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Police Research Series
Paper 129

The Views of the Public on Stops and Searches

*Vanessa Stone
Nick Pettigrew*

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Policing and Reducing Crime Unit: Police Research Series

The Policing and Reducing Crime Unit (PRC Unit) is part of the Research, Development and Statistics Directorate of the Home Office. The PRC Unit carries out and commissions research in the social and management sciences on policing and crime reduction.

The Police Research Series presents research material on crime prevention and detection as well as police management and organisation issues.

"The views expressed in this report are those of the author, not necessarily those of the Home Office (nor do they reflect Government policy)."

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Foreword

This report is the third of six presenting the findings from a programme of work on stops and searches carried out by the Home Office's Policing and Reducing Crime Unit (Research, Development and Statistics Directorate). This programme was developed following the report of the Inquiry into the Death of Stephen Lawrence, which highlighted new minority ethnic communities' lack of trust and confidence in police use of stops and searches, but recommended the extension of current recording practices to include all police stops.

This report presents public experiences and perceptions of stops and searches, and views on the Stephen Lawrence Inquiry's recommendations. It draws on in-depth interviews, carried out with individuals who have been stopped or searched, and discussion groups. As such, the study contributes the important public perspective to this programme of work.

Whilst there is some support for police stops and searches, the public perceive that the costs to local communities caused by their current use (e.g. in terms of aggravation, distrust and resentment) outweigh their potential value (e.g. finding drugs, weapons or stolen items). The evidence, however, points towards potentially useful changes. It suggests that general public confidence might be improved significantly through better handling of stops and searches by police officers. The recommendations of the Stephen Lawrence Inquiry are viewed by the public as going some way to allaying their concerns about the current use of stops and searches: they were seen as enhancing accountability through better monitoring and better information available to people who have been stopped. However, the report points out that whilst the Inquiry's recommendations might be a positive step, public trust and confidence is primarily based on being treated fairly and with respect and being given a good reason for the stop, rather than on changes in procedure.

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September 2000*

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The authors

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Executive summary

Background to the study

The report of the Inquiry into the Matters Arising from the Death of Stephen Lawrence (1999) highlighted minority ethnic communities' general lack of trust and confidence in the police, particularly in relation to officers' use of stops and searches. The Stephen Lawrence Inquiry (sometimes referred to as the Macpherson Inquiry) also emphasised that public views and perceptions are informed by experiences of all police stops, not just experiences of being searched. It pointed to the need to obtain a picture of the full range of interactions with the police.

Recommendation 61 of the Inquiry Report said that a record should be made of all police stops of the public, not just searches, and that a copy of the record be given to the person stopped. The record was to include the reason and outcome of the stop and how the person described their own ethnic background. The Policing and Reducing Crime Unit in the Home Office Research, Development and Statistics Directorate was commissioned to pilot this recommendation and evaluate its viability; the results are reported in Bland, et al. (2000a), the second of this series.

One element of the evaluation involved gathering the views and experiences of the public about the pilot. These were gathered across the five pilot sites, in four police forces: Leicestershire Constabulary, the Metropolitan Police Service, Suffolk Constabulary and West Yorkshire Police. Each police force piloted recommendation 61 fully, introducing new forms to record stops and searches.

For the purposes of clarity, a clear distinction is made between stops and searches. Stops without searches will be referred to as 'stops', while stops with searches will be referred to as 'searches'.

The study

The research was contracted to the specialist qualitative division of British Market Research Bureau (BMRB), and aimed to explore people's:

- experiences of stops and searches during the pilot;
- perceptions about the use of stops and searches more generally; and
- views of and reactions to the Inquiry's recommendations.

It was important to set up a detailed exploration of people's perceptions and experiences of stops and searches, and their views and concerns. Qualitative techniques are useful to find out what the public expect from encounters with the police and can also unpack what people felt the Inquiry's recommendations provided. Recent surveys carried out internally by police forces of people stopped by

the police had produced extremely low response rates which prohibited any meaningful quantitative analysis. Consequently, a qualitative approach was pursued.

The fieldwork comprised face-to-face depth interviews with 55 individuals stopped or searched by the police during the pilot and discussion groups with 104 members of the local communities on the pilot sites. A total of 159 people were included in this study.

Those interviewed were purposively selected using pre-set quota designed to focus on people most likely to experience police stops and searches: people from minority ethnic groups, the young, and males. Membership of the discussion groups was also constructed using quota: groups were divided equally between white, Asian (subdivided into Indian and Pakistani) and black (subdivided into African and Caribbean) participants, and drew from a broad range of ages.

Experiences of stops and searches

Respondents were asked about their actual experiences of police stops and searches. This provided a useful basis for comparison with results from previous survey work and also some context for more specific discussions about the pilot. For some respondents, in all ethnic groups, the experience of being stopped by the police had become a familiar part of their lives. People who had been stopped several times in a day felt victimised by the police.

Personal experiences

The distinction between a 'stop' and a 'search' was generally recognised. However, being searched was regarded as far more intimidating and serious - "an invasion of privacy". As a result, people placed great importance on being given the reason for a search. People's experience of being stopped tended to be negative - respondents from all ethnic groups talked about the police treating them as being "guilty until proven innocent" - which they found insulting. Their immediate reaction to being stopped was a desire to get away as soon as possible, governed primarily by embarrassment and the possibility of being seen by other people.

Some respondents had more positive experiences of being stopped. These stops were characterised by:

- being given an acceptable reason for the stop;
- where the officers were polite;
- where the stop did not last a long time; and
- where people did not feel unfairly targeted.

This confirms similar findings from previous research with the public, such as the British Crime Survey (FitzGerald and Hale, forthcoming; Skogan, 1994). Negative experiences, however, tended to be more prevalent than positive ones and people tended to reflect on and talk about these more. As a result, negative experiences were more memorable. Black respondents were least likely to recall positive experiences.

Officers' attitudes

Views on police attitudes during stops and searches centred on complaints about police officers, and in particular young officers, being patronising, arrogant, aggressive and intimidating. People recognised that such aggressive attitudes might stem from having to deal with similar reactions from the public. Nonetheless, they still had high expectations about how officers should behave. It was also perceived that officers taking an aggressive approach would always produce a negative reaction. There were also, however, reported instances where the attitude of the police was extremely good which made the encounter as pleasant as it could be.

Reasons for stops

Respondents were concerned that a valid reason be given for the stop, particularly if it involved a search. They had not always been given a reason, which made them feel uncomfortable and victimised. Where a reason was given, and was believed to be genuine, then respondents felt happier about the stop, and believed that the police were just doing their job.

The use of stops and searches

Black and Asian respondents felt the police targeted people because of the colour of their skin, and held stereotypes about people from minority ethnic communities. They believed they were likely to be stopped on more occasions than white people. There was a belief that young men, particularly those in groups, and people out late at night or early hours of the morning were more likely to get stopped.

Respondents broadly supported the principle of stops and searches as a tactic. However, the aggravation, distrust and resentment caused by the way encounters are currently handled by officers outweighs any of the positive effects they were perceived to have. As a result, respondents accepted that stops and searches might have a role but only if there were fundamental changes in:

- the way they are used;
- how they are targeted;
- the attitude of officers; and
- reasons given.

The most important focus for change requested by members of all ethnic groups, was for officers to give credible explanations for each stop or search.

Reactions to the pilot

Officers did not always explain the purpose of the pilot and the form, or sometimes did so inadequately. This had implications for how people had initially reacted to the form. Some respondents had paid little attention at the time, especially where the potential benefit was not made clear or they were confused about its purpose. In contrast, once people had gone through the form in some depth during the research, they saw a number of benefits to reading and keeping the record. As a result, emphasis was given to the need to have the form properly explained so people would understand the benefits of keeping it. Respondents thought the whole initiative should be better publicised. It was notable that no one interviewed had seen the form more than once, even if they had been stopped quite frequently during the pilot.

The receipt of a written record was seen as having a number of benefits, namely:

- to help people better understand what had happened during the stop or search (particularly knowing the reason);
- to keep them informed of their rights; and
- to know the name of the police officer involved in the stop or search should people want to complain.

The impact of the pilot form

There were mixed views, across all ethnic groups, about whether use of the form would improve trust of the police amongst the general public. Some people felt it made the police appear more professional and provided a way for the police to get across that they were just doing their job. This might encourage a better atmosphere during stop and search encounters. One of the key ways in which accountability was believed to be enhanced was having the possibility of making a complaint (e.g. if a person was stopped frequently and felt they were being harassed). Respondents were concerned that this would be undermined if the police were not giving the form to people at every encounter.

How the police monitored the information collected on the forms was also highlighted as important. People thought there could be little accountability without regular monitoring of stops and searches. It was felt that such data needed to be published by the government or an independent body so that the general public could have access to it. Most were unaware of the current published statistics on police searches.

Recording a person's self-defined ethnicity

Respondents had mixed reactions to being asked to describe their ethnicity by the police. They regarded the key justification for asking someone's ethnic identity related to monitoring police use of stops and searches in terms of ethnicity (and in particular, identifying any racism). Ultimately it was felt that statistics would show whether stops and searches were being applied fairly across all ethnic groups. However, some people were suspicious that the statistics would be used by the police to make links between ethnicity and criminal behaviour.

Taking the recommendations further

The report highlights that some respondents wanted more information on what happened during the encounter, and wanted this reflected in the form. A key change was for the person stopped to sign the form as well as the police officer, since people wanted the opportunity to agree to the information written about them.

Conclusions

Public views on the use of stops and searches

There is general support for stops and searches amongst all ethnic groups but only if there are fundamental changes in the way they are used by the police:

- There were very strong views that there needed to be considerable changes in attitudes of the police during stops and searches.
- Respondents believed that stops and searches should be carried out for legitimate reasons and that a person should be given a valid, genuine and credible reason at all times whenever he/she is stopped or searched.

Public views on the Inquiry's recommendations

The Inquiry's recommendations were perceived by the public as potentially enhancing accountability. However, people's initial reaction to the form was related to the way officers introduced and explained it at the time of the stop. For the public, the key benefits were seen as having:

- information in writing about the stop encounter, and in particular the reason for it - helping people to better understand what had happened;
- details of people's rights during stops and searches; and
- a record of the police officer's name involved in the stop encounter, which might help should a complaint be made subsequently.

Public confidence in stops and searches

Overall, respondents felt that their confidence in the police relied on more than just receiving a form. The study shows that how an individual is treated by the police has an important role, affecting their confidence and trust in the police generally. Consequently, whilst the form was seen to be important, there was thought to be a strong need for use of the form to go hand-in-hand with a respectful attitude from officers and the provision of a valid reason for the stop or search.

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1. Introduction

The report of the Inquiry into the Matters Arising from the Death of Stephen Lawrence (1999) highlighted minority ethnic communities' general lack of trust and confidence in the police, particularly in relation to officers' use of stops and searches. This follows a significant body of survey-based research which has focused attention on the frequency of searches by the police of people from minority ethnic groups, particularly black people (for example, Willis, 1983; Smith and Gray, 1985; Young 1994; Bucke 1997). Police statistics for England and Wales published by the Home Office since 1996, under s95 of the Criminal Justice Act 1991, have also consistently shown disproportionate rates of search (Home Office, 1999).

The Stephen Lawrence Inquiry Report (sometimes referred to as the Macpherson Report) also emphasised that the views and perceptions of minority ethnic communities are formed by the experiences of all police stops, not just recorded searches. The Inquiry Report pointed to the need to obtain a true picture of these interactions with the police. As a result, it recommended that a record be made of all police stops of the public, not just searches, and a copy given to the person stopped. The record was to include the reason and outcome of the stop and how the person described their own ethnic background:

...to ensure that a record is made by police officers of all 'stops' and 'stops and searches' made under any legislative provision (not just the Police and Criminal Evidence Act). Non-statutory or so-called 'voluntary' stops must also be recorded. The record to include the reason for the stop, the outcome, and the self-defined ethnic identity of the person stopped. A copy of the record shall be given to the person stopped.

(The Stephen Lawrence Inquiry Report, 1999)

The Policing and Reducing Crime Unit (PRC) in the Home Office Research, Development and Statistics Directorate was commissioned to pilot this recommendation and evaluate its viability; the results are reported in Bland, et al. (2000a). One element of the evaluation involved gathering the views and experiences of the public about the pilot, and about stops and searches more generally. The work was contracted to the British Market Research Bureau (BMRB). This report presents the results of that work in full.

For the purposes of clarity, a clear distinction is made between stops and searches. Stops without searches will be referred to as 'stops', while stops with searches will be referred to as 'searches'.

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The pilot

Recommendation 61 of the Stephen Lawrence Inquiry was piloted in five pilot sites:

- Central Leicester Area, Leicestershire Constabulary;
- Chapeltown Division (in Leeds), West Yorkshire Police;
- Greenwich Borough, Metropolitan Police Service;
- Hounslow Borough, Metropolitan Police Service; and
- Southern Area (including Ipswich), Suffolk Constabulary.

Whilst each police force piloted recommendation 61 fully, the forms and approach taken varied. In each site, new forms were designed which included information on police search powers, as well as informing people of their rights and the current legal situation. The selected areas covered a range of force types and included locations where people from different ethnic communities live.

In two areas (Leicester and Greenwich) people were asked to describe their ethnic background and their response was recorded verbatim. In the other three areas (Ipswich, Hounslow¹, and Chapeltown in Leeds), the person stopped chose from a closed-response list. In addition, two areas (Leicester and Ipswich) tested a version of the stop form which incorporated the HO/RT1 ('the producer') and VDRS (Vehicle Defect Rectification Scheme) forms. The HO/RT1 requires a driver of a vehicle to produce their traffic documents (commonly license, insurance and MOT) at a local police station within seven days. The VDRS is used to identify illegal defects on a vehicle and requires the driver of a vehicle to have them mended and to provide proof of this to a police station. Examples of the forms are presented in Appendix A.

All the sites took measures to raise local awareness of the purpose of the pilot. This is in accordance with recommendation 63 which proposes that Police Authorities should have a duty to run publicity campaigns with regard to the recording requirements set out in recommendation 61. The measures used during the pilot tended to focus on the standard consultative channels, which varied according to local circumstances. They typically involved contacts with at least some of the following local groups:

- Police Community Consultative Groups;
- the Police Authority;
- Crime and Disorder partnerships;
- Commission for Race Equality;
- Race Equality Council;
- various community fora; and
- Neighbourhood Watch groups.

¹ Early negative feedback from patrol officers in Hounslow led to senior management concerns about recording verbatim responses. As a result, a set of pre-defined ethnic categories were developed and used to record self-defined ethnicity (see Bland, et al., 2000a).

There was also wider media publicity of the pilots in certain sites. Press coverage was given to the pilot in Hounslow, Chapelton and Ipswich. The latter two sites also received local radio and television publicity respectively.

The research

The research had two key objectives:

- to explore people's reactions to, and experiences of, stops and searches during the pilot; and
- to investigate views more generally on the police use of stops and searches.

These research objectives were explored with two key groups, namely:

- individuals known to have been stopped by the police during the pilot; and
- individuals living in the wider community who may or may not have been stopped in the past.

The research used a qualitative approach involving depth interviews and discussion groups. Both interviews and discussion groups were conducted in the pilot sites, and were spread equally across the five areas. In total 159 people participated in the research. A qualitative approach was selected so that people would feel able to talk as freely as possible, given the sensitive topics that the discussions explored.

A qualitative approach was selected for this study because of its clear advantages over surveys and other more quantitative methods for the purposes of exploratory research. As interviews and discussion groups encourage in-depth discussions, they can provide more detailed information on issues than statistical measures alone. In particular, a qualitative approach allowed us to explore in detail the views and concerns of the public, and to examine the perceptions as well as the experiences of being stopped or searched. Qualitative techniques are useful to find out what the public expect from encounters with the police and can also unpack what people felt the Inquiry's recommendations provided. Furthermore, recent quantitative surveys of people who had been searched, for example for the Metropolitan and Hampshire police, have had prohibitively low response rates.

Qualitative methods, such as discussion groups and in-depth interviews, are ideal for exploring a complex set of issues. The findings from this study suggest a host of factors and influences that people expressed during the interviews and discussions. Such points would not have been so readily accessible by other research methods. As such the methods used in this study have been used to identify the range of views, opinions and experiences of people with regard to stops and searches and the

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pilot, rather than to develop statistical measures. Further quantitative or much larger scale qualitative research would be needed in order to statistically measure the extent of the views described in this report and, as a result, caution must be taken in making broad generalisations from this study.

Fifty-five depth interviews were carried out with individuals who had been stopped by the police during the pilot period, in the pilot areas. A depth interview approach was selected for two main reasons for this stage:

Sampling criteria	Sample (n=55)						
Ethnic background	White	Black Caribbean	Black African	Black Other	Indian	Pakistani	Total
Gender							
Male	18	6	8	2	9	6	49
Female	2	–	1	1	1	1	6
Age							
14-18	8	–	2	–	2	3	15
19-25	8	2	1	1	6	–	18
26-40	4	4	6	2	2	4	22
Type of stop							
Stopped	6	2	2	1	4	5	20
Searched	10	4	7	2	3	5	31
Arrested*	4	–	–	–	–	–	4
Form							
Seen, offered or given	12	3	9	2	8	3	37
Unseen	9	2	–	1	2	4	18
Pilot site							
Chapelton	5	–	1	1	–	3	10
Greenwich	1	2	6	–	–	1	10
Hounslow	3	2	2	2	3	–	12
Ipswich	9	2	–	–	–	–	11
Leicester	2	–	–	–	7	3	12

Note: *Following stop or search encounter.

- Individuals might have found it difficult to raise personal and private issues pertinent to the research in a group setting (e.g. involvement in crime).
- Depth interviews enabled issues to be examined in detail; experiences of being stopped could be explored in great depths and compared to previous experiences.

Twelve discussion groups, involving 104 people, were carried out with people from the wider community, including a range of ages and minority ethnic groups to explore general views on the use of stops and searches and its perceived impact on the local community.

The groups were constructed as follows:

Table 2: Discussion group sample

Ethnic Group	18-29 year olds	30-55 year olds
White	Leeds: male only	Greenwich: male and female
White	Ipswich: male and female	Hounslow: male and female
Black African	Greenwich: male only	Hounslow: male and female
Black Caribbean	Leeds: male only	Ipswich: male and female
Asian Pakistani	Leicester: male only	Leeds: male only
Asian Indian	Hounslow: male only	Leicester: female only

The sample profile for respondents in the discussion groups was as follows:

Table 3: Sample profile of discussion groups

Sampling criteria	Sample (n=104)	
Ethnic background	White	37
	Black African	13
	Black Caribbean	20
	Indian	19
	Pakistani	15
Gender	Female	34
	Male	70
Age	18-29	57
	30-55	47

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The samples were purposively selected to reflect the local communities living in the pilot sites, with an emphasis on the types of people likely to be stopped by the police: people from minority ethnic groups, young people and males. The type of stop and the outcome were also used as sampling criteria. Because respondents were recruited purposively rather than randomly, it is not possible from these sample profiles to draw inferences about stop rates and the extent to which forms were issued. However, it did become apparent during the recruitment process that there was limited use of the form in the pilot areas by the police. Attempts were made to ensure that as many respondents as possible who had at least seen the form were recruited for this study.

Face-to-face recruitment for both the group discussions and interviews was carried out by experienced recruiters, some of whom were from minority ethnic groups. A carefully worded screening questionnaire ensured that people were approached as sensitively as possible. Respondents' confidentiality and anonymity were stressed at all stages of the research process. Recruitment was carried out in a range of areas at different times of the day and on different days of the week. The areas included:

- on the street;
- shopping centres; and
- those identified by police as where stops and searches were carried out.

The fieldwork was carried out in a range of venues, with the emphasis on convenience for the respondent (e.g. respondents' homes, local hotels and halls). Wherever possible the ethnicity of the researcher was matched with the ethnicity of the individual(s) taking part in the interview or discussion group. It was felt that the matched approach might lead to more in-depth discussion because respondents may feel more comfortable discussing personal experiences with a researcher with a similar ethnic background. In some cases, it was not possible to match the researcher with respondents. However, it was felt that there may be more scope with the unmatched approach to explore respondents' assumptions as they might explain issues in more detail to researchers.

Although it was not a specific recruitment criteria, respondents in both the interviews and discussion groups were from a range of occupational backgrounds. Respondents included postmen, taxi drivers, couriers, musicians, shopworkers, factory workers, students and those who were unemployed (particularly in Chapeltown).

Many of the respondents in both the discussion groups and depth interviews had lived in their local areas all their lives. They were, as a result, able to discuss perceived levels of crime in the area and how these had changed over time.

Although people for the discussion groups were not specifically recruited on the basis of having been stopped or searched, many of the respondents were able to talk from direct experience. Many had friends or family who had been stopped by the police, or had been bystanders when other people had been stopped. All respondents were, therefore, well aware of police use of stops and searches. There was also very high awareness of the case of Stephen Lawrence and the Stephen Lawrence Inquiry.

Report outline

This report is divided into seven chapters. Following the introduction to the aims of the research, Chapter 2 examines respondents' experiences of, and views about stops and searches, focusing in particular on the perceived attitudes of the police and the reasons given for the stop. Chapter 3 explores people's perception of why stops and searches are used by the police and how they believe the police make decisions on who to stop. Perceptions on the way stops and searches are carried out are also explored, in terms of the reasons given for the stop encounter, the length of stop, and the attitudes of officers.

In Chapter 4, we examine the public's reaction to the pilot of the Inquiry's recommendations on stops and searches. The discussion focuses on how the forms were explained, what was done with the forms afterwards, views about the design of the form, and most importantly what difference respondents felt having the form would make. This chapter also includes respondents' reactions to being asked to describe their ethnicity, particularly in terms of how the question should be asked, and the reasons for asking it. We also outline suggestions for improving the methods adopted for the pilot. Finally, the lessons from the research are drawn together into conclusions summarising the main points of the study.

The context of the study

This study forms part of a broader research programme on stops and searches conducted by PRC following the Stephen Lawrence Inquiry, and will refer readers to the findings from other projects in the programme where these provide more detail. The programme comprises the following elements:

1. Assessing the impact on crime and the community

This report takes a balanced look at stops and searches both as a crime-fighting tool and in terms of their broader impact on the community. In particular, it focuses on the following questions:

- What role do stops and searches have in policing?

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- Are searches effective at tackling crime problems?
- Under what circumstances are they most effective?
- How do they impact on public perceptions of the police?
- How can negative impacts be minimised?
- What, therefore, are the implications for best practice in relation to stops and searches?

This work is reported in Miller, et al. (2000).

2. An evaluation of the Inquiry's recommendations on stops and searches

This research evaluates the impact of a pilot of recommendation 61 of the Stephen Lawrence Inquiry Report. It recommended that a record be made of all police stops and searches, the record to include the reason, outcome and the self-defined ethnicity of the person stopped.

This pilot was carried out in five areas across the Metropolitan Police Service, Leicestershire Constabulary, Suffolk Police and West Yorkshire Police. The evaluation assesses, among other things, whether the changes produce improvements in public trust and confidence, monitoring and accountability, and search practice. The full results of this evaluation are presented in Bland, et al. (2000a).

3. Public views on stops and searches

This research is presented here.

4. Police stops, decision-making and practice

This project takes a detailed look at the factors which underlie police decision-making in relation to stops and searches, and the risks that these may pose. It also attempts to identify what makes a 'good stop'. This relates both to treating members of the public fairly, and to identifying circumstances when a stop or search encounter is more likely to be effective and legal. The findings of this research are presented in Quinton, et al. (2000).

5. Profiling populations 'available' for stops and searches

A key issue in understanding the reasons for the disproportionate use of stops and searches against minority ethnic communities is the make-up of the population 'available' to be stopped or searched. This refers to people who are present in public places and at times that stops and searches tend to occur. This research provides a detailed profile of those 'available' in this way, from the sites involved in the pilot of

recommendation 61, and compares this profile with resident populations and those actually stopped or searched. The findings of this research are presented in MVA (2000).

6. Interventions to improve the management of searches

This study examines a range of initiatives being developed by a selection of forces which aim to make their use of stops and searches more fair and effective.

Intervention focus on improvements to:

- managerial effectiveness;
- operational effectiveness;
- recording practices;
- officers' knowledge of search powers; and
- community confidence.

The first phase of this research has been reported in Quinton and Bland (1999), and the final results are presented in Bland, et al. (2000b).

It is planned to bring together the key results from all this work in an extended Briefing Note which draws overall lessons from the programme.

2. Experiences of stops and searches

This section explores people's experiences of seeing other people being stopped, as well as drawing on their own personal experiences. In the depth interviews, as well as the group discussions to some extent, respondents talked openly about their experiences of being stopped. This section illustrates perceived differences between a stop and a search, their views on these experiences, their perception of the attitudes of the police and the reasons given for the stop.

Perceived difference between a 'stop' and a 'search'

The Stephen Lawrence Inquiry Report stated that people from minority ethnic communities did not perceive any difference between a stop and a search. Interestingly, respondents in this study did generally make some distinction between the two, though this was not made in legal terms. There was a view from some, usually those with little experience of being stopped, that the police needed a 'good' reason to search rather than to stop, and that if the police are carrying out a search then the whole encounter becomes more serious. A few black respondents in one group discussion made a distinction between a 'stop and search' and a 'stop and chat'. Some of those who were stopped regularly across ethnic groups did not feel there was any difference between a stop and a search, because in their experience a stop automatically led to a search.

On the whole, officers had explained when they proceeded from a stop to search someone or a car, although there were a few occasions when this was not the case. But there was also a perception that officers did not always explain the need or reason for a search. For example, driving without a brake light was a valid reason to be stopped but not for searching the car. Similarly a search for a large object did not provide a reason to search through someone's wallet.

Respondents in both the depth interviews and discussion groups displayed some knowledge of their rights, particularly if they had been searched a lot. They understood that there were limits on the extent of a search in public, without having to go to the station, and there was also a strong perception that a male officer could not search a female². Others, however, had both experienced or seen instances where they believed the police had seemingly gone beyond the rules. For example, checking the insides of a person's socks, or seeing someone in the street being asked to strip to their underpants. While the precise detail of this latter example was not made clear, such a case would be a clear breach of the provisions of the PACE Code of Practice. Searches in public can only involve the removal of outer clothing such as a jacket. If an officer regards a more thorough search as necessary this should be undertaken out of public view.

² This is a requirement under the PACE Code of Practice only if the search involves the removal of more than 'outer clothing'.

During a search, people reported they were often asked to turn out their pockets and then the police “would pat them down”. Being searched was felt to be a lot more intimidating, more serious and “an invasion of privacy” than a simple stop. Because of this, it was believed that the reasons for the search were extremely important, and that there should perhaps be more consent for a search. The notion of consent is particularly problematic in relation to searches, especially in relation to ‘voluntary’ searches. Dixon (1997) highlights that public co-operation (or at least the lack of any explicit objection) with a search may often be inferred by officers as consent. Respondents perhaps display a lack of understanding of police powers to detain someone for the purposes of search where reasonable suspicions exist. The Codes of Practice do emphasise the need for officers to seek co-operation for a search.

Reactions to others being stopped or searched

Respondents from both the discussion groups and the depth interviews could recall occasions where they had seen someone being searched. Some respondents felt that they tended to watch and notice a stop because it is something people naturally wanted to look at. On the other hand some white, black and Asian respondents expressed the view “that you get so used to seeing it, that you don’t notice it anymore”.

It was apparent there was mistrust amongst some minority ethnic respondents about the conduct of police officers during searches. Black and Asian respondents talked about situations they had observed in public where they were concerned about how the police behaved towards someone from a minority ethnic group. Some spoke similarly about how they wished the person who was being stopped the ‘best of luck’, and that they regarded that person as the victim. One respondent felt he always watched other people’s stops and searches to make sure the police did not do anything that they should not, and so that he could be a witness if the person being stopped wanted to take it further:

If I see it I always stand there and watch it and I sort of see what the police are doing... just because I feel like they could do pretty much, you know like you need a witness to watch the police and I know it is pretty sad but you know there are miscarriages of justice that go on. I will stop and watch what the police are doing and when I think OK then when the police move on then OK.

(Male respondent, Indian group discussion - male only, aged 18-29)

There were also problems where the basis for different police decisions to search (or not) was not made clear. Young respondents from all ethnic groups recalled

instances of being stopped or searched when they were in a group or in a car, where only some of them would get stopped or searched. In these situations, they could not understand why the police did not stop or search everyone and wondered how they chose who to stop. Some of the women in the discussion groups talked about how when they were with their boyfriends, their boyfriend would be stopped and questioned, but they would be ignored.

Personal experiences

All the respondents in the depth interviews had been stopped or searched at least once by the police in the last three months and were able to describe their experiences in great detail. Some respondents had only been stopped once during the pilot period, others reported being stopped several times a week, describing it "as a fact of life":

Well it bothers me, especially when I know I haven't done nowt, it's happening every other, every other day that you're getting pulled over. It's taking the piss a bit really.

(White male, aged 22, stop resulted in arrest, seen form)

There were also several instances of people recalling being stopped or searched several times in one day, often within a very short space of time, which aroused strong feelings of anger and victimisation. This was particularly the case where they were stopped by the same police officers in the same stretch of road, often at the same time of night. There were examples of Black, Asian and white respondents getting regularly stopped in this study.

Box 1: Experience of multiple police stops

One black respondent reported multiple experiences of being stopped by the police. He had been stopped, most recently, by a policeman he 'knew well' six days before being interviewed for this study. The respondent said that, on one occasion in the past few weeks, he had been stopped and searched three times in one night. He attributed this to the fact that he had been with a group of friends wearing hooded tops. By the third time, he was extremely angry and thought that the police were deliberately trying to waste his time. The respondent was not given a form for any of the encounters.

He felt that he would be stopped less regularly in the future because he now had a girlfriend: "It's a woman, they wouldn't pull her". He added that he was less likely to be stopped because he was getting older and did not hang around with his friends as much: "I used to get pulled about three times a week when it would be late and a group of lads having a laugh".

There was wide variation in how long the stops lasted for, with some lasting only a few minutes and others lasting around three quarters of an hour. However, respondents' assessment of the duration of the encounter may have been affected by their anxiousness to get away; sometimes the stop may have been perceived to last a lot longer than it actually did. Stops were felt to last a particularly long time when identification checks were carried out which meant radioing the station and waiting for confirmation to come back. Respondents reported a tendency for identification checks to take place after a search had been carried out, making the whole process seem longer. It was suggested that they be carried out before any search is made.

There was no consensus from respondents in the interviews or discussion groups about any perceived changes in levels of stops and searches. Those that were stopped a lot had not noticed any differences in the way that the stops were handled over the last few months. Some of those who were not stopped regularly believed that the way in which stops are handled may have changed since the Stephen Lawrence Inquiry. They believed that there may now be fewer stops, but this was based on what they had seen in the media, rather than direct experience. However, others felt there were now more stops.

Views about the experience

As we noted earlier, in general, the immediate reaction to being stopped was the feeling of wanting to get away as soon as possible, particularly because of the embarrassment caused. Others reported cases where a police stop had delayed other engagements such as being made late for work, college or a social engagement.

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Those who were stopped or searched told of the embarrassment they had felt at the time, for example being stopped outside work or outside the local mosque. One taxi driver in the sample reported that he had been stopped in his car and made to wait three quarters of an hour with customers in the back. These customers had reported this to the main taxi office, and colleagues accused him of getting arrested, and "his reputation was now in tatters". Another respondent described an occasion when a group of children were laughing and mocking from the other side of the street during the stop. These experiences stand in contrast to the PACE Code which aims to regulate the conduct of searches and make explicit the need for "every reasonable effort" to be taken in order to minimise embarrassment during a search.

Others were simply worried about who might have seen them - "someone always sees you", and would "think you are automatically a criminal":

Because I dislike being put aside by the police, that makes me look bad to anybody that's walking passed, they'll think 'He's been up to no good', it gives you a bad image.

(White male, aged 18, searched, seen form)

This was particularly a worry for some of the younger respondents in the study who thought that they would be seen by family members - a view expressed by some of the Asian respondents:

I think the other thing is if an Asian lad gets stopped, if the parents find out you've had it, you're going to get killed. Even if you've just been stopped and you've got a letter, they won't ask the reason toward the stop, they'll just... you know in a white family the parents will support the lad if he's not in the wrong. If he's in the wrong, fair enough, but if he's not in the wrong then they'll fight for it... Asian families etc. you'll get slapped.

(Male respondent, Pakistani group discussion - male only, aged 18-29)

Some also described how embarrassing it was to be separated out from a group of friends and searched in front of all of them. Because of this embarrassment factor, there were some (from all ethnic groups) who suggested that stops and searches should take place out of the public view, in side streets for example. A few even suggested in the group discussions that they should take place at police stations. Views were also strongly expressed against this: because of the time it would take, respondents' lack of trust in the police and their belief that it would make the experience far worse.

Even when some respondents felt they had nothing to hide, they still experienced a sense of fear or nervousness about being stopped, partly because of the nature of the experience, the lack of trust they held in the police, and their previous experiences. Some of the respondents believed that the police would try and 'plant' things on them or accuse them of something they had not done: "somebody else could have done something and I'm going to get pulled in for it". This belief was mainly based on occasions when they had heard of friends or relatives having had things 'planted' on them:

I must confess I, there's a sense of a bit of fear because... I was trying to find out the reason why and trying to link it up with the [taxi] fare I picked up, and hope that I'm not being wrapped up with something I don't have any connection with.
(Black African male, aged 38, searched, offered form)

So they patted me down and that, pulled out my keys and that because they can like sometimes you can get paranoid if they start searching and I said, can you open your hands first please so I can see if they've got anything in their hands... They might have stuff, I know some people that have been planted.
(Black male, aged 27, searched, no form seen or offered)

Some of the Asian women in the study felt that their experiences of being stopped had been particularly frightening because of the manner of the police officers:

He was very rough and rude. He said he wanted to see my papers. Is this the car you are driving?... me and my daughter were really nervous and we were looking everywhere to find the paperwork and he saw that these are ladies, they are nervous, it was dark, but they were not sympathetic at all.
(Female respondent, Indian group discussion - female only, aged 30-55)

Views of the experience tended to be negative - some respondents talked about the police appearing to have low expectations of them and treating them as "guilty until proven innocent" - which was found to be insulting. Some were angry about the stop, especially when looking back on what had taken place, and because it had made them late.

However, there were those who had more positive experiences of being stopped for the following factors:

- the reason they were given seemed reasonable and genuine;
- the officers were polite and friendly in their attitude and questions;

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- the stop did not last a long time or inconvenience the respondent; and
- the respondents did not feel as though they were being targeted for example, because of the car they were driving or the colour of their skin.

This further confirms a fairly clear and consistent picture about what influences public satisfaction with being stopped produced from previous surveys and qualitative research. For example, Skogan (1994) explored the correlates of satisfaction in the police handling of stop and search encounters using the 1992 British Crime Survey (BCS). He found that the correlates of satisfaction with police behaviour included:

- whether people felt they were fairly treated by the police;
- whether the police acted politely;
- whether the police showed enough interest in what people had to say;
- whether they were searched or sanctioned; and
- whether people were given a reason for the stop.

A similar picture emerged from FitzGerald and Hale's analysis of the 1994 BCS (forthcoming). Overall, they showed that some of the main causes of dissatisfaction related to:

- whether the police were perceived to have been impolite;
- whether they gave a reason for a stop - and one which was acceptable; and
- whether the stop was followed by a search.

Other sources of qualitative evidence confirm the general picture provided by statistical evidence, and provide some important additional detail. FitzGerald (1999) carried out a range of interviews and discussion groups in London with community workers and young people, as well as with police officers. For young people, officers' behaviour and attitudes during encounters were the main focus of complaint. They stressed that it was important for officers to be polite and respectful and to offer an explanation for why they had been stopped, in keeping with the statistical analyses discussed above.

The following reported example illustrates a positive experience.

Box 2: Positive experience of stop

One Asian respondent reported walking along with several of his friends to a train station, and was searched by a couple of male police officers. The officers explained that there had been a fight at a pub, and “that they just wanted to check that it wasn’t us involved”. They were perceived as being polite and when describing the reason for the stop were not accusing the respondent of committing the crime. The respondent felt the search was over very quickly and was offered a form. He was slightly annoyed at being stopped because he was in a rush. However, he felt the whole experience was ‘fine’, since the police carried out the search as quickly as they could, were very polite and gave a believable explanation for the search.

Even so, for those who were stopped, the negative experiences were far more memorable than the positive ones. This was believed to be for a couple of reasons. Firstly, because it was felt that the number of negative experiences outweighed the number of positive ones, and secondly, because they tended to reflect, think and talk about the negative experiences more than the positive ones.

Overall across the sample and all ethnic groups, there were instances of positive experiences and many of negative experiences. However, it was apparent from the depth interviews and discussion groups that black respondents were much less likely to recall positive experiences than those of the white or Asian respondents.

Officers’ attitudes

Respondents from both the discussion groups and interviews were quite vocal about their perceptions of the attitudes of the police during stop and search encounters. Perhaps unsurprisingly this tended to focus on perceived negative attitudes. Nonetheless, the following usefully points to the type of behaviour which respondents were most likely to regard as problematic.

Sometimes the police were described as ‘cocky’ in their attitudes and the types of remarks they made during stops and searches: “been nicking any cars tonight lads?”, “got any drug dealers’ numbers on your mobile?”:

They get cocky with you. They get like they think they’re a lot higher than you and they think they can make you do whatever they want you to do even though you haven’t done owt.

(White male, aged 19, stopped only, seen form)

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Complaints tended to focus on police officers being patronising, arrogant, aggressive and intimidating. Some respondents believed that police officers came across as sarcastic, arrogant and rude simply to provoke respondents into reacting vocally, or even physically, and to give the police an excuse to arrest them. Although this view was held across all ethnic groups, it was expressed particularly strongly by some of the black respondents:

They're just trying to be sarcastic so you probably lose your temper or get arrogant with them. That's what they want I think.

(Black Caribbean male, aged 25, searched, seen form)

Some of those who were stopped a lot believed that the police got frustrated because "stop and search doesn't work that well for them" and that this came across in their attitude. Some of the respondents who were stopped regularly from all ethnic groups, believed that the police officers' attitudes were ruder to them than it would be to someone who was not stopped much, because they "seem to take liberties".

Some police officers were not felt to ask questions properly - they were seen to be telling rather than asking. Others were reported as using bad language, which was regarded as offensive, particularly by some of the older people in the study:

Well, basically their exact words were, yeah and I've got witnesses because I was with two other people yeah, was: 'Don't fuck me about, right, and I won't fuck you about, where have you got your drugs'.

(Pakistani male, aged 18, searched, no form seen or offered)

There was some understanding of the difficulties faced by police officers, though there remained high expectations of police behaviour. Some acknowledged that the police have to be strict and remain in control of situations and that this may be reflected in their attitudes. Some respondents, particularly those in the group discussions, believed that the police might have aggressive attitudes because of the aggression that they had to deal with from people. However, there was a sense that "aggression or a bad attitude is always going to be met with aggression or a bad attitude". A few respondents in the discussion groups mentioned jobs that they do where they have to deal with aggressive members of the public but always managed to stay polite.

It is also important to realise that members of the public are not necessarily passive when they are stopped. In FitzGerald's study (1999), both young people and police

officers acknowledged that those stopped could be hostile, with police officers sometimes responding badly to this. For example, where an officer felt that the person they stopped 'failed the attitude test', this could lead to an escalation of an encounter. This suggests that it is important for officers to know how to handle difficult members of the public without creating bad feeling.

Similarly, some respondents in this study admitted to being quite abusive to the police when they were stopped, whilst others said they remained polite throughout because they wanted to get the stop over as quickly as possible. They did not want to provoke the police - there was a belief that by being abusive to them, an arrest or a 'trip down to the station' would result. This belief was based on previous experiences where they had been told if they did not co-operate or change their manner they would be taken down to the station.

There was a belief that the police do not know how to address people from minority ethnic communities, which reflects research showing that black and Asian men are less likely to think that they have been treated fairly and with respect in a police stop (FitzGerald and Hale, forthcoming; Skogan, 1994). Some black and Asian respondents had experiences of police being directly racist to them during stops: "You Nigerians, you people should be led back to the jungle". Other black and Asian respondents thought that, although the police were not directly racist to them in their stop and search encounters, they were ruder and less polite than they would be to a white person: "You can just sense it, bad vibes and they just want to get you". For example, one black respondent recalled how she had watched some white youths being searched and caught in possession of shoplifted goods and soft drugs, and the police were polite and friendly. This did not match with her experiences at all and she attributed this to the colour of her skin.

Some of the Black African respondents felt that the attitude of the police changed during the stop once the police officer heard their accent, and they became more negative and accusatory:

If you've got an accent it makes it worse... when I gave [the police] my name, I told them I was British, I was born in England. [The police said:] 'Oh everyone says they are born here, they are born in England'. So I questioned them, I said why should they doubt me? If I was white and I said that, would they doubt me? If I didn't have no accent, would they doubt me?

(Male respondent, Black African group discussion - mixed sex, aged 30-55)

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There was a strong belief from all ethnic groups that the police assume whoever they stop are guilty until proven innocent, reflected by their attitudes, manner, and the way in which they phrase questions:

Because people don't trust the police in the way that they approach people. They just approach people in a way that is just blaming them straight away... just blatantly saying 'look we have got reason to believe you have done it, you're not innocent'.

(White female, aged 14, stopped, no form seen or offered)

The following reported example in Box 3 contrasts one individual's two very different experiences.

Box 3: Different experiences of being stopped

The man reported walking back from a cash-point late at night with his friend and being stopped by two police officers. The officers were extremely polite and gave what was felt to be a good reason for the stop: "It's pretty fair, if someone's been out burgling and it's two lads, similar description, it's fair to try and see if it's them". This reason was seen to be fair since the police officers were not accusing them of burglary, but had politely asked questions and carried out a search.

However, on a previous occasion, a few months earlier, some other police officers had stopped them. They had not been polite and had been far more accusatory in their manner and 'pointing the finger', which the respondent really disliked:

It's the way they go about it, the way they ask questions. Some people ask you questions as if they're asking you questions. But some of them, the way they put it is like: 'We know you've done it "Why don't you just come out with it?'

(White male, aged 20, searched)

Respondents gave individual instances where police officers had changed their manner and become much more polite once they had not found incriminating evidence or completed an identification check. This perhaps illustrates a tension between public expectations and policing realities. It is unrealistic to expect an officer to approach every stop situation in an open and friendly manner. For example, officers are likely to be at the very least guarded in their approach in instances where they fear or anticipate (rightly or wrongly) an aggressive or violent reaction.

Concerns were expressed generally about younger officers, “straight out of college”. There was a perception that their attitudes reflected a desire to demonstrate their newly-invested authority, or to “make a name for themselves”. Some of the older respondents in both the interviews and discussion groups did not like being stopped by someone who was younger than them. Younger officers were also thought to be quite inexperienced and so did not know who were the most appropriate people for stops and searches, or the ‘psychology’ of approaching people:

Yes it is it's like a man management thing really isn't it. It's like I think they have got to experience some sort of life before they stand there and talk to you the way they do, with the attitudes that they have.

(Female respondent, white group discussion - mixed sex, aged 30-55)

Some noted that when they were stopped by two police officers, which was felt to be very common, often one had a different attitude from another. For example there were situations in the study where one police officer was described as friendly and polite, but the other one was aggressive and abusive. This was reflected in their general views of the police: “There are both good ones and bad ones”.

Positive attitudes

However, there were instances where respondents felt that the attitude of the police was extremely good and that this made the stop as pleasant as it could be. They were described as being extremely polite, jovial in their manner, or “were talking to you like you were a mate”. Some respondents stated that when the police officers had been polite and friendly, they themselves were polite and friendly in return:

We got stopped by the police in unmarked clothes but they were really helpful and pleasant, they were asking us questions and they said to us: ‘We were wondering if we could stop and search you’. And they asked us questions: ‘Where do you live?’. They took our names, addresses, our descriptions, what clothes we were wearing but after he talked to us, and we were talking to him, we weren't showing him no attitude and they weren't showing us attitude so they didn't bother searching us, they just said: ‘Thanks for being helpful to us’.

(Indian male, aged 19, stopped, no form seen or offered)

This example perhaps illustrates that even when the reasons for a stop or search are relatively ‘weak’, officers may be able to maintain public confidence by handling the encounter well (for a more detailed discussion see Quinton, et al., 2000).

Others felt that the officers searching them were polite but that the politeness was a little forced and false.

The following reported example in Box 4 illustrates the impact of an officer's positive attitude on the reaction of the person stopped.

Box 4: The impact of an officer's positive attitude

One white respondent (aged 26) said that he was stopped by the police when he had been taking his video recorder to a local shop in order to sell it. The officers who carried out the stop explained that there had been a number of burglaries in the area. The respondent said that he felt the stop was justified on this basis and that he must have looked suspicious. He added that the officers examined the video recorder and then let him go after giving him a stop form. The respondent remarked that the police officers were "nice" and "quite polite" and that the encounter took about five minutes.

Giving reasons

Reasons were not always given to respondents as to why they were stopped - this tended to fuel curiosity about the search, and made people feel more uncomfortable. It also made the experience more intimidating and frightening since they did not have any idea of why they were stopped.

However for some, when a reason was given, there was suspicion that this was concocted rather than genuine, leading people to perceive other reasons for the stop, for example, feeling targeted because of their colour of skin, dress, and age. Some respondents who were stopped quite regularly felt the police always used the same reasons e.g. "car in the next street has been broken into", so this led to the belief that it was concocted. Respondents felt that the clothes often described on a suspect police claimed to be looking for, were simply drawn from looking at those worn by the respondent. The description of stops by officers as 'routine' was felt by some to be unacceptable and reinforced the perception that the people being stopped were being targeted because of who they were rather than what they were doing.

Although on some occasions, the reasons for the stop was the first thing stated by the police, there were some instances of where it was not explained until the stop was well underway. On other occasions, the reason was only given when asked by the respondent why they were being stopped.

Some respondents felt that the ways in which reasons for the stop were explained often made it sound accusatory, reflecting the guilty until innocent attitudes of the police, so that the person being stopped felt as though they were being accused of committing the “burglary down the road”.

Where a reason was given and was believed to be genuine then respondents felt happier about the stop and believed that the police were just doing their job. Whether the reason was perceived as genuine depended on how the police officer stated the reason, and whether it seemed reasonable to that area e.g. if there was a lot of car crime in an area, how the officer described the suspects.

3. The use of stops and searches

This section explores people's perceptions of why stops and searches are used by the police and their views on how the police decide who to stop. Drawing on the ways stops and searches are felt to work well and not so well, respondent's reactions to the whole concept of 'stop and search' is examined.

Perceived reasons for its use

Respondents identified a number of reasons for the use of stops and searches. These comprised a mix of what were seen as 'genuine' reasons for their use and others which were viewed as abuses of power. The following 'genuine' reasons fit quite closely to those articulated by police officers (Miller, et al., 2000), although legally officers are required to have reasonable grounds for suspicion before they carry out a search under PACE (see Quinton, et al., 2000):

- To act as a deterrent - by stopping people carrying illegal items or by stopping someone on the way to commit a crime. There was a view expressed by some of the white respondents in the group discussions that it may be cheaper than other forms of policing such as surveillance operations.
- To gain intelligence and find out "what is going on, on the streets".
- To find illegal goods, weapons, or things that could be used for stealing cars such as screwdrivers.
- To find drugs, although there was a view that it is of little use for drugs since people will drop them on the floor. Many of the younger respondents across all three ethnic groups, but in particular the Asian respondents, thought that searching for drugs, in particular cannabis, was one of the main reasons they were stopped.
- For safety reasons, to make sure there are not illegal cars or drunk drivers on the road.

The following were examples where respondents believed there were sometimes less legitimate reasons for officers' use of stops or searches:

- To antagonise, provoke and waste people's time.
- To victimise and harass people.
- To exercise power - to demonstrate that the police have this power and are able to use it whenever they want.

Views about how the police decide who to stop

Respondents had very definite views on how the police decide who to stop. This was based on their own personal experiences as well as what they had seen in the

media. Although some of these views are likely to be from a relatively uninformed perspective, it is significant that respondents' perceptions were similar to the accounts articulated by officers of their decision-making (see Quinton, et al., 2000). Perhaps most important is the clear link between what people believe about officers' practices (whether or not correct) and how they thus act or react to police stops.

Respondents highlighted the following factors they believed were important:

- **Ethnicity**

The sensitivity of police stops and searches of people from minority ethnic communities was clearly evident in respondents' views. Perceived differential treatment was often believed to be due to their ethnicity.

Amongst some of the black and Asian respondents there was a perception that police decide to target them because of the colour of their skin: "They've got this view that they see every black person as a potential criminal". They felt they were far more likely to be stopped than a white person and would be stopped more often: "I mean as a young black man I defy anybody [from a similar background] to say that they have never been stopped by the police". Some black respondents felt that they were also far more likely to be stopped than Asian people and people from other minority ethnic groups.

Both black and Asian respondents gave instances of where they felt white people or white friends had been ignored by the police in similar situations, and that they had been singled out because of the colour of their skin and the stereotypes held by the police. For example, one young Pakistani man had a white friend who was the same age as him, lived in the same area, and had exactly the same make of car, but had never been stopped by the police, whereas he felt he was stopped on a regular basis.

There was agreement from some of the white respondents that police also target those from minority ethnic communities. This was based on what they had read in the media, but also from talking to their black and Asian friends. For example, one white respondent had never been stopped before she had started going out with her black boyfriend, and now had been stopped with him several times.

Box 5: The experience of a white person stopped with black friend

One white respondent in a group discussion recalled a recent incident when he was in a Mercedes being driven by a Jamaican friend. The car was stopped and his friend was asked to open the boot, empty his pockets and show his identification. The police officers, however, ignored the white respondent and did not ask him any questions. The respondent felt they should have done since he 'could have been the biggest terrorist in the world'. He felt that if several people were in the same car then they should all be searched, not just one. He added that he felt his friend was targeted because of the colour of his skin and the preconceptions held by police officers:

That is victimisation. To me it is an obvious bleeding disregard, the police are sort of going: 'Which one looks guilty. Oh, he's black, he is guilty and maybe get him for drugs'. To me it seems silly. Why search him and leave me sitting there?

(Male respondent, white group discussion - mixed sex, aged 30-55)

However, there was also a contrasting view expressed from some white respondents that with all the recent publicity about searches, police were now 'afraid' to search black or Asian people because they would be accused of racism, and because it would be reported in the paper. This illustrates the difficulty the police can face in presenting and defending their actions to the public as a whole:

But yes, I don't think that every nationality is treated the same... Well I don't think if I had perhaps been Asian or whatever I would have been pulled at all.

(Female respondent, white group discussion - mixed sex, aged 30-55)

● Age

There was also a belief that young men were more likely to get stopped - some older respondents from all ethnic groups in the study talked about not getting stopped as frequently as they used to. Some of the younger respondents, 18 or 19 years old, believed they were stopped more when they were younger.

● Part of a large group

It was felt being part of a large group made a police stop more likely. A number of white respondents talked about how, when they congregated in a large group, they would run off on seeing a police car because they were certain they would be searched and possibly arrested.

- **Police targets and quotas**

There was a strong perception that targets are set for the police on the numbers of people who should be stopped or searched in one day. There was also a view that a quota system might be in place whereby one in every five cars or people is stopped.

- **The individual police officer**

It was pointed out that the experience of a stop very much depended on the individual police officer and how they make their judgements of people. There was a general view across all ethnic groups and areas that some police officers are better at their jobs than others. They will only stop people when they have a genuinely valid reason, and that people are only stopped when they genuinely do match the description of a suspect. However, others were felt to be racist, untrustworthy, inefficient and incompetent. Several white and black respondents gave named examples of police officers who they felt tried to 'victimise' them personally by always stopping them, whereas others named officers who were always pleasant and polite in their dealings.

- **Boredom or shift factors**

Some believed that police officers stopped or searched people simply out of boredom, as they had nothing better to do. There was also a perception, that police sometimes stopped people towards the end of their shift. This was related to a boredom factor - they needed something to do in the last ten minutes of the shift. This was based on personal experiences for some - for example, a van driver in the sample felt he had been stopped a number of times at just before six in the morning. Others thought that the police made a game of it - for example trying to stop different makes of cars in one day.

- **Time of the day**

Some respondents were of the opinion that the police tended to stop people late at night or during the early hours of the morning. Some black and Asian respondents in the study tended to work in jobs which involved unsociable hours, such as in fast food outlets, mini-cab drivers, shift work at factories, and postmen, and felt they often got stopped because they were walking or driving home at unusual hours. This often meant they were carrying a bag - which the police believed contained stolen goods.

- **Whether known to the police**

Some believed that stops and searches were used on people who were already known to the police. This was reflected in the experience of those in the sample with criminal records. Some felt they were stopped because the person they were walking along with was known to the police:

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[I was] stopped about 5-6 weeks ago now. When I was with my cousin because he's well, well-known by the police, as soon as he gets seen he gets proper harassed, he's been beaten by the police before.

(White male, aged 19, searched, no form seen or offered)

However, again in contrast, there was a perception from some in the group discussions that stops and searches were not used on 'hardened' criminals since they would be 'professional' enough to not ever carry anything incriminating on them.

- **Type of car**

People believed they were sometimes stopped because of the car they drove. Certain brands and types of cars were named (for example, Renault 5s, Vauxhall Astras, four by four jeeps, cars with alloy wheels) which were believed to be targeted by police because they were easy to break into, favoured by joyriders or because they looked 'flash':

You know call me paranoid but in a way they're always stopping the, well I always get pulled, its like I've got this new car now and it's a bit fancy and I've been on the road for two and a half weeks and I've got stopped three, four times in that time.

(Pakistani male, aged 18, searched, no form seen or offered)

Some respondents reported having changed the make of their car in part because they were fed up with getting stopped. Others spoke about when they were in friends' or relatives' cars that they never got stopped, so believed that it had to have something to do with the make of car. This was resented because it was believed that "everyone has the right to have a nice car".

There was significant comment made about experiences of how, if a person was black or Asian and owned an expensive car, they would be stopped a lot, because of the stereotypical views held by police officers. The police were thought to believe that people from minority ethnic communities were not in jobs where they could afford expensive cars. For example, one Asian respondent noted how a police officer had asked him how he could possibly afford the insurance on his car. A young Black Caribbean male reported being asked sarcastically: "What job do you do to own a car like this?".

- **Type of clothes**

There was a perception that stops are carried out because of the clothes that are worn by all ethnic groups, in particular the younger respondents. Some felt because of the way they dressed in baseball caps, jewellery, hooded tops, black puffa jackets,

“trousers swinging round their bottom” and so on they were targeted. Also, some felt targeted because of their hairstyles and the stereotypes associated with them, such as a white person with a skinhead cut or a black person with dreadlocks.

Views on the role for stops and searches

There was a very strong perception that the way in which stops and searches are currently handled causes more distrust, antagonism, and resentment than any of the positive effects it can have: “They’re probably screwing up more than they’re actually getting results”. This has been reflected in other recent research for PRC (see Stone, 2000). There was also concern about the amount of resources that stops and searches use at the expense of other methods. This was a particularly strong view held by respondents from all ethnic groups who were stopped on a regular basis, since it was felt that police never found anything when they were stopped.

However, respondents in both the discussion groups and interviews could not suggest alternatives for stops and searches, and felt that if there were fundamental changes in the ways it is used, who it is targeted at, attitudes of the police, and reasons given, then there was a role for it. These changes will be explored in the next chapter:

Generally, I think it is a good thing because - it is a good thing but it depends how they go about it and who they stop and who they search. The majority of the time they stop the wrong people, people who are innocent, they don't seem to stop anybody who is committing crimes.

(Indian male, aged 19, searched, no form seen or offered)

Respondents could think of ways in which they felt stops and searches could work, in particular they could be used for finding weapons, drugs, stolen or shoplifted items, and that it might help to reassure the general public, in particular much older people with regard to their safety. Respondents felt they had thought of these ways with a lack of any real knowledge of what works in practice, and it should be noted that they were not necessarily aware of the extent of police search powers. Indeed, some of the group discussion respondents across all ethnic groups, thought that the police should publicise how it was effective and “show how they are doing good stuff on the streets”.

However, it was felt that “most of the time it is a pointless exercise” in that the police are never seen to target the right people. It was felt that the way in which stops and searches are targeted and handled meant that it does not appear to work:

“The whole system has to change”. Among the young black and Asian respondents in particular, it was felt to antagonise the local community, resulting in a lack of trust in the police.

Other dealings with the police

It was clear that stops and searches do not affect people’s view of the police in isolation; this is also influenced by other dealings with the police and, in particular, where experiences have been negative. For example, one respondent had felt that the lack of sympathy shown by the police to his burglary meant that he was unhelpful when stopped. Others talked about being intimidated by officers’ actions, e.g. shining a torch into someone’s front room. Some of the black and Asian respondents talked about how often the police would often drive by slowly, “staring you out”:

They will try and pull up slow beside you, look at you like a really long stare and it makes you paranoid thinking, ‘what’s happening?’, you know and things like that. I think it’s very, it can make people very nervous of going out sometimes, even though they haven’t done anything, it makes you feel like you’re a criminal.

(Black African male, aged 25, searched, seen form)

In turn, negative experiences of stops and searches had affected how people dealt with the police in other situations. For example, one respondent was mugged but did not report it to the police because of his bad experiences during stops and searches. Another felt he could never go to the police for help in the future because of the last time he was searched:

I don’t look at them as people that you can go to for help. I look at them, as, I look at them from a negative point of view from now. I mean people have always, you know what I mean, people always say that they’re there to help you, but I don’t think they really are.

(Pakistani male, aged 20, stopped, no form seen or offered)

Suggested changes

This section explores what changes respondents thought should be made to stops and searches focusing on the reasons given, the attitudes of the police and the length of the stop. There were also issues around giving a record of the stop and information on police rights and powers - these will be explored in the next chapter on the pilot.

Generally, across all ethnic groups, it was believed the most important factors that needed changing was the reason given and the attitude of the police: "If they're going to stop you then the least they can do is have the decency to explain to you why". These were the factors that caused the most resentment about the way stops and searches are currently carried out across all ethnic groups.

Reason given

Respondents believed that whenever someone is stopped or searched that a reason should be given at all times. By giving a valid reason, respondents:

- felt they would be more likely to be co-operative;
- felt part of the process;
- felt more comfortable about being stopped; and
- **did** not feel as though they were being targeted.

Some of the black and Asian respondents felt that when they were stopped it was because of their ethnicity. Officers having and articulating a valid reason would go some way to countering this belief:

If they had a valid reason it goes a long way. Because sometimes I think you automatically think 'they've stopped me because of the colour of my skin' or 'because I'm Asian'... but if they give you a valid reason then I think that would make me happy... they should justify it.

(Indian female, aged 29, searched, seen form)

I don't mind being stopped if the police come to me and said: 'Look, what happened mate is that you jumped this red light or you turned that corner odd or your taillight isn't working.' [That is] if they tell me legitimate grounds to stop me. I'm a reasonable man then I am going to be reasonable with you. You stop me for what feels like absolutely no reason and [it] makes me feel that the reason I am being stopped is more than likely that I am Asian or I am in the wrong area at the wrong time. This is where it is going wrong. I think the onus is on them to say that this is the reason why we are stopping you... It makes you part of the process, you know - where[as] it feels like harassment with a whole barrage of questions and no justification for it.

(Male respondent, Indian group discussion - male only, aged 18-29)

In addition, respondents believed that making sure that police officers had genuine reasons for stopping people would ensure stops and searches were targeted at the most appropriate people, the 'real criminals', and not people they simply felt were not 'right':

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They are acting on their instinct, they should go beyond instinct, they should have reasonable reason, not just instinct.

(Black African male, aged 38, searched, seen form)

However respondents emphasised the reasons had to be genuine - not an 'excuse', and delivered in such a way that they sounded genuine to the person being stopped. In addition, these reasons should mean that they only restrict a search to what is relevant:

It is not by a process of questioning that you find your grounds to stop someone, it is supposed to happen before and when you say to somebody: 'I am stopping you because such and such a thing has happened and such and such a thing has been stolen'. That search, itself, should be restricted to where that thing can be found so if they are looking for a joint of beef they don't need to look in your wallet.

(Female respondent, Black African group discussion - mixed sex, aged 30-55)

Allied to the reasons for a stop encounter was particular resentment from some at what was perceived as random or routine stops and searches. There was a view that random stops should not be carried out, and that stops should only take place when there was a very good reason. However, views varied on what constituted a good reason. It was also felt that routine or random stops were used to 'cover up' other reasons:

I think it's just a cover up of saying well you're Asian, you're young, you're going to be doing something stupid, you're going to have something on you.

(Pakistani male, aged 20, searched, no form seen or offered)

However, in contrast others were less concerned about random or routine stops and felt that on some occasions "the gamble" may be effective: "You need to lay out a net to catch a fish":

To be fair to police people, I think they have a right to stop people and search them. And I also I think legally that... they are not under any obligation to tell people they have stopped why they are doing it.

(Male respondent, Black African group discussion - mixed sex, aged 30-55)

Attitude of officers

There were very strong views that there needed to be considerable changes in the attitudes of the police during stops and searches:

That's when they're doing their job and you don't mind. If they're rude with it as well that's when you can't take it. Being stopped is no problem.

(Male respondent, white group discussion - mixed sex, aged 30-55)

People, in each pilot site, could give examples of police officers who they felt had an extremely good attitude. In one area, for example, respondents were able to name a particular officer who they felt they had a good relationship with because of his attitude and the way he 'came across' to the public. He was described as being "on their wavelength".

It was felt that police should always be polite, should not use bad language, and above all should not assume people are guilty until proven otherwise. There was some commentary on how police training should be improved to emphasise how important politeness is during a stop, especially as it was perceived that young police officers can be ruder and more aggressive than older ones.

Length of stop

Respondents wanted stops and searches to be as short as possible because of the reasons described earlier. There were some suggestions about how stops could be speeded up - for example by carrying out identification checks at the beginning of a stop.

However, respondents were unsure of how long a stop should last for - suggestions were around a quarter of an hour at the most. Some respondents thought that there should be limits on the length of a stop encounter. Others disagreed because it was felt that this was impractical because every stop is different and there are circumstances which might lengthen the encounter (e.g. where a group of people have been stopped, a search of car or an identification check is required).

4. Reactions to the pilot

This chapter explores the public's views of the Inquiry's recommendations. It draws primarily on the experiences of respondents interviewed for this study and who had been stopped during the pilot. Respondents described their reactions to receiving a record of the stop and, in particular, how the form was introduced by the police at the time and their understanding of its purpose. This chapter also draws on the perceptions of respondents from both the interviews and discussion groups more generally. In both parts of the study, the views of respondents were explored following detailed explanation of the Inquiry's recommendations and the new forms. Their perceptions were explored in terms of the content and design of the new forms, its effectiveness, and the role of the form in making police stops more accountable. Overall, respondents, from all ethnic groups, were keen to see the form used as a means to raising accountability among the police. They also saw it as a valuable tool for making the encounter appear more open and fair, and these ideas are explored here.

A specific recommendation from the Stephen Lawrence Inquiry Report related to providing people with an opportunity to describe their own ethnic background. This chapter concludes by looking at respondents' views on being asked to describe their ethnicity to the police, particularly their perceptions of the use of such information.

The recommendations of the Stephen Lawrence Inquiry

As we noted earlier, the Stephen Lawrence Inquiry Report made a series of recommendations on stops and searches. The report recommended that all stops and searches should be recorded and that the record should include:

- the reason for the stop;
- the outcome; and
- the self-defined ethnic identity of the person stopped.

It was also recommended that a copy of the record should be given to the person stopped. For the pilot, new forms were designed which included the above, but also information on police search powers, as well as informing people of their rights. The form developed in each of the pilot sites consisted of an individual record (rather than a pad of records) for both stops and searches with a carbonated counterfoil copy for the person stopped. The forms also included an outer cover which summarised the search powers available to the police and people's rights.

Whilst the core recording requirement was tested across all five of the pilot areas, in some areas adaptations were used. In two areas, the form incorporated the HO/RT1 and VDRS forms which may be issued during stops of vehicles (for further details on the pilot see Bland, et al., 2000a).

The other adaptation related to the question on self-defined ethnic identity. Here two approaches were tested for the pilot. In some of the areas police officers completing a form showed people stopped a list of ethnic groups from which to choose the code which best matched their description. In the other pilot areas, police officers asked people stopped to describe their ethnic origin and the answer was recorded verbatim on the form.

The reactions of respondents interviewed for this study on the use of the form are based on actual experiences with the pilot forms, as well as their thoughts on reading the form more thoroughly during the interview. It was notable that of the respondents who had seen forms, no one recalled seeing more than one, including those who reported being stopped on a weekly basis.

Reactions to the pilot forms

- **How the forms were introduced by the police**

Police officers used a variety of methods for introducing the form during the stop encounter. However, as we pointed out earlier, people were keen to keep the stop as short as possible. Their main concern was to get away as soon as they could, maybe because they were late or perhaps because they found the experience embarrassing. Consequently their recollection of the explanations for the form given by the police could be sketchy. Even so, respondents did have recollections of what they were told. Explanations varied, from mentioning that the form was part of a new initiative that related to the Stephen Lawrence Inquiry, to saying the form was for police records.

- **Acceptance of the form related to the explanation given by the police**

Some police officers mentioned the content of the form and others talked people through what they were writing down. People's initial reactions to the form appeared to relate to the explanation they were given by the police. Without the purpose and benefits of the form being explained by officers, respondents paid little attention to the form at the time. In some cases, however, this contrasted with their views once the form had been explained in detail during study; they could see a number of benefits to reading and keeping the form:

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I didn't take [the form] because I didn't know it was because of this [the Stephen Lawrence Inquiry]. I think I would have taken one... had I known.

(Black African male, aged 32, searched, seen form)

The fact that the respondents were more likely to see the benefits of the form during the interviews might partly be explained by situational factors. For example, the experience of an hour long interview is likely to be considerably different to an encounter with the police in which a person is embarrassed and wants to get away. However, it does indicate a need for the police to look carefully at how the form is introduced to people during a stop.

- **Confusion over the purpose of the form**

There could also be some confusion over the purpose of the form from the explanation given by the police officer, for example one respondent thought the form was part of a new initiative to 'crack down' on car tax evasion. This respondent only focused on the elements of the form which related to the HO/RT1 (production of vehicle documents), but on reading it during the interview found it more useful than she had originally thought.

Some respondents were told that the form was for their use, and were given a rationale for keeping the form. For instance, respondents could remember the police officer mentioning that they could show the form at any subsequent encounters that day. Respondents saw this as advantageous as it could potentially save them time should this occur (for example, they would not have to have their name checked against police records again). However, this did imply to some people that the copy was of no further use to them the day after the stop.

- **Reluctance to collect the form from the police station**

The pilot guidelines stated that officers should offer a copy of the form to people at the time of the stop. In circumstances where officers were unable to complete it at the time (e.g. for operational or safety reasons), they were expected to inform the person stopped that they could collect a copy of the record from the police station (within the following 12 months).

The study included respondents who were not given a form at the time, but were told they could obtain a copy later. In some cases, the form was filled in at the time but the person was offered the opportunity to collect it the next day. Some respondents felt that, if they wanted the form, they should have been given a copy at the time and not expected to collect it at a later date:

They have the time to stop and search you, they should have the time to carry [the form] and give you a copy.

(Black African male, aged 26, searched, seen form)

It may have been the case that the form was incomplete, but respondents would not have known this. None of the respondents who were told that a form would be available from the police station had actually collected their copy; they could see no point in doing so:

Why would you want to go all the way to the police station to pick up a form that tells you why you were searched? What does it matter? You've been searched and the next day you wake up and its another day isn't it? You don't want to be traipsing about to pick up the form - you've got other things to do. Work for starters, you got to do other things.

(Black African male, aged 19, searched, not offered a form at the time)

People taking part in the discussion groups felt that it would be wasting a person's time to expect them to collect their copy of the stop form from the police station.

● Taking a copy of the form

Respondents who were offered a copy of the form at the time were asked whether they took it, and if they did, what they then did with it. Whilst some people remarked that they did not like taking pieces of paper (in general), others were pleased to have been given a record that they could keep. Some respondents, from all ethnic groups, had looked over the form (focusing on certain sections, for example the reason for the stop and their rights) and then thrown it away. Respondents had little recall of what was actually written on the form they were given, including the reason given for the stop.

● Keeping the copy of the form

It was commented that if a person was unhappy with the way in which the stop encounter had been handled, then the form would be worth keeping to be used as part of a complaint. Someone who was given the HO/RT1 form, issued as a separate document in that area, felt he did not need the pilot form as well. The 'producer' was the key document in his eyes.

Other respondents had kept the form, and some had shown it to family or friends. Respondents said they had quickly looked over the form and then put it aside. However, a respondent asked to produce documentation for HO/RT 1 paid particular attention to the part of the form she had been instructed to act on, and

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others also commented that if they had been asked to read it because it contained useful information, then they would have. Other suggestions for how the form could be introduced to people are described below (Box 6 and Box 7).

Box 6: Explaining what is going on

The experience of one Indian respondent (aged 26) illustrates the need for the form to be introduced and explained properly by the police. She reported having been stopped in her car but was then asked to sit in the police van. It was not until she was in the van that she realised it was to do with completing the paperwork for the stop (the form incorporating the HO/RT1). Firstly, she wished she had known that the paperwork was the reason for being taken to the van as she was worried, and secondly, she could not understand why the paperwork could not have been completed while she remained in her car.

Box 7: Inappropriate use of the form

A respondent reported being stopped apparently because there was a problem with his car (although on inspection the police found nothing wrong). An identity check was carried out and the stop took about 15 minutes, making the man late for work. He requested a note to show his employers (who were strict about time keeping) and the form was used for this purpose, but not filled in with regard to the stop itself. The respondent was not bothered that his employers would know that he had been stopped by the police (there had been no valid reason for the stop in his eyes), but this would appear to be an inappropriate use of the form:

They sort of wrote down here at the bottom that I was late for work 'cause I'd been stopped by the police and that's it really. I said: 'I'm going to be late for work, so I need a note of excuse so I don't get marked in late'... None of [the form] was filled in - that I do remember. 'Cause I do remember looking at all this stuff, but none of it was filled in - it was just [the note].

(Black-African male, aged 27, stopped, seen form)

Views on the form

The idea of the form was welcomed by many respondents, having a record of the stop encounter was seen as important. They could see various benefits to having a record, generally from their point of view, but also for the police. A key benefit was having information in writing, helping people to better understand what had happened during the stop, but also in terms of their rights.

- **The form as evidence for a complaint**

Some people were simply pleased that the police were looking to improve their use of stops and searches. Others remarked that the form provided evidence of what happened that could be used in court (by the respondent or the police), or as part of a complaint. A complaint could be either about an individual stop experience, or in response to repeated stops which a person might consider to be harassment (by the police in general, or from an individual officer - hence having the name of the police officer in writing was important to respondents). It was felt the form went some way to overcome the feeling that it would be 'their word against mine' if a complaint was made. However, the form could only be used in this way if people were given the form every time they were stopped.

Some respondents felt that the form provided a way for the police to get across to people that they were just doing their job. It was felt that this might encourage a better atmosphere around the stop encounter.

It was also suggested that a person who was wrongly arrested could use the form as an alibi to show where they were and when.

- **Having an informative record of the encounter to keep**

Some respondents liked the idea of having the opportunity to keep their own records of their interaction with the police. Others who did not take a form (or pick one up) thought they would take one if they were stopped in the future. Some who had taken a form, were surprised at the amount of information they gathered from it on closer reading.

- **Concerns over civil liberties**

Even though the form was a welcome step forward, some concerns were raised over civil liberties. Some respondents were disturbed at the thought of a pile of forms with a person's name on them sitting at the police station, even though that person had never actually been charged with any offence.

Important information on the pilot form

Respondents went through the form in detail during the research interview. It transpired that some features of the form were of particular interest to respondents.

- **Knowing the reason for the stop**

References were made to the importance of knowing the reason for the stop. This was very important to respondents, from all ethnic backgrounds, as they wanted to feel that they had been stopped on justifiable grounds:

If a police officer is just stopping people for the sake of stopping them and [with] no valid reason, [then now] they will have to have a valid reason to stop you because they are going to have to produce some kind of record as to why they stopped you. So, yeah, maybe it is a good idea to have some kind of record.

(Female respondent, Black African group discussion - mixed sex, aged 30-55)

- **Knowing the name of the police officer involved**

They were also pleased to see that the name of the police officer was included on the form, just in case they wanted to make a complaint:

Well you've got to know who stopped you in case you have got a complaint. And it has got your rights listed, so that next time you get stopped you know your rights.

(White male, aged 18, stopped, seen form)

- **Knowing a person's rights**

The form was considered particularly useful for its description of people's rights with regard to stops and searches. Respondents commented on such information helping a person to know what to expect when they were stopped - including what they have to be told - and they remarked that they had learnt new information from these sections. Essentially there was a strong perception from respondents that it was important for people to be aware of their rights. However, learning a person's rights from the pilot form could only be of value for future reference, as people were not given it until the end of the stop and were not asked to read it at the time. There were suggestions for how this could be overcome (that is, informing people of their rights and the police powers with regard to stops and searches) which are discussed below.

- **Understanding police powers**

Some people were interested in the description of police powers (on the back of the form, and not immediately obvious to people), particularly with regard to the

reasons why people might get stopped and how searches are not to be used to target certain sections of the community.

Respondents felt the descriptions of the rationale of the form, people's rights and the police powers were clear and easy to understand. However, the part to be completed by the police officer was less well understood and came in for some criticism. This was predominantly a design issue; respondents did not query whether any information should be included on the form (partly because they did not understand what some things meant). Respondents comments are described below.

The design of the form

Respondents were asked to comment on the design of the form, in particular the size, as if it was felt to be unattractive or unwieldy then this could influence how it is used. They were also asked to consider the layout of the form.

- **The size of the form**

Respondents were either indifferent to the size, or felt it was too big. For example, one respondent said he would rip off the front sheet describing his rights, and then throw the rest away. Although it was commented that the form could be bigger in order to attract more attention to it.

- **Amount of information and type-size**

Some felt there was too much information on the form which they found off-putting, especially if someone wanted to read it at the time of the stop. Others felt the type size was too small for them to read comfortably, for example, a person who was shown the form but could not read it at the time because he did not have his glasses with him. Some respondents had specific difficulties, for example sight problems or dyslexia, which made the type size of particular importance to them.

- **The use of police terminology**

Whilst there were comments on layout, it was the part of the form completed by the police which particularly drew comment. At the top of that particular sheet(s) were various codes and key words which might be immediately meaningful to the police but were incomprehensible to respondents, for example s1, s23, form 175 and so on. Respondents wondered what they meant, and were dissatisfied that a form to be given to people who had been stopped used police terminology. There was concern that a box on the form might be ticked 'against you' but people would not know what this meant:

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Like the 'vol search' - what does that mean to anyone? If that was ticked against you, you just don't know, do you?

(Indian female, aged 29, stopped, seen form)

There was a sense that this section of the form had been designed with the police in mind, and not those members of the general public who had been stopped.

Key message to tell the Home Office, that when they write these things out they write these things up in the scenario of what a normal person would do, not someone in a suit... [They should have] an ordinary person instead of an upper-class suity, whatnot. I mean, some of the stuff you don't understand. I mean, as I say, what's all this lark about? [Section 1, s23, etc]... that's no good to us you know. No, that's what they should do, plan it properly. As you say you're doing your survey, they get you to do what you're doing and like, sort of like, I say what we think about these things... Well if you asked a suity or whatnot what needs to be sorted out they'd tell you nothing. 'Cause they don't get searched every day like we do.

(Black Caribbean male, aged 27, stopped, seen form)

The impact of the pilot forms

One intended role of the form was to increase public confidence and trust in the police, given the negative publicity surrounding the police at the time of the Stephen Lawrence Inquiry and the publication of its findings. The research explored what effect the pilot forms had on respondents, specifically their views on the police and whether having a record of the stop made the police more accountable in people's eyes.

Trust and confidence in the police

There were mixed views with regards to the form and whether its use would instil trust amongst the general public. Some people felt the form made the police appear more professional and they were impressed with the information that communicated their rights. For example, one person welcomed the police officer showing him the form as a measure of accuracy:

It's good that he showed me what he was writing down, so I knew it was correct.

(White male, aged 18, stopped, seen form)

Also, it was suggested that the information describing the limits of legal search powers (e.g. that a search cannot be carried out on the basis of a person's ethnic identity) might instil some confidence. However, respondents pointed out that this

information was on the back of the form and could be overlooked. In addition, having a copy of the form helped some people to feel confident that information written on the form could not be altered should they wish to complain about how a stop was handled. They felt that this might occur if a police pocketbook was the only source of evidence. For example, one respondent remarked that he felt more confident that his account would be believed if he made a complaint and could show the form as evidence, but only if the police officer had signed the form at the time.

Even so, others were less sure. There was a sense that it may be 'all good on paper', and in terms of the law, but there was cynicism over how the police would interpret any recommendations. For this reason, some respondents were of the opinion that nothing would change as a result of the Inquiry's recommendations. Essentially, some felt that their confidence in the police relied on more than just receiving a form, and it was commented that it was how individuals were treated by the police that affected people's trust:

It's not what they say, but how they say it.

(White male, aged 33, searched, seen form)

Respondents felt that having an official document relating to the stop added a degree of professionalism to the encounter, worth more than just being told what was going on.

I thought he's doing it properly he's doing it like he's - because that's probably the first time I've ever had one of them offered. I never had one of them offered before.

(White male, aged 19, searched, seen form)

Do the Inquiry's recommendations make the police more accountable?

Whilst there was some cynicism over how the police would interpret the Inquiry's recommendations, respondents did feel that the pilot forms improved the accountability of the police. However, one of the key ways in which accountability was believed to be enhanced was having the possibility of making a complaint if a person felt the number of times he or she was stopped (without justifiable reason) led the person to believe they were being harassed.

It'd have the copper's name on it. If he keeps harassing me and I got grief, [I could] see how many times... [and can see if I can] have something done about it.

(White male, aged 19, searched, seen form)

- **Accountability rests on the form being given out at every stop encounter**

Respondents were concerned that this step forward could be undermined if the police were not giving the form to people at every stop encounter. Since even those who were regularly stopped by the police during the pilot period could only remember seeing, or being offered, the form once, there were some doubts as to whether this apparent advantage of the Inquiry's recommendations would be of any benefit.

- **Using the form in order to make a complaint**

Things like knowing the name (and collar number) of the officer who carried out the stop meant that people would know who to complain about should they need to. However, it was remarked that there was nothing on the form to say where a complaint could be made should a person need to:

It doesn't tell you, if you have got a complaint, who to see.

(White male, aged 18, stopped, seen form)

Having a copy of the form meant that a person could provide their own evidence of the stop in court, or as part of a complaint, should this be necessary. Accountability was thought to be heightened as information could not be altered after the event without it being obvious when the original and the copy were compared. Some people felt that the form only became proof (that is, evidence) if the police officer signed the form, but others went further; they wanted space on the form for the person stopped to sign it as a correct account of what happened.

- **The form helps people to know what to expect from a stop or search**

Again, the information on a person's rights described on the form helped individuals to know what to expect from a police officer during a stop or search - for example, that an officer is to give his/her name to the person. Equally, the information helped people to understand what not to expect during an encounter (e.g. on what grounds a search can be carried out). Although there was some scepticism over this - for example, one respondent remarked that he felt police powers were so wide that there was little they could not do under the law.

- **Adapting the form to include a reflection of police officer attitudes**

There was concern that the form did not reflect a particularly key concern of respondents. This report has referred to the attitude of the police officer earlier, essentially some people felt that some measure of this would increase accountability:

I know it's a big step to be monitored - it's a long thing away. But I think that would be much, much better than like the paperwork. Or you have a record and they have a record - but you still don't know what really the police officer's like. Okay so you've got a record of them giving this... why they stopped you, but you don't know how their attitude was towards that stop. I think that's one of the biggest things.

(Indian male, aged 19, stopped, no form seen or offered)

Their suggestions for how this might be achieved are described at the end of this chapter.

- **Independent monitoring of the information collected on the forms**

Another form of accountability mentioned by respondents was how the police monitored the information collected on the forms. People thought that without regular monitoring of stops and searches there could be little accountability. Respondents were unclear as to whether any monitoring was undertaken, or for some, whether the monitoring that was done was adequate. It was suggested that an independent body should be responsible for monitoring and publishing the statistics on stops and searches. People were concerned that the police might manipulate the statistics and/or only publish them when the findings were favourable to the police. There was more confidence in having an independent body involved.

Some people wanted to know the statistics on stops and searches, even to the point of seeing what had happened on the day they were stopped themselves.

It was also suggested that statistics could be broken down to the level of individual officers to monitor individual biases in the use of stops and searches, particularly as a way of monitoring racism in the police:

To make sure they are doing their job properly. To make sure they are not being racist in the people that they stop... just monitoring that they were doing it fairly.

(White male, aged 18, stopped, seen form)

Respondents were unaware of the statistics already publicly available on searches. For example, a woman wanted to know if her perception that searches were targeted on black people was indeed 'a fact'. It was felt that such data needed to be published so that the general public could have access to it.

Respondents had more confidence in statistics on stops and searches being published by the government or an independent body, rather than the police doing this themselves.

Recording a person's self-defined ethnic identity

The Inquiry's recommendations state that an individual stopped should be asked to describe their ethnic identity, that is, rather than the police determining it on their behalf. Some respondents who were offered, or given the form, could remember being asked to describe themselves, but not all.

The police piloted two different approaches to recording a person's self-defined ethnicity. In some areas the police asked people to describe themselves and then wrote down the answer verbatim. In the other areas people were asked to choose from a list of standard categorisations of ethnic background. Respondents were asked:

- how they felt about being asked to describe their ethnic background;
- how important it is for people to describe themselves;
- what they thought of the way they were asked and whether the question could be put differently; and
- why they thought they were being asked about ethnicity in the first place - the rationale for the question.

How people felt about being asked to describe their ethnicity

Respondents had mixed views on being asked to describe their ethnicity by the police. Their opinions, however, related to what they saw as the rationale for being asked the question:

- Those who did not mind describing their own ethnicity thought so because it was seen as a part of everyday life or because they could see a rationale for doing so. People commented that the question was just something the police have to do as part of their job.
- Others were unhappy about being asked to describe their ethnic background. They answered the question nonetheless because they were in a hurry to get away (implying that they might have been delayed somehow by not answering) and because they could see some positive reasons for it.

There appeared to be a relationship between resentment towards the question and seeing the rationale for asking it as being racist (this is explored further below). None of the respondents who were offered a form said they refused to answer the question on ethnicity, even among those who objected to the question.

During the interviews, it was explained that one reason for asking the question was for the collection of statistics. When respondents were presented with this rationale,

they could perceive a positive reason for being asked about ethnicity, indicating a need for the police to present the question carefully - perhaps with a scripted introduction.

How important is it for people to describe themselves?

For some people it was very important that they had the opportunity to describe their ethnic identity - they saw this both in terms of their individual right and for the sake of accuracy:

Very important... I might look Asian but I might be half black and half Asian, whatever. As soon as anybody else takes that away from you that's like losing your identity. It's your right to say who you are.

(Indian female, aged 29, stopped, seen form)

Some respondents felt the police should be left to decide a person's ethnic identity. Reasons included finding being asked about ethnicity offensive, feeling that their ethnicity was obvious, and a concern that people would give 'cocky' answers to the question (although they were not suggesting that they would do this themselves). Others agreed with this last point, but did not see it as a reason not to ask about ethnicity:

Well personally, it doesn't really matter because they can see it obviously. They only have to look at you and they know what colour you are. They can tell I'm a black but what they can't tell is I'm a black British, Caribbean or African... I think this [self-defining approach] is more precise.

(Black British male, aged 18, searched, seen form)

Views on how the question was worded or presented

People felt the way ethnicity was presented on the form, and/or during the stop encounter, was fine and what they were used to. Respondents remarked on the question being part of everyday life 'nowadays', for example, on job applications.

However, whilst some people felt the list of categories used by the police provided good coverage, some commented that they did not quite fit the categories, or they could pick more than one:

I could turn round and say: 'Yes, I am a British person, I might be Indian, don't call me Indian, I am British'. But I'm Indian, I'm a British Indian and I'm happy with that.

(British Indian male, aged 40, stopped, seen form)

Even so, these people did not necessarily feel the need for the police to record their answer verbatim. Some could see no real difference between being presented with a list of categories versus recording answers verbatim, particularly if they felt it would all come down to the same categories anyway. Some respondents thought the list was better (for example, they were used to that approach), whilst others felt it would be easier just to say what they thought. There did not appear to be any link between a respondent's preference for list or verbatim approach and their ethnic identity.

Perceptions of why people were asked about ethnicity

Whilst some were unsure why the question was asked, other respondents had very variable views on why the police were asking the people they stopped about their ethnicity.

The key justification for asking someone's ethnic identity related to monitoring police use of stops and searches in terms of ethnicity (and in particular, identifying any racism) and ultimately in producing statistics that showed that the tactic was being applied fairly across all ethnic groups:

To make sure they are doing their job properly. To make sure they are not being racist in the people that they stop... just monitoring that they were doing it fairly.
(White male, aged 18, stopped, seen form)

Some people were suspicious that the statistics would be used by the police to make links between ethnicity and criminal behaviour. They felt that analysing the information from the form might suggest to the police that certain crimes were more likely to be committed by people from certain ethnic groups.

For some, the question on ethnicity was part of the police checking for information to help them with their enquiries. Examples included, finding out whether the person's residency was legitimate, or needing to know in case the police needed to gather information on someone who was not born here:

Because I might not have been born here they might have to find out more information on you and they might have to contact wherever you lived in Ireland or something.

(White male, aged 19, stopped, seen form)

It was also suggested that ethnic background needed to be recorded so that the police had a description that could be matched against subsequently reported crime.

Taking the Inquiry's recommendations further

As has been alluded to earlier in this report, respondents had various suggestions for enhancing the recommendations made in the Stephen Lawrence Inquiry with regard to stops and searches. Their suggestions related to the form itself, in terms of content and design, how it was introduced, and how the form was used by the police. This section describes respondents' suggestions for changing or adapting the form and how it is used by the police. Some respondents felt the form did not go far enough and suggested alternatives that they felt would raise accountability and would instil more confidence in the police. We end by describing these alternative approaches to the form.

Changes to the content of the form

Some respondents wanted more information on what happened during the stop, for example why they were being searched, not just why they were stopped in the first place. In particular, people wanted the form to reflect the attitude and manner of those involved in the stop - both the police officer(s) and the individual(s). It was suggested that space could be made on the form for respondents to describe how they felt as a way of indicating, if necessary, how things could be handled differently in the future:

Separate categories about comments made - how the person felt... then from that they [the police] could assess whether they actually needed to go about doing it in a different way.

(Indian female, aged 29, stopped, seen form)

From another perspective, it was felt that if an individual was charged with an offence, then a description of their behaviour (which they had signed as a correct account) could be used as evidence in court.

A key change emphasised by respondents was having the person stopped sign the form as well as the police officer. People wanted the opportunity to agree to the information written about them. This would have the added benefit of encouraging some individuals to read the form and would require the form to be more user-friendly than it was perceived to be. However, in practice, consideration would need to be given to the management of encounters where officers and members of the public were in disagreement about what should be recorded on the form.

It was noted that the form did not describe how an individual could challenge the grounds for the stop or what to do if they wanted to complain. No appeal procedure

was mentioned, nor who an individual should contact should they be unhappy with any element of the stop encounter. It was suggested that a telephone helpline number be put on the form for this purpose.

In general, it was felt that the content needed to be simpler, using less police terminology and coding, in order to be meaningful to ordinary people, if accountability was to be enhanced.

Potential improvements to the design and layout of the form

Whilst the size of the form did not present a problem for some respondents, some felt it was too big and said they would prefer to see a small booklet with a number of pages covering the sorts of information already on the pilot form. There was a comment that the form should be presented as a booklet but perhaps bigger to attract more attention to it. Some people found the print size too small and thought this should be adjusted to take account of the needs of people who have sight or learning difficulties.

Changes in how the form is introduced to people

Respondents felt they needed to have the form properly explained to them; they needed to understand the benefits of keeping it. Having taken the time to read the form during the research interview, people could see the value of the form in a way that was not apparent at the time of the stop. It was suggested that the police start off with a verbal explanation and then give people the time to read the form if they wanted to. Some felt the police ought to tell people to have a look at the form. A respondent with dyslexia felt the police might need to take people like himself through the form verbally to ensure they understood what it was about and what had been recorded.

Whilst some police officers related the form to the case of Stephen Lawrence, others did not. Some respondents felt that making this connection added some reassurance as to the purpose and nature of the form:

This is what they could have said. Because to be honest now that I look at this [form] - when you're given it you just don't look at it, you don't see it or you don't acknowledge the information. But there it says plainly: '[This police force] is taking part in a national pilot following the recommendations made by the Stephen Lawrence Inquiry'. So why could they not have just said that?... If they'd said: 'As a direct result of the Stephen Lawrence Inquiry this is what we're doing' - I would have felt more comfortable about it then.

(Indian female, aged 29, stopped, seen form)

Changes to how the form is used

As mentioned earlier in this chapter, there was some frustration that the form was not given out at every stop encounter, which appeared to undermine the accountability of the police. Apart from ensuring that this takes place, respondents also mentioned the idea of having more publicity (e.g. on television) about the whole initiative. It was suggested that this would have the benefit of keeping people informed, which, in turn, might help to calm down a potentially aggressive stop encounter. In addition, if people were better informed, then they might ask for a copy of the form in the knowledge that it existed and was available to them.

Possible alternatives to the form

Some respondents felt that the form did not go far enough in terms of accountability. People's dissatisfaction with the way some police officers handled stops and searches, particularly their manner towards the individuals involved, led them to consider ways in which this could be addressed as part of the initiative. Earlier it was mentioned that space could be made on the form for individuals to write in their comments alongside that of the police, but others felt that audio or video tapes would provide a more accurate reflection of what had happened.

In part, this reflected an implicit lack of trust in the police not to alter the written form in some way. It should be noted that others felt being given a signed copy of the form addressed this issue adequately. However, it also reflected a lack of confidence in the information that would be recorded on the form by the police.

5. Conclusions

This research explored the public's experiences of and views about police use of stops and searches. We have also looked at the public's response to the Inquiry's recommendations, and what further changes might improve public trust and confidence in stops and searches. The central issues highlighted by this study are summarised and discussed below, focusing first on the use of stops and searches in general terms, then more specifically on the Inquiry's recommendations. These point towards three main conclusions:

- There is general support for stops and searches amongst all ethnic groups but only if there are fundamental changes in the way they are used by the police.
- Whilst the Inquiry's recommendations were perceived by the public as potentially enhancing accountability, it was important for the police to ensure that records are made by officers and effective monitoring occurs.
- Public confidence in police use of stops and searches is primarily based on being treated fairly and with respect, and being given a satisfactory reason for the stop or search.

Public views on the use of stops and searches

There was a very strong perception that the way in which stops and searches are currently handled causes more distrust, antagonism, and resentment than any of the positive effects they can have. Despite this, respondents from all ethnic groups felt that if there were fundamental changes in the ways they are used, who they are targeted at, attitudes of the police, and reasons given, then there was a role for stops and searches. The following were felt to be the two most important factors that should change:

- There were very strong views that there needed to be considerable changes in attitudes of the police during stops and searches.
- Respondents believed that stops and searches should be carried out for legitimate reasons and that a person should be given a valid genuine and credible reason at all times whenever he/she is stopped or searched.

Public views on the Inquiry's recommendations

It was clear that people's initial reactions to the form were related to the way officers introduced and explained the form at the time of the stop. This emphasises that the form needs to be explained fully for the public to see value in having a record of a stop or search. The purpose of the form was welcomed by respondents when

explained during the research. They could see the various benefits to having a record, and identified additional benefits from a police perspective. The form, for example, was viewed as providing the police with a means of communicating that they were simply doing their job and might encourage a better atmosphere during stop and search encounters.

For the public, the key benefits were seen as having:

- information in writing about the stop encounter, and in particular the reason for it - helping people to better understand what had happened;
- details of people's rights during stops and searches; and
- a record of the police officer's name involved in the encounter, which might help should a complaint be made subsequently.

The perception amongst respondents was that the Inquiry's recommendations might enhance accountability in two broad ways:

● **Complaints**

It was felt that that if a person was stopped repeatedly and was being harassed, they would be able to make a complaint if they had been given a record for each stop or search. However, respondents were concerned that this step forward could be undermined if the police were not giving the form to people at every stop or search encounter.

● **Monitoring**

The study also highlighted the view that accountability might be increased through the monitoring of information collected on the forms. However, without regular monitoring of stops and searches, respondents felt that there could be little accountability. There were some doubts as to whether this apparent advantage of the Inquiry's recommendations would be of any benefit if the forms were not being completed and given out by the police. Even those who were regularly stopped by the police during the pilot period could only remember seeing, or being offered, the form once. Apart from ensuring that records are completed when they should be, respondents also mentioned the idea of having more publicity about the whole initiative (e.g. on television).

Public confidence in stops and searches

Overall, despite the potential value of the Inquiry's recommendations in terms of improving information and enhancing accountability of stops and searches, respondents felt that their confidence in the police relied on more than just

CONCLUSIONS

receiving a form. The study shows that how an individual is treated by the police has an important role, affecting their confidence and trust in the police generally. Consequently, whilst the form was seen to be important, there was thought to be a strong need for use of the form to go hand-in-hand with a respectful attitude from officers and the provision of a valid reason for the stop or search.

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Appendix A: Stop form designs

Leicester



Leicestershire Constabulary is taking part in a national pilot following the recommendations made by the Stephen Lawrence Enquiry.

In order to improve public confidence in Police Stop and Search, results of this pilot will be submitted to a Home Office research group for analysis and scrutiny. You may be contacted by this group in future months and asked to assist further with this research.

All information relating to this research is protected under the Data Protection Act.

We appreciate your co-operation and time given to help us. Thank you.

Information for Persons Stopped or Searched Requirements before and after search

- Police Officers are required to use powers of stop and search fairly and without prejudice. They are also required to be as considerate and courteous as possible whilst maintaining their own and the public's safety.
- Stop and search powers allow Police to search you, anything you may be carrying and any vehicle you may be in.
- When exercising these powers Police Officers can use reasonable force to detain and search you but they are only allowed to use force if you have been given the chance to co-operate, where appropriate, but have refused.

What the Police Officer must do
 Before using any search power the Police Officer must take reasonable steps to inform you of:

- their name (except for terrorism searches) and the Police Station they are from;
- the object of the search;
- the grounds or authorisation for the search; and
- that you are entitled to a **FULL** copy of the record of the stop and search now or within twelve months.

If the Police Officer is in plain clothes:

- they are required to show you their warrant card.


If the search is in public the Police Officer can require you to take off only:

- your outer coat, jacket and gloves.

If a more thorough search is necessary, it must be conducted:

- out of public view; and
- by an officer of the same sex as you.

If you have any comments about the stop or search you may contact your local Police Station.



Anonymous information about crime could earn a cash reward

0800 555 111

STOP ONLY / STOP & SEARCH RECORD

OCIS No. URN

Stop Stop-Search Vol Search Power

Pedestrian Driver Passenger Vehicle

Full Name

Address

(Or Description)

Post Code..... Beat Sex M F

Place of Birth Height

DoB Time Date

Place of Stop	Beat	hrs	...
Place of Incident	Beat	hrs	...

Reason (Stop/Vol Search)

Object of Stop/Search (circle)

Stolen Prop Drugs F/Arms Off/Weapon G/Equipped

Other

Power s.1 s.23 s.47 s.163 Other - specify

PC Perception

Ethnic Code	1	2	3	4	5	6	7
-------------	---	---	---	---	---	---	---

Grounds for Search

.....

.....

Outcome

Damage caused? Yes/No Injury caused? Yes/No Property found? Yes/No

Arrested? No / Yes Custody No.

Reason for Arrest

HO/RT 1 & G53

V R M	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Manual	L. Plates
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>
Make	Passenger(s)		Yes <input type="checkbox"/>	No <input type="checkbox"/>			
Type	Driver Supervised		Yes <input type="checkbox"/>	No <input type="checkbox"/>			
Use/Class	Rider-Qual-Passenger		Yes <input type="checkbox"/>	No <input type="checkbox"/>			
Driver's Signature							

Reason for Stop - G53 FPN VEL Check Offences Accident B/Test

Was Breath Test given? Yes No

VEHICLE DEFECTS FOUND (SEE OVERLEAF)

.....

DOCUMENTS TO BE PRODUCED (See notes overleaf)

Check/Record 1 2 3 4 5 6 7 8 9 10

Specify Other

Police Station where documents to be produced

Forward HO/RT2 to Officer in Charge - **Leicestershire Constabulary**,
 Administration of Justice Department, Charles Street, Leicester

Q. Describe your ethnic background A.

PC Issuing No. LPU

PC Searching No. LPU

PC(s) Present No. LPU

Police Copy pgs 1 & 2 Person Stopped / Driver's Copy pgs 3 & 4

Explaining Police Powers to Stop or Search You . . . Know Your Rights!

GENERAL CONTACT

The police can speak to you or any other person during the course of their duties. They do not need to suspect you of having committed any offence to do this.

SEARCHES REQUIRING REASONABLE SUSPICION INCLUDE:-

- **Sec. 1 Police and Criminal Evidence Act 1984**
- **Sec. 23 Misuse of Drugs Act 1971**
- **Sec. 47 Firearms Act 1968**

The police have the power to detain you, and/or your vehicle, for the purposes of a search if they have reasonable grounds to suspect that you have with you:

- Stolen goods
- A knife, pointed or bladed article or other offensive weapon
- Articles that can be used for burglary, theft or deception
- Drugs
- A firearm

Before detaining you for the purpose of a search for the above items, the police must have reasonable grounds for suspecting that the item will be found. They **cannot** detain you for the purpose of a search on **personal factors** alone, e.g., **just** because you are:

- Young
- From an ethnic minority group
- Dressed in a particular way (unless you fit a description of someone suspected of having committed an offence nearby)

Your vehicle may also be searched under these powers when it is unattended. If so a notice must be left in or on it by the searching officer stating that he/she has searched it; the name of his police station; that an application for compensation for any damage caused may be made to the police station. You can apply for a copy of the search record within 12 months.

STOP AND SEARCH UNDER TERRORISM POWERS OR IF VIOLENCE IS ANTICIPATED

- **Sec. 60 Criminal Justice and Public Order Act 1994**

The police also have powers to detain you and/or your vehicle (if it is with you) and to search for offensive weapons and dangerous instruments if it is believed that incidents involving **serious** violence may soon take place in the locality, or that persons are carrying dangerous instruments or offensive weapons in the locality. A senior officer must give written authority which will be held at the police station.

- **Sec. 13A and 13B Prevention of Terrorism (Additional Powers) Act 1996**

There are also powers to stop and search vehicles and their occupants (13A) and pedestrians (13B) in an area, if a senior police officer authorises it, to prevent acts of terrorism.

For these three powers, the officer does **not** have to have reasonable grounds to suspect the individual stopped or searched of carrying dangerous instruments or offensive weapons or of involvement in the anticipated violence or terrorism. However these powers may only be used by a police officer in uniform.

STOPPING A MOTOR VEHICLE ON THE ROAD

- **Sec. 163 Road Traffic Act 1988**

A police officer in uniform can also stop any vehicle and speak to the driver. They do not need to suspect you of having committed any offence. They can also require you to produce your documents for the vehicle at a police station if you are not able to show them at the time. If they do this you will be issued with a different document.

The power to stop a motor vehicle does not give a right of search. If the police want to search your vehicle without your consent they have to do so under one of the above powers.

An officer may also search a person or their vehicle in the street with their consent where no search power exists. The officer should ensure that the person is told that they need not consent and that without their consent they will not be searched.

Juveniles, people suffering from a mental handicap or mental disorder and others who appear not to be capable of giving an informed consent should not be subject to a voluntary search.

West Yorkshire



INFORMATION FOR PERSONS STOPPED OR SEARCHED

STOP AND SEARCH HELPS TO PREVENT CRIME AND CATCH OFFENDERS. IT IS USED FOR THE BENEFIT OF THE LOCAL COMMUNITY.

Requirements before and after search

- Police officers are required to use powers of stop and search fairly and without prejudice. They are also required to be as considerate and courteous as possible whilst maintaining their own and the public's safety.
- Stop and search powers allow police to search you, anything you may be carrying and any vehicle you may be in.
- When exercising these powers police officers can use reasonable force to detain and search you but they are only allowed to use force if you have been given the chance to co-operate, where appropriate, but have refused.

WHAT THE POLICE OFFICER MUST DO

Before using any search power the police officer must take reasonable steps to inform you of:

- their name (except for terrorism searches) and the police station they are from;
- the object of the search;
- the grounds or authorisation for the search; and
- that you are entitled to a full copy of the record of the stop or search now or within twelve months.

If the police officer is in plain clothes:

- they are required to show you their warrant card.
- If the search is in public the police officer can require you to take off only:
 - your outer coat, jacket and gloves.

If a more thorough search is necessary, it must be conducted:

- out of public view; and
 - by an officer of the same sex as you.
- If you have any comments about the stop or search you may contact your local police station.

CRIMESTOPPERS Anonymous information about crime could earn a cash reward.
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STOP/SEARCH RECORD

PERSON STOPPED OR SEARCHED

Name:
 Address:
 Postcode:
 DoB:/...../..... Sex: M/F* Tel:
 Verified:
 ID Code: Self defined ethnic classification:

IF STOP ONLY, COMPLETE 'B' BELOW

IF STOP AND SEARCH, COMPLETE 'A' BELOW

A SEARCH RECORD

The Authority for the stop and search was (please ✓ the box that applies):

(These sections of the relevant Acts are summarised on the cover)
 S.1 S.23 S.47 S.139b S.60 S.13A S.13B
 Voluntary Other Power Please specify:

Description of person searched (including clothing):
 Height:

Clothing removed? Yes No
 If Yes, list items:

Intimate parts exposed? Yes No
 Place first stopped (show a junction and appr. distance from):

The search took place on: Date:/...../.....
 Between: am/pm* and am/pm*

at (place)
 Object:
 Grounds or Authority:

Vehicle searched? Yes No
 Vehicle details:
(Make/Colour/Model/VRM)

Vehicle attended? Yes No If No, leave a Form 175
 Damage caused? Yes No
 HO/RT 1 Issued? Yes No
 VDR Issued? Yes No
 If vehicle/person searched: Property found? Yes No
 Details:

Arrested? Yes No Custody Record No.:
 Offence:

B STOP ONLY RECORD YOU HAVE NOT BEEN SEARCHED

Reason:
 Outcome: Date:/...../.....
 Between: am/pm and am/pm
 at (place)
 Vehicle present? Yes No Index No.:

COMPLETE IN ALL CASES

Officers stopping or searching:
(Names, Rank No. and Station. No. and Station if counter terrorism search)

Signed: (PRINT NAME):

Copy of record supplied at time of search/stop? Yes No
 If No, please give reason:

Supervised by (PRINT NAME):

Self-defined Ethnic Classification

FIXED RESPONSE

- A. White - British
- B. White - Irish
- C. White - any other White background

- D. White and Black Caribbean
- E. White and Black African
- F. White and Asian
- G. Any other Mixed background

- H. Asian - Indian
- I. Asian - Pakistani
- J. Asian - Bangladeshi
- K. Any other Asian background

- L. Black - Caribbean
- M. Black - African
- N. Any other Black background

- O. Chinese
- P. Any other

The West Yorkshire Police is committed to improving the way in which Stop and Search is used by Police Officers.

We are mindful that we must demonstrate that we use Stop and Search effectively and fairly.

We aim to:

- Improve the effective use of Stop and Search in tackling crime.
- Demonstrate to members of the public the contribution of Stop and Search in tackling crime.
- Ensure Stop and Search is used fairly across all ethnic groups.
- Ensure Stop and Search is used in a way which enhances community confidence.

Explaining Police Powers to Stop or Search You . . . Know Your Rights!

GENERAL CONTACT

The police can speak to you or any other person during the course of their duties. They do not need to suspect you of having committed any offence to do this.

SEARCHES REQUIRING REASONABLE SUSPICION INCLUDE:-

- **Sec. 1 Police and Criminal Evidence Act 1984**
- **Sec. 23 Misuse of Drugs Act 1971**
- **Sec. 47 Firearms Act 1968**

The police have the power to detain you, and/or your vehicle, for the purposes of a search if they have reasonable grounds to suspect that you have with you:

- Stolen goods
- A knife, pointed or bladed article or other offensive weapon
- Articles that can be used for burglary, theft or deception
- Drugs
- A firearm

Before detaining you for the purpose of a search for the above items, the police must have reasonable grounds for suspecting that the item will be found. They cannot detain you for the purpose of a search on personal factors alone, e.g., just because you are:

- Young
- From an ethnic minority group
- Dressed in a particular way (unless you fit a description of someone suspected of having committed an offence nearby)

Your vehicle may also be searched under these powers when it is unattended. If so a notice must be left in or on it by the searching officer stating that he/she has searched it; the name of his police station; that an application for compensation for any damage caused may be made to the police station. You can apply for a copy of the search record within 12 months.

STOP AND SEARCH UNDER TERRORISM POWERS OR IF VIOLENCE IS ANTICIPATED

- **Sec. 60 Criminal Justice and Public Order Act 1994**

The police also have powers to detain you and/or your vehicle (if it is with you) and to search for offensive weapons and dangerous instruments if it is believed that incidents involving serious violence may soon take place in the locality, or that persons are carrying dangerous instruments or offensive weapons in the locality. A senior officer must give written authority which will be held at the police station.

- **Sec. 13A and 13B Prevention of Terrorism (Additional Powers) Act 1996**

There are also powers to stop and search vehicles and their occupants (13A) and pedestrians (13B) in an area, if a senior police officer authorises it, to prevent acts of terrorism.

For these three powers, the officer does not have to have reasonable grounds to suspect the individual stopped or searched of carrying dangerous instruments or offensive weapons or of involvement in the anticipated violence or terrorism. However these powers may only be used by a police officer in uniform.

STOPPING A MOTOR VEHICLE ON THE ROAD

- **Sec. 163 Road Traffic Act 1988**

A police officer in uniform can also stop any vehicle and speak to the driver. They do not need to suspect you of having committed any offence. They can also require you to produce your documents for the vehicle at a police station if you are not able to show them at the time. If they do this you will be issued with a different document.

The power to stop a motor vehicle does not give a right of search. If the police want to search your vehicle without your consent they have to do so under one of the above powers.

An officer may also search a person or their vehicle in the street with their consent where no search power exists. The officer should ensure that the person is told that they need not consent and that without their consent they will not be searched.

Juveniles, people suffering from a mental handicap or mental disorder and others who appear not to be capable of giving an informed consent should not be subject to a voluntary search.

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Policing and Reducing Crime Unit

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Crime Reduction Research Series papers

2. **Neighbourhood Warden Schemes: An overview.** Jessica Jacobson and Esther Saville. 2000.
3. **Alcohol and Crime: Taking stock.** Ann Deehan. 1999.
4. (Awaiting publication) However, 12 briefing notes under the general title **Reducing Domestic Violence ... What works?** have been published in advance of this publication. 2000.
5. **RV Snapshot: UK policing and repeat victimisation.** Graham Farrell, Alan Edmunds, Louise Hobbs and Gloria Laycock. 2000.
6. **Not Rocket Science? Problem-solving and crime reduction.** Tim Read and Nick Tilley. 2000.

