Peachey, 2012). Home Secretary Jack Straw later said that the Daily Mail’s coverage of the case had partly inspired his decision to order an official inquiry (Burrell and Peachey, 2012). This demonstrates the significant role that media reporting can play in the success of official inquiries.

The spycops case first came to mainstream public attention in 2011, following newspaper reporting on the exposure of undercover National Public Order Intelligence Unit (NPOIU) officer Mark Kennedy. Kennedy had been initially exposed by activists in 2010,

following a seven year long deployment in which he infiltrated a number of leftists groups and deceived targets into romantic & sexual relationships using the identity 'Mark Stone'. Kennedy's case led to the exposure of several other spycops, and it is believed that over 150 spycops spied on over 1000 activist groups between 1968 and 2010. The majority of groups that we know were targeted were left wing (Woodman, 2018a, 2018b). Perhaps most notable among this initial wave of exposures was Special Demonstration Squad (SDS) officer Bob Lambert (Evans and Lewis, 2013a). Lambert's deployment has become particularly infamous due to him having fathered a son whilst undercover (Evans and Lewis, 2013a). The Metropolitan police subsequently paid the mother of Lambert's son £425,000 in an out-of-court settlement (Casciani, 2014). Lambert's son, who only discovered his father's true identity aged 26, is currently suing the Metropolitan police for psychiatric damage (Evans, 2017). It is believed that more than 20 officers engaged in the practice of deceiving targets into sexual relationships. Spycops also engaged in other highly controversial tactics whilst undercover, including adopting the identities of dead children without the consent of their families, participating in criminality whilst posing as activists and appearing in court under false identities (Apple, 2019, Evans, 2018a).

In 2015 Teresa May (then UK Home Secretary) announced an inquiry into Undercover Policing (UCPI). This can largely be attributed to the intervention of ex-spycop turned whistleblower Peter Francis, who revealed that he had been instructed to spy on and 'smear' the family of Stephen Lawrence as they campaigned for justice (Evans and Lewis, 2013b). The UCPI itself has been heavily criticised by activists for being slow moving and overly secretive (Schlembach, 2016). A key dimension in the campaign for truth and justice in this case has been the lack of acknowledgement of systemic accountability (Campaign Opposing Police Spies, 2019). Core participants in the UCPI staged a walk-out in May 2018 over what they described as an attempted cover up by the Police (Evans, 2018b). The

perceived inadequacies of the UCPI were instrumental in laying the foundations for Lush's eventual involvement in the spycops case.

### *Lush Campaign*

UK high-street ethical cosmetics firm Lush's high-profile intervention into the spycops campaign has been one of the most surprising recent developments in relation to the case. Lush publically lent spycops campaigners its support as part of a nationwide campaign, which launched in stores on 1<sup>st</sup> June 2018. Working in connection with the campaign groups Campaign Opposing Police Spies (COPS) and Police Spies Out of Lives (PSOL), Lush's campaign aimed to highlight abuses by undercover police officers in the UK (Lush, 2018). The campaign involved the use of window displays across their UK stores. Imagery deployed included mock police tape with the words 'police have crossed the line' and a tagline 'paid to lie' alongside a striking visualisation of a police spy (see figure 1). The stated aims of the campaign were to raise awareness about the spycops case, to push for changes to the current public inquiry and to demand genuine accountability from the state (Dancey-Downs, 2018). As part of the campaign, shoppers were invited to fill out post-cards in store to be sent to the Home Secretary which asked for a panel of experts to be appointed to assist the Chair of the Inquiry Sir John Mitting, and asked for the Inquiry to be extended to include Scotland, where Kennedy and other spycops are known to have been active (Dancey-Downs, 2018). The postcards also asked for the release of the cover names of the officers, the names of the groups they spied on, and for the personal files of victims held by police (Dancey-Downs, 2018). It is worth noting that Lush has a history of lending its support to causes that may be considered 'divisive', for example Palestinian solidarity (Ghert-Zand, 2011), animal rights (Sea Sheppard, 2008) and Syrian refugees (Lush, 2018a).



Figure 1- Lush 'paid to lie' campaign poster

Sections of the police and public responded furiously to the campaign. Senior figures in policing and government condemned it, including then Home Secretary Sajid Javid. This was coupled with widespread criticism on social media, with the hashtag #FlushLush trending in the UK, and the Lush UK Facebook page receiving tens of thousands of negative reviews, in response to a call to do so from a Facebook page called UK Cop Humour (Boyd, 2018; Saner, 2018). According to social media analysis conducted by Brandwatch, Lush's twitter mentions jumped by 2321% in the space of 24 hours (Boyd, 2018), with negative comments far outweighing positive ones. Excluding neutral comments, 67% of all comments made on social media on June 1<sup>st</sup> 2018 were negative in tone. Before the launch of the campaign, Lush regularly enjoyed a rate of 80% positive in this regard (Boyd, 2018). Some Lush stores faced threats and harassment over the displays, leading some stores to temporarily suspend the campaign for the "safety of staff" (Evans, 2018a). In response to the backlash, Lush issued a clarification insisting that the campaign was not about *"the real police work done by those*

*front line officers who support the public every day” but about “a controversial branch of political undercover policing that ran for many years before being exposed” (Lush, 2018b).*

The temporary suspension of the campaign on 3<sup>rd</sup> June was followed by a total withdrawal of the campaign on 8<sup>th</sup> June, and a revised version of the campaign launching on 13<sup>th</sup> June, which removed the image of the police officer. The company clarified the decision “we have taken away the distraction of, what turned out to be, a controversial visual to return the focus onto the shocking facts” (Alibhai, iNews, 13<sup>th</sup> June 2018). Despite the furious backlash, there was also significant support for the campaign. The campaign film on Lush’s website got over one million views, and sales increased by 13% in the immediate aftermath of the campaign’s launch (Saner, 2018). Many commended the campaign, including various individuals directly affected by police spying. A number spoke out in defence of the campaign via newspaper comment pieces, including the ex-wives of undercover officers, undercover officer Bob Lambert’s son, as well as Doreen Lawrence and John McDonnell<sup>2</sup> (‘S’ and ‘HAB’, 2018; Lawrence and McDonnell, 2018).

### **Criminalisation of Protest**

Critical criminological literature seeks to highlight both the structural relations of power in which policing occurs under capitalism (Taylor, Walton and Young, 1975; Hall et al, 1978; Scraton, 1987); and the invisibility of crimes of the powerful more broadly. Examining the diverse harms that are frequently rendered invisible in society, Davies, Francis & Wyatt (2014) attempt to map the contours of this invisibility, and in doing so offer a theoretical framework for identifying the features of invisible crime and harm. The authors suggest seven features of invisibility that affect the identification of certain acts as ‘criminal’. These

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<sup>2</sup>. These are two of the most prominent public figures to have been spied on. Doreen’s son Stephen was killed in a racist hate-crime in London in 1993. McDonnell is a prominent Socialist Member of Parliament in the UK and is the former Labour Party Shadow-Chancellor.

include a lack of knowledge, whereby members of the public are not aware a crime has been committed; a lack of statistics, whereby official statistical measures fail to account for such crimes; and a lack of research into such areas, often due to the inaccessibility and practical constraints of conducting research in such areas. It is useful to explore media responses to the Lush spycops campaign as it represents a campaign, which explicitly seeks to raise awareness and make visible a previously invisible example of police abuse (state crime).

In addition to important work on the criminalisation of protest more broadly (Jackson, Gilmore and Monk, 2018; Ellefsen, 2016; Lovitz, 2010; Potter, 2011), a growing body of research directly focussed on the spycops case has emerged in recent years, including work by Apple (2019); Fitzpatrick (2016); Loadenthal (2014); Lubbers (2015); Schlembach (2016; 2018); Spalek and O’Rawe (2014); Woodman (2018a; 2018b); and myself (XXX, Forthcoming). Research demonstrates the ways that terms like ‘terrorist’ & ‘extremist’ were inconsistently and opportunistically employed to delegitimise resistance movements targeted by spycops (and more broadly) and used to justify surveillance and repression (Choudry, 2019; Schlembach, 2018). Loadenthal (2014) argues that intimate state surveillance was employed deliberately to ‘atomise’ resistance movements, destroying bonds of trust within those movements, as a means of limiting their power and success. Choudry (2019) argues that the spycops case should be understood in the context of the longstanding use of police, state and private security to repress and undermine political groups in Western liberal democracies. Having interviewed environmentalists who had been subject to intimate state surveillance, I found that the spycops derailed some activists out of activism altogether, whereas others refocused their efforts away from environmentalism and towards anti-state surveillance activism (XXX, Forthcoming).

## Rotten Apples or Rotten Orchards?

Scholarship around state crime and crimes of the powerful more generally has demonstrated the discursive processes by which systemic problems can be dismissed or isolated to avoid institutional accountability. The ‘rotten apple that spoils the barrel’ is a widely understood metaphor used to explain wrongdoing within institutions. It posits that a single malign actor among many good (or benign) actors can spoil those around them, and tarnish the reputation of the group as a whole. Furthermore, and perhaps more importantly, it implies that institutional problems can be solved by the removal of the bad actor. The metaphor of the rotten (or bad) apple has often been employed to explain instances of state and corporate wrongdoing, thereby providing an individual, or small group of scapegoats, who can be understood as culpable for transgression whilst maintaining the legitimacy of state or corporate institutions. Where such explanations predominate, it allows the exposure of individual wrongdoing to be interpreted as “testimony to the integrity of the system which dealt with it” (Chibnall, 1977 in Greer and Reiner, 2012: 252). Put simply, these transgressions are understood as exceptions, which through their very identification prove the rule that the system is working. Stark (1972 cited in Lersch and Mieczkowski, 2005) argues that rotten apple explanations offer scapegoats which become the primary vessels for public outrage, thus evading more significant questions about the institutional dynamics in which these harms are perpetrated. Scholars have highlighted instances in which ‘rotten apple’ explanations have variously been used to explain state crime and police misconduct (Stark, 1972); miscarriages of justice (Punch, 2003); the mishandling of the Stephen Lawrence murder (Hall, 1999); corporate crime (Tombs, 2004); and the abuse of prisoners at Abu Ghraib (Wood, 2016).

Focussing on policing, Punch (2003) produced a comparative analysis of cases of police misconduct across Europe, using official reports and newspaper sources to provide an

empirical basis for claims surrounding ‘rotten apple’ explanations. The research highlights the deployment of the ‘rotten apple’ metaphor across a wide range of cases. The cases include three infamous UK police-misconduct related miscarriages of justice relating to the IRA; the Birmingham Six, the Guildford Four and the case of Judith Ward; as well as the Dutroux Case in Belgium and the IRT case in the Netherlands. Collectively, Punch argues, cases like these represent instances of institutional culpability, whereby a miscarriage of justice has taken place thanks to the collusion of actors across the criminal justice system. In the UK instance, this included front-line police, senior police, forensic scientists, judiciary, and the Home Office itself (in resisting the calls for appeals in these cases). Punch (2003) employs an alternative metaphor of a ‘rotten orchard’ as a metaphor for wider system failure to explain how these miscarriages of justice took place. Further to this, Punch argues that following cases of systemic failure, systemic change must take place in order for confidence to be restored, and that “*the more “systemic” the deviance, the more profound and far-reaching the changes have to be*” (Punch, 2003: 194).

## Methodology

The research employed a qualitative content analysis (QCA) of n=80 articles concerning the Lush campaign and subsequent controversy. Qualitative content analysis necessitates in-depth careful examination of the use and intended effect of language in a text (Moore, 2014). The adoption of such an approach is rooted in interpretivist epistemological assumptions and a social constructionist theoretical framework. The approach sought to rigorously interrogate the way in which discourse surrounding spycops can be best understood.

## Methods

Using a purposive sample, the research qualitatively examined online articles covering the campaign and subsequent controversy. Sampling criteria for inclusion were as follows:

- Texts must be focussed on the Lush Spycops campaign of 2018
- Texts must have been published during the period of 31<sup>st</sup> May 2018- 30<sup>th</sup> June 2018 (i.e. the immediate aftermath of the campaign launch)

The sample was developed initially through a combination of Nexis database and Google searches, using combinations of the keywords ‘Lush’, ‘Spycops’ and ‘Undercover Policing’. Once a large enough base of relevant articles was captured, an initial skimming process took place to eliminate repetition as well as articles that did not meet the sampling criteria (e.g. simply contained oblique references to the campaign; articles were published outside of the sampling criteria time period). The final sample comprised of 80 articles from 51 different publications.

Sources from which online articles were drawn included online news (e.g. BBC, Sky News); broadsheet newspapers (e.g. Telegraph, Guardian); middle-market tabloids<sup>3</sup> (e.g. Daily Mail, Daily Express) other tabloids (e.g. The Sun; Metro); local news sources (e.g. Liverpool Echo); as well a variety of other online specialist sources and business/advertising websites (e.g. MarketingWeek.com; BrandWatch.com; Teen Vogue).

The vast majority of articles were news articles (e.g. *Lush Anti-Spycops Campaign Criticised*; BBC, 1st June 2018), but the sample also included features and analysis pieces (e.g. *How will lush's anti spy-cops campaign play with its target audience*, YouGov, 27th June 2018); as well as opinion and comment pieces focussed on the case (e.g. *Why we need Lush's spycops campaign*, New Internationalist, 4th June 2018).

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<sup>3</sup> The term ‘Middle-market tabloid’ is used to differentiate British newspapers like the Daily Mail and the Daily Express, from more traditional tabloids like The Sun. These are often seen as a mid way point between broadsheet and tabloid, with a focus on serious news events and entertaining (Williams, 2010). Jones and Wardle (2008) used the term in their qualitative visual analysis of reporting on the Maxine Carr case.

## *Data Analysis*

Whilst primarily applying a qualitative analysis, initially, a quantitative analysis identified and categorised broad patterns in the tone and content of the articles. This allowed for a more robust and rigorous process of qualitative content analysis, produced with sensitivity to both surface meaning, and underlying sub-text, in line with the interpretive approach. The process of thematic coding involved asking questions about the explicit message and apparent aims and purpose of each article, examining what the key topics being addressed were. Further, the process was sensitive to who was being quoted in articles, as well as the wider context of historic instances of police misconduct. As discussed earlier, three broad themes were identified from the qualitative content analysis: *#notallcops* narratives; *responsibility and risk* narratives; and *confusion* narratives. These three themes do not represent the totality of the news coverage; instead they reflect what the research found to be the three most dominant themes in the research. These are discussed in more detail below however it is important to note that these qualitative themes identified in the articles were drawn from across the sample, and were not limited to those articles, which framed the Lush campaign in negative terms.

## *Limitations*

This is a limited sample of 80 articles. It aims to be representative of articles published within the sampling criteria timeframe, but is not definitively exhaustive of articles published in response to the Lush *#spycops* campaign. A concerted effort was made to produce a comprehensive overview of content published within the time period, and this therefore benefits the reliability of the research. Whilst the research is replicable, meaning someone else could carry out the same systematic search and produce similar results in terms of building the sample, the qualitative nature of QCA means that the data analysis is less straightforwardly replicable than the process of building the sample. Reliability and

generalizability were not primary aims as such, and this may represent a potential limitation, however, the rigorous and systematic approach to building the sample could be repeated in other instances. A further limitation of this approach is that there was no direct analysis of social media content in response to the Lush campaign. This is a drawback because the Lush campaign and resulting backlash played out across social media. There is indirect analysis of social media through media reporting of social media responses, and the article uses data from social media analysis conducted by Brandwatch (Boyd, 2018).

Whilst certain publications like the Daily Mail and the Guardian give a sense of the reach of an article through the number of comments, as well as indicators as to how many times an article has been shared (e.g. one Daily Mail article cited had been shared 1.1k times, and had 400+ comments), the research did not seek to engage with the most ‘widely-shared’ articles. Instead, it simply focussed on those that concerned the topic and did not take into account the ‘reach’ or ‘engagement’ aspects of the data. The focus was on the qualitative content of the articles, without a focus on their tangible impact. There was little sense of how widely read some of the articles from smaller sources were.

## Findings and Discussion

### *Quantitative overview*

Whilst potentially simplistic given the variety and complexity of reporting on the topic, it is useful to give a sense of the overall tone and character of the articles analysed. Overall, around half (n=43, 53.75%) of the articles in the sample were found to have a broadly negative view of, or had foregrounded critical perspectives on the LUSH spycops campaign. Around a quarter (n=22, 27.5%) of the articles were coded as neutral, or broadly impartial in tone. Just under a fifth (n=15, 18.75%) had a generally positive tone or foregrounded favourable perspectives on the campaign.

Table 1: Media Framing of the LUSH campaign

Framing	Broadsheet	Middle- Market Tabloid	Tabloid	Online News	Online Specialist	Local News	Total
Positive	9	1	1	2	2	0	15
Neutral	5	0	1	2	10	4	22
Negative	6	5	7	6	8	11	43
Total	20	6	9	10	20	15	80

Table 1 shows that broadsheet newspapers and online specialist websites published more articles on the topic in general (each accounting for n=20 articles), followed by local news sites (n=15), online news (n=10), tabloids (n=9) and middle-market tabloids (n=6). Articles were almost twice as likely to be negative (n=43) about the LUSH campaign, than they were neutral (n=22), and more than twice as likely to be negative than positive (n=15). Breaking the sample down by type of publication, we can see that broadsheet newspapers were more likely to be positive (n=9) than neutral (n=5) or negative (n=6). In contrast tabloids were more likely to be negative (n=7), than neutral (n=1) or positive (n=1). Specialist sites tended to be more neutral (n=10) or negative (n=8) about the campaign than they were positive (n=2). Local news was entirely neutral (n=4) or negative (n=11), with no articles describing the campaign favourably.

Table 2: Article Type by Source

Article Type	Broadsheet	Middle- Market	Tabloid	Online News	Online Specialist	Local News	Total
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		Tabloid					
News	13	6	8	10	15	14	66
Opinion/ Comment	6	0	1	0	2	1	10
Feature/ Analysis	0	0	0	0	3	0	3
Letters	1	0	0	0	0	0	1
Total	20	6	9	10	20	15	80

Table 3: Framing by Article Type

Framing	News	Opinion/Comment	Feature/Analysis	Letters	Total
Positive	8	6	0	1	15
Neutral	17	2	3	0	22
Negative	41	2	0	0	43
Total	66	10	3	1	80

The above analysis by source (Table 2), and by article type (Table 3), demonstrates that opinion pieces and letters published in the time period were mostly positive about the campaign. By contrast, features and analysis pieces published were generally neutral. A more fine grain qualitative thematic analysis was also conducted.

## Themes

As mentioned earlier a number of key themes were identified in the sample. These have been organised under the following headings: *#notallcops* narratives, which emphasise the idea

that in highlighting these abuses in the way it did, the campaign had unfairly tarred all police with the same brush; *responsibility and risk* narratives, which emphasise the idea that the campaign was in some way reckless and/or dangerous; and finally *confusion* narratives, which emphasise the idea that the campaign was bizarre and/or that it was inappropriate. Each of these themes are discussed in more detail below.

### *#Notallcops*

The dominant theme to emerge from the sample relates to the perception that, in highlighting spycops' abuses, Lush's campaign had unfairly smeared the wider police population with the same brush. This has a direct link to the notion of the 'rotten apple' and arguably, implies a rotten apple explanation for the spycops scandal. This represents a core dimension of the framing battle in relation to the campaign, with #notallcops narratives conflicting with the central aims of the Lush campaign, which were to raise awareness about the spycops case, to push for changes to the current public inquiry and to demand genuine accountability from the state. Examples of the #notallcops narrative, and the way it reflects this framing battle are discussed in this section.

The assertion that the Lush campaign was 'anti-police' was foregrounded in much of the coverage, for example, the following passage (Daily Mail, 1<sup>st</sup> June):

*Bosses at the Advertising Standards Authority have today announced they are launching a probe into the campaign which has been branded 'anti-police' by customers and some former officers... Former police officer Peter Kirkham said: 'Your anti police advertising campaign is an utter disgrace. It stereotypes ALL police officers as corrupt & includes some fundamental misrepresentations of the facts. I trust that you will never again seek police assistance if you are the victims of crime.'*

Reporting of this nature notably foregrounded the perspectives of police officers, family of police, politicians and seemingly random twitter users who took offence to the campaign. A number of articles gave prominence to then recently appointed Home Secretary Sajid Javid's intervention on the subject (Evening Standard, 2<sup>nd</sup> June):

*Home Secretary Sajid Javid launches scathing attack on Lush over 'anti-police' ad campaign... Mr Javid, who was promoted to Home Secretary in April, said: "Never thought I would see a mainstream British retailer running a public advertising campaign against our hardworking police."*

Javid's intervention is significant in that his sound bite became part of the story, and was significant in providing the framework through which discussion continued from that point forward. This narrative predominantly emanated from the state itself, and was willingly repeated by dominant media sources. The Home Secretary's comments encapsulated the tone of much of the discussion surrounding the campaign, with other state actors, such as senior police figures also offering similarly outraged responses, which were foregrounded in reporting. The 'hard-working' police narrative is further evidenced in an opinion piece written by Durham Constabulary Chief Constable Mike Barton (Northern Echo, June 12<sup>th</sup>):

*"My objection to the advertisement by Lush is the insinuation that all police officers, and in particular police officers in uniform, were part of this controversy. That is not the case and, whilst I am in accord with Lush that what went on in the past is absolutely unacceptable, what is equally unacceptable is that the innocent are blamed. All organisations get things wrong from time to time. Policing UK has over 100,000 officers. Some of them transgress and just like any other professional body we have to ensure we have robust but fair procedures for rooting out the bad ones."*

Barton focuses his concern towards the ‘innocent’ officers being ‘blamed’, as opposed to the victims of police abuse. He dismisses any notion of institutional culpability arguing “all organisations get things wrong from time to time”, and that the solution to such problems are ensuring we have “robust but fair procedures for rooting out the bad ones”. This is almost the very definition of the ‘rotten apple’ explanation for wrongdoing rejected by victims and core participants in the UCPI.

Other senior figures whose responses were given primacy in reporting include Calum Macleod (Chair of the Police Federation) who described the campaign as “offensive, disgusting and an insult to the hard work, professionalism and dedication of police officers throughout the UK” (Rudgard, Telegraph, 1<sup>st</sup> June 2018); Ché Donald (Vice-Chairman of the Police Federation) who said “this is very poorly thought out campaign and damaging to the overwhelmingly large majority of police who have nothing to do with this undercover enquiry” (De Peyer, Evening Standard, 1<sup>st</sup> June 2018); and Lynne Owens (Director General of the National Crime Agency) who said that “Undercover policing is a highly specialized & regulated tactic undertaken by brave officers to protect the public from the most serious offenders” (Powell, Evening Standard, 1<sup>st</sup> June 2018). Evans & Kitching (Mirror Online, 5<sup>th</sup> June 2018) quote a post from an anonymous police officer on a Facebook page UK Cop Humour:

*"Whilst I can see there may have been good sentiment behind your latest campaign, it has been appallingly executed. Believe me nobody wants to see a corrupt practice or a corrupt officer held to account more than a decent hard-working officer. Unfortunately, your abhorrent window display depicts something far more sinister."*

The focus on the hypothetical ‘corrupt officer’ versus ‘decent hard-working officer’ individualises the problem and diverts the discussion away from systemic or institutional

concerns. Significantly, Lush's statement in response to the backlash can be seen to have accepted the framing of much of the criticism, and reinforced the preoccupation with 'hard-working' officers, which the campaign has insulted or offended.

*'This is not an anti-state/anti-police campaign. We are aware that the police forces of the UK are doing an increasingly difficult and dangerous job whilst having their funding slashed. We fully support them in having proper police numbers, correctly funded to fight crime, violence and to be there to serve the public at our times of need.'*

*'This campaign is not about the real police work done by those front line officers who support the public every day - it is about a controversial branch of political undercover policing that ran for many years before being exposed. Our campaign is to highlight this small and secretive subset of undercover policing that undermines and threatens the very idea of democracy.'*

(Lush, #Spycops statement)

This statement, which was quoted in articles both sympathetic and hostile towards the campaign, appears to inadvertently accept a rotten-apple framing premise in relation to the spycops scandal, localising the problem within a 'controversial branch' of undercover policing. In accepting the premise that the feelings of 'front line police' need to be protected in discussions of this nature, the institutional aspect of the abuse is minimized in the discourse. A key dimension of the truth and justice campaign rests on the desire to ascertain the extent to which spycops were doing as they were told and in which ways they were instructed and supported by the police hierarchy and state to do so (Evans, 2018c).

These #notallcops narratives are the clearest distillation of the rotten apple explanations surrounding the spycops scandal, as described by Punch (2003). They divert

discussion away from the harms perpetrated, and matters of accountability, truth and justice, into a hypothetical discussion of good versus bad police. They frame the discussion in terms of the individual character of police officers, and completely ignore the institutional and structural dynamics of these cases. This is a key dimension to the framing battle that persists in relation to the spycops case, where institutional and establishment explanations, foregrounded by the media, clash with those offered by activists and victims. Punch (2003) argues that, in the wake of cases of police misconduct, institutions struggle to acknowledge cases where deviance has become systemic. A key dimension in the campaign for truth and justice in this case has been the lack of acknowledgement of systemic accountability. In many of these examples the notion of institutional culpability is completely invisible. The media's foregrounding of these #notallcops narratives in the wake of the campaign contributes to a rotten apple narrative surrounding the spycops scandal.

### *Responsibility and risk*

Another theme identified concerns responsibility and risk. This theme relates to sources that suggest the Lush campaign was in some way reckless, irresponsible and potentially dangerous. In some instances the campaign was explicitly criticised for undermining public support for the police. This is encapsulated by Sajid Javid's widely reported claim that "*this is not a responsible way to make a point*" (Evening Standard, June 2<sup>nd</sup>). The idea that the campaign posed a real risk to working police officers was a common theme in reporting. For example, Barlow (Nottingham Post, 1<sup>st</sup> June) quoted a retired police officer as saying "*on Friday and Saturday evenings, people [could] pick up on this and throw it back at the police*". The idea that any criticism of police could result in violence towards police provides a useful means of suppressing legitimate criticism and diverting attention from the campaign's focus. Foregrounding this hypothetical risk to the safety of police in reporting helps shift focus from

the actual harms perpetrated by police, and instead focuses on putative risks to front-line officers trying to do their jobs.

One notable example of this was an attempt to implicate Lush's campaign as contributing to low reporting rates for victims of child grooming and sexual abuse. In a comment piece for Metro (1<sup>st</sup> June) Labour District Councillor Marilyn Davies, whose husband is a police officer, stated:

*Trust in the police is a valuable thing. It gives those affected by crime the confidence to report it, in the belief they will be helped. Recent child grooming cases brought this home in a stark way; young girls did not trust the police and were horrifically abused, in part, because of this lack of trust. There should be no barriers to prevent young girls from calling on the police when they need help. Where there are barriers, we must tear them down, not build them higher. Unfortunately, in their misguided campaign, Lush have done just that.*

Putting aside the fact that this campaign is largely predicated on victims of sexual abuse speaking out, the above narrative published by Metro appears to wilfully disregard the idea that the coercive sexual abuse perpetrated by undercover officers could itself be damaging to public trust. Instead this accuses the victims whose voices were foregrounded in Lush's campaign of harming other victims by speaking out about their experiences. The logic is that one must not speak out about abuse by police, for fear of stopping other victims of abuse from speaking out. It also wilfully ignores accusations of institutional sexism that have been levelled at the Metropolitan police (Police Spies Out of Lives, 2019).

Some comment pieces stressed that theirs was a criticism of the way in which the message had been presented, as opposed to a disagreement with the premise that police spying had been harmful, as illustrated by the headline "LUSH had the right idea but the

wrong execution” (BJL.com; 5<sup>th</sup> June). This further reinforced the idea that Lush has a responsibility to only discuss these matters in a very specific way that does not pose unnecessary risk to officers. Conversely a comment piece by Nazir Asfal (The Guardian, 4<sup>th</sup> June) criticised the spycops campaign stating: “poor execution, with zero context, has led to an outcry that the company probably foresaw”, again demonstrating the theme of responsibility and risk.

Also falling under the thematic heading of responsibility and risk were several articles which discussed abuse and threats faced by Lush staff over the campaign, for example, an article entitled ‘Lush remove #Spycops posters from some shops after 'intimidation from ex-police officers' (Wheaton, The Independent, 3<sup>rd</sup> June 2018).

*Cosmetics chain Lush has removed its controversial campaign posters from some shops after it claimed to have been facing intimidation from ex-police officers...."*

Also present within these narratives of responsibility and risk was the notion of police protection as being somehow conditional on support. For example, Christine Fulton, whose police officer husband was killed on duty in 1994, was quoted in a number of articles as saying “who do Lush call when their stores are broken into?” (Read, Sunday Express, 2<sup>nd</sup> June). This also ties into a common response to the campaign, through the accusation that Lush was in some way hypocritical for discussing these abuses, due to the fact that Lush relies on police support in the event of a robbery etc. These responsibility and risk narratives can be seen as a form of derailing within the discourse. These narratives divert the discussion from the issue at hand, into a discussion of how the issue is being discussed. This reduces pressure on the state and police, whilst debates become diffuse and unfocused.

## *Confusion*

A number of articles highlighted confusion over the fact that a high street cosmetics firm had engaged in such a stridently political campaign. Frequently these included the use of the terms 'bizarre', 'ridiculous' & 'crazy' in their descriptions of the campaign. Some of the negative articles tended towards suggesting that due to its status as a private business, Lush had no right to comment on such cases, and was therefore intervening in matters it shouldn't. For example Ritson's (Marketing Watch, June 5<sup>th</sup>) opinion piece, entitled "*Lush's moronic #Spycops campaign is a new low for brand purpose*", which asserted "*you sell soap, for fucks sake, what makes you think that elevates you to the position of starting a public campaign against the police?*".

The theme of confusion is evidenced in a number of other articles including "*cosmetics chain Lush faces calls for boycott as bizarre advertising campaign accuses police of 'lying' and 'spying' and says they've 'crossed the line'*" (Riley, Mail Online, June 1<sup>st</sup>); "*Lush UK police campaign: Cosmetics giant blasted over bizarre 'spycops' advertising*" (Powell, Evening Standard, June 1<sup>st</sup>); "*Lush accuse police of being spies and liars in bizarre marketing campaign*" (Metro, June 1<sup>st</sup> 2018); and "*What do bath bombs have to do with undercover police? PR chief blasts LUSH #spycops campaign*"(Harrington, PRWeek, June 1<sup>st</sup>). A sympathetic article published on the website of fashion magazine Elle (Hall, June 6<sup>th</sup> 2018) entitled "*Everything You Need to Know About Lush's Crazy Controversial #Spycops Campaign*", reinforced the theme of confusion in its headline. It offered explanation in the body of the article arguing that "*Lush has been a highly political company since its inception... So while the move to raise awareness around Spycops may appear peculiar at first glance, it actually tracks for a brand like Lush.*"

Narratives of this kind can be understood as benefiting the state's hegemonic position in the discourse surrounding undercover policing. Positioning Lush's support for victims and condemnation of the human rights abuses perpetrated by spycops as bizarre enables an easier dismissal of the campaign. It clouds the debate and decentres the narratives of victims, once again moving the discussion away from the harm that was perpetrated and the search for justice into discussions about which organisations should have a say on such matters and whether or not it is appropriate for a high street firm to take such a stance. In this sense, these confusion narratives contribute to the process by which debates relating to spycops are diverted.

## Conclusion

As has been discussed, in the immediate aftermath of the Lush spycops campaign, media narratives tended to reinforce a problematic 'rotten apple' narrative surrounding the case- disguising the systemic problems, and allowing these cases to be understood as the result of rogue individuals- thus detracting from efforts towards systemic change. This narrative predominantly emanated from state actors, and this was then foregrounded in media reporting and framing of the case. This, in addition to narratives which emphasised the campaign as being irresponsible, and narratives which emphasised confusion over the campaign, combined to divert the discussion away from a focus on the harm experienced by spied-on activists, and instead focus the discussion on, and give primacy to the 'hurt feelings' of 'innocent', 'hard-working', 'front-line' police.

As well as contributing to academic research on the spycops case, the data presented here helps demonstrate the way 'rotten apple' explanations come to dominate media reporting of police misconduct more generally, contributing to critical media studies literature on the role of the media in manufacturing consent for mainstream ideologies and systems of domination

(Almiron, et al; 2018; Cammaerts, 2015). Notably, even positive reporting of the Lush campaign had a tendency to disguise and obscure the role of the state in the suppression and criminalisation of legitimate activism, potentially contributing to the suggestion that this scandal was a result of ‘rotten apples’. Lush’s clarification appeared to accept the premise of criticism that the campaign had ‘tarred all police with the same brush’. This framing sat comfortably within an emerging narrative that pitted a small number of ‘rotten apple’ spycops against a majority of ‘hard-working officers’. Ultimately this framing does not foreground issues of systemic police practice (for example institutional sexism). Activists, campaigners and core-participants currently involved in the UCPI, demand that the systemic issues that allowed over 1000 groups to be spied on between 1968 and 2011 be acknowledged and addressed (Schlembach, 2016). Nevertheless, the Lush campaign appears to have had positive outcomes and succeeded in its stated aim of raising awareness of the spycops scandal on behalf of activists.

As has been discussed, the media plays an important role in shaping the success of inquiries relating to police misconduct. The on-going UCPI was set up to discover the truth about undercover policing across England and Wales. The institutional dimensions to the harm perpetrated by undercover officers against activists cannot be addressed or understood through the prism of ‘rotten apple’ explanations for police misconduct, and so the success of the UCPI depends on it being willing and able to ask and investigate these bigger, more difficult systemic questions. Despite activists and core-participants having made their concerns around this clear, media reporting, in this instance, foregrounded ‘rotten apple’ explanations emanating from the establishment, to the detriment of those impacted.

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