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Managing the Use and Impact of Searches: A review of force interventions

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Foreword

This report is the last in the series 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 anew minority ethnic communities' lack of trust and confidence in police use of stops and searches and recommended that current recording practices be extended to include all police stops.

This review describes in detail a range of management interventions implemented in a number of police forces to address problems with searches. In so doing, the report identifies what looks promising about the interventions and highlights key problems associated with them and approaches for overcoming these problems. It draws on research carried out in six case study forces, including interviews with key police personnel, operational officers and community representatives as well as evidence provided by the forces themselves.

Although the review is not a formal evaluation, it shows improvements in managerial effectiveness, operational effectiveness, and public awareness and partnership can help improve the use of searches. The evidence suggests that progress in the management of searches can be made through supervision and monitoring in order to identify, for example, discrimination or where searches have not been carried out to an acceptable standard. There is scope to improve the operational effectiveness of searches by using them as part of an intelligence-led approach to policing, planned police operations or drawing on good officer practice in training. The review also shows that community confidence might be secured by the active participation of the public in the scrutiny of police practices and development of training. The distribution of information can help increase public knowledge about police search powers and people's rights, although, as with all the interventions described, forces need to ensure that this is successful in achieving its aims.

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Acknowledgements

Executive summary

There have been long-running public concerns about police use of stops and searches. Most recently, the Report of the Inquiry into the Matters Arising from the Death of Stephen Lawrence (1999) re-emphasised the lack of trust and confidence amongst members of the minority ethnic community in this respect and with policing more generally. To address some of these concerns the Stephen Lawrence Inquiry (sometimes referred to as the Macpherson Inquiry) made recommendations on the recording of all stops and all searches.

The Inquiry's recommendations were piloted and evaluated by the Home Office Policing and Reducing Crime Unit (PRC) as part of a broader programme of research on stops and searches (Bland, et al., 2000). The evaluation concluded that, on their own, the recommendations were unlikely to produce sufficiently positive outcomes in relation to fairness and community confidence in stops and searches. This leaves us with an important question: how else can forces improve the use and impact of stops and searches?

Earlier research undertaken by PRC (Quinton and Bland, 1999) has shown that forces have started to address many of the problems highlighted by the Stephen Lawrence Inquiry. This review builds on that earlier work to describe, in detail, the interventions implemented in a sample of forces and to draw more general findings for future interventions. Rather than provide a formal evaluation, its role is to examine what forces have done, identify the approaches which look promising, highlight some of the key problems and indicate how these might be overcome. The review was undertaken in the following force areas:

- Avon and Somerset Constabulary;
- Northamptonshire Police;
- Leicestershire Constabulary;
- Watford Area in Hertfordshire Constabulary;
- Reading Area in Thames Valley Police; and
- Bedford Area in Bedfordshire Police.

The interventions implemented in these forces are broadly categorised into those which focused on:

- managerial effectiveness - improving the role of police managers in monitoring and regulating the use of searches by operational officers;
- operational effectiveness - aiming to increase the impact of searches against crime; and
- public awareness and partnership - addressing community concerns through openness and active participation.

Managerial effectiveness

Broadly speaking, managerial effectiveness refers to the extent to which police managers are able to oversee and regulate the use of searches by operational officers. There is a clear need to be able to manage searches effectively, particularly targeting their use operationally, identifying any misuse of power or simply being able to make visible officers' patrol activities. However, there are two central problems with the management of searches:

● Supervision - supervision of searches can be problematic because of the low visibility of officers (i.e. that patrol cannot be directly supervised) and the limitations of the scrutiny of search forms.

● Monitoring - that is the extent to which the data available to forces as management information provides an accurate picture of what happens in practice. This involves the problems of under-recording of searches and the detail recorded by officers on search forms.

To address these problems, Avon and Somerset Police introduced a method for ensuring that records had been completed based on checking and amending of the format of custody records. They also established a structure for local level monitoring. This involved creating two new posts with defined duties for the analysis and scrutiny of officer performance. Importantly, these were given the authority to approach officers who were not completing records accurately or completely, and to take remedial action (e.g. re-training).

The intervention implemented in Northamptonshire established a similar structure for monitoring searches. Importantly, the initiative focused on improving officer recording practices through supervision. A rigorous quality control framework was developed to ensure that supervision was taking place and to an appropriate standard.

Operational effectiveness

The operational effectiveness of searches refers to the extent to which they have an impact on crime - so that their use is maximised on people currently involved crime and minimised against law-abiding members of the public. The key areas here are ensuring that searches are used successfully, within the law but do not have a negative impact on the community. Improving the effectiveness of searches is also closely interwoven with the legality of and public confidence in searches (Quinton, et al., 2000).

There might be some scope for management interventions to make improvements in operational effectiveness, particularly in relation to the arrest rate from searches. In general, forces have attempted to link the use of searches to intelligence-led policing, in some cases linking it to crime pattern analysis and community intelligence. However, whilst intelligence can be a useful tool in targeting searches, it is important that this information is up-to-date and accurate and that searches are based on reasonable grounds. Avon and Somerset and Bedfordshire provide useful examples of intelligence-led approaches based in the co-ordinated flow of intelligence and specific intelligence-led patrol tasks.

Evidence from one district in Avon and Somerset suggests that searches might also be used more effectively as part of a strategic and planned police operation. In this example, individual searches were based on strong intelligence and direct observation as well as obtaining the consent and on-going support of local communities.

Interventions have also been targeted at improving effectiveness at officer level. Leicestershire Constabulary provides a good example of this, based on a focus group which highlighted key elements of good officer practice.

Public awareness and partnership

As the use of stops and searches can have a negative impact on local communities, management interventions should focus on addressing community concerns by increasing public awareness and adopting an approach of openness.

In general, forces either attempted to increase community awareness about police powers and people's rights or to encourage the active participation of the community in the management of searches. Whilst the development good police-community relations can be an end in itself, it is also centrally important for effective policing: Jordan (1998) noted previously that where the police are perceived to be legitimate in their activities, the public are more inclined to co-operate with them.

The case studies focused on two main areas:

- Increased openness and public involvement:
  - public scrutiny of search records in Bedfordshire Police;
  - a member of the public working alongside the police in the St Paul's district of Avon and Somerset Police, providing a means for raising public concerns and

scrutinising police practice;

- community participation in a steering group established in the Watford Area of Hertfordshire, undertaking research into the underlying causes for disproportionality in searches; and

- community partnership in the development of cultural awareness training in Thames Valley Police.

Whilst these approaches suggest ways of widening access with the public, the question of public participation raises issues about the extent to which all groups in the community are represented fully.

● **Increasing public awareness of police powers and people's rights** - the approach implemented both in Avon and Somerset and Northamptonshire consisted of developing and distributing leaflets to target community groups. Although this appears to be a useful process, important issues are raised about reaching the key target groups in local communities.

Conclusions

It is clear that management interventions implemented strategically by police forces have scope to enhance the legitimacy of searches. Force efforts to improve managerial effectiveness, operational effectiveness, and public awareness should not be seen as separate or competing areas - rather, they can be overlapping and supportive of one another. However, the examples described are not a toolkit for guaranteeing legitimacy, and should be seen in the context of the recommendations of PRC's broader research programme (see Miller, et al., 2000b). Nonetheless, they provide promising ideas for addressing some the problems associated with police searches. These are summarised in the table below:

Key area	What looks promising
Managerial effectiveness	• Improved supervision ensuring: – effective daily supervision of search forms - that search records are submitted, checked for completeness and scrutinised in terms of the grounds for search; – remedial action is taken whenever problems are identified; and – that there is an effective structure to ensure that supervision occurs to an appropriate standard (e.g. use of a quality control framework). • Improved monitoring based on: – use of a database for analysing searches; – audits and checks of other force systems to identify where records have not been completed; and – a defined structure for undertaking analysis and remedial action with key personnel held to account by senior officers.
Operational effectiveness	• The use of searches within an intelligence-led approach (e.g. effective structures for disseminating up-to-date and accurate information, and specific patrol tasks). • Using searches effectively in planned operations with the consent of local communities. • Identifying good officer practice in relation to searches and using it to develop officer training.
Public awareness	• Seeking the active participation of members of the community with the police 'on the ground' (e.g. community liaison workers) or at a more strategic level (e.g. on steering groups). • Increasing public awareness of police powers and people's rights by, for example, developing and distributing leaflets to target groups. • A positive and targeted marketing campaign as part of a broader strategy in order to encourage a more positive view about searches and policing generally.

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1. Introduction

Background to the study

There have been long-running public concerns about police use of stops and searches, particularly from black people. Most recently, the Report of the Inquiry into the Matters Arising from the Death of Stephen Lawrence (1999) re-emphasised the lack of trust and confidence amongst member of the minority ethnic community in this respect and with policing more generally. The Stephen Lawrence Inquiry (sometimes referred to as the Macpherson Inquiry) noted that whilst searches were important for the prevention and detection of crime, there was experience of discrimination at an operational level. The Inquiry also emphasised that the views and experiences of people from minority ethnic communities were based on experiences of all police stops and not simply searches.

The Inquiry's conclusions reflected and re-emphasised concerns which had been identified in earlier research. Previous studies had pointed to a continued use of searches on people from minority ethnic groups, and in particular black people (e.g. Willis, 1983; Smith, 1983; Young, 1994; Bucke, 1997). Home Office statistics on police searches also showed that black people are more likely to be searched than white people compared to their presence in the resident population (e.g. Home Office, 1999b). The reason for the disproportionate use of searches has been widely debated, although recent PRC research suggests that structural factors play a central role (MVA and Miller, 2000).

In response to these key problems, the Stephen Lawrence Inquiry made a number of recommendations for stops and searches based on the extended recording requirement, monitoring and public awareness (Table 1).

Table 1: Summary of the Stephen Lawrence Inquiry recommendations	
Recommendation 61	To record all police stops and searches and give a copy of the record to the person stopped. The record should include the reason and outcome of the stop or search, and the self-defined ethnicity of the person
Recommendation 62	For forces and Police Authorities to monitor and analyse records of stops and searches, and for the information to be published.
Recommendation 63	For Police Authorities to ensure that the general public are aware of police provisions for stops and searches and of their right to receive a record of the encounter.

The Policing and Reducing Crime Unit (PRC) in the Home Office's Research, Development and Statistics Directorate was commissioned to pilot the recommendations and evaluate their viability (see Bland, et al., 2000 for more

detail). In broad terms, the evaluation showed that there were significant levels of under-recording by officers, particularly of stops. The reasons for under-recording were primarily related to:

- the difficulty of developing a definition to cover the range of police-public encounters which could be easily applied in practice;
- the brevity and unintrusiveness of some stops; and
- officer discretion to record stops selectively.

The apparent level of under-recording places in doubt the statistical picture produced by the records during the pilot. Research with people who had been stopped or searched, and the community more generally, showed that the Stephen Lawrence Inquiry's recommendations were viewed positively. They felt they provided a means for enhanced accountability. However, it was clear that their confidence and trust in the police relied more on being treated politely, with respect and being given a reason for the encounter, rather than a change in procedure. Thus, the Inquiry's recommendations, on their own, are unlikely to produce sufficiently positive outcomes in relation to fairness and community confidence in stops and searches.

This leaves us with an important question: how else can forces improve the use and impact of stops and searches? Forces themselves provide a useful source of good practice, and this review aims to highlight how some forces have tried to tackle some of the key problems associated with the use of searches. Throughout PRC's programme of research on stops and searches, these key problems have been seen in terms of risks to legitimacy. These are summarised in Table 2 (for a more detailed summary see Miller, at al., 2000b).

Following from the Stephen Lawrence Inquiry, a clear distinction is made in this report between stops and searches. For the sake of clarity, stops without searches will be referred to as 'stops', while stops with searches will be referred to as 'searches'. In general, the interventions covered in this report have been directed towards searches and are referred to accordingly.

Table 2: The risks to the legitimacy of stops and searches	
Element of legitimacy	**Potential risks**
Public trust and confidence That stops and searches are carried out fairly and with good reason.	• a disproportionate rate of stops and searches of those from minority ethnic backgrounds; • poor management of encounters by police officers; and • inadequate explanations given by officers to those stopped or searched.
Legality That searches are used within the guidelines designed to regulate their practice.	• searches which take place without reasonable grounds for suspicion; • the use of generalisations and negative stereotypes as a basis for suspicion for searches; • lack of legal clarity about developing or building grounds for a search following an initial stop; • problems obtaining informed consent for 'voluntary' searches; and • non-recording of searches.
Effectiveness That they are targeted in a way that maximises interventions with active offenders.	• poor grounds for suspicion; • failure to utilise intelligence; • inaccurate and less up-to-date information or intelligence; and • a performance culture which emphasises quantity rather than quality.

Interventions to regulate searches

Previous research has highlighted areas where earlier efforts to regulate officer practice under the Police and Criminal Evidence Act 1984 (PACE) have been unsuccessful. Dixon, et al. (1989) highlighted three areas that might have been required in order for PACE to have successfully regulated searches, and over which forces had some degree of influence:

- Effective training in order to change police culture.
- The use of effective sanctions for non-compliance with the regulations.
- Public awareness of police powers and people's rights.[1]

Training

Dixon, et al. (1989) pointed out that one of the reasons why PACE was unable to regulate officers' use of searches was because there was a lack of effective training or change to police culture. They argued that PACE assumed that officers view their activities in a legalistic way, but that working practices tend to rely on non-legal factors (see also Quinton, et al., 2000). Dixon, et al. (1989) added that re-training was key for PACE to have been introduced effectively - with an emphasis on social and interaction skills rather than law and procedure. Although they said that this

[1] *Other factors were identified but are not strictly management issues such as the need to clarify what is legally expected from officers (e.g. in terms of reasonable suspicion) and a 'favourable' political climate for reforms.*

was a hackneyed recommendation, they suggested that a strategic approach should be adopted in training; directed at new recruits and serving officers (including senior ranks) and should "incorporate a revised conception of the relationship between law and policing".

Sanctions

Secondly, they pointed out that whilst there were sanctions in place to reinforce the statutory requirements, they were limited for the following reasons:

- **Accountability through formal consultation** - they noted that external bodies had limited influence on individual and operational practice.

- **Police complaints and disciplinary action** - despite the public concerns about searches, few people made complaints about officer practice. Internally, they also noted that supervision was limited because of poor record-keeping of officers and low visibility - that operational officers cannot be easily and directly supervised whilst on patrol.

- **Opportunities for legal challenge** - the courts rarely had the opportunity to use criminal trials as venues for challenging misuse of police power (e.g. that the correct procedure for a search[2] was a necessary precondition for a subsequent conviction).

- **The exclusion of evidence, judicial review or civil action** - Dixon, et al. (1989) said that it was difficult, in practice, to review an officer's appraisal of the circumstances leading to a search. They added that judicial interpretation was likely to be sufficiently unpredictable to make potential litigants doubtful as to whether it was worth making a case. Implementation of the Human Rights Act 1998 might impact on these last two points as it might provide an additional way of challenging misuse of powers.

Public awareness

Finally, Dixon, et al. (1989) highlighted that many of these sanctions were based on the public having knowledge of police powers and their rights. They suggested that public knowledge might prevent abuses of authority and procedure from happening during searches. There was recognition, however, that public use of knowledge of such police powers might have a negative impact - being perceived by officers as a challenge to their authority or raising suspicions about previous police involvement.

Individually, these three areas seem unlikely to be able to regulate officer working practice and minimise the problems associated with searches. It seems unlikely, for

[2] *This is currently prescribed in Police and Criminal Evidence Act 1984 (s66): Code of practice on stop and search (Home Office, 1999a) (thereafter referred to as the PACE Code).*

example, that training alone will have a long-term impact without effective supervision. What this discussion does perhaps show is that whilst legal regulation has a necessary and central role, it needs to be supported internally by the police. The efforts of forces to tackle these issues strategically can be seen as management interventions - initiatives which have been introduced at force or local level to improve the use of searches and reduce their negative impact on local communities. This review of force interventions highlights three primary focuses:

- managerial effectiveness - improving the role of police managers in monitoring and regulating searches;
- operational effectiveness - aiming to increase the impact of searches against crime; and
- public awareness and partnership - addressing community concerns through openness and active participation.

We will draw on these three aspects throughout the report. It should be noted that, in practice, force initiatives are likely to encompass a range of interventions and might impact on more than one of these areas.

The review of force interventions

Earlier PRC research has shown that forces have started to look at and address some of the key issues associated with the use of searches (Quinton and Bland, 1999). It provided a broad catalogue of interventions, describing briefly the aims and natures of a sample of force interventions. Given the range of work implemented or planned by forces, it seems sensible to capitalise further on their efforts and good practice.

This review can, therefore, be seen as building upon that earlier scoping study. It aims to provide a detailed descriptive account of the interventions implemented in a sample of forces and to draw more general findings for future interventions. The review should not be seen as a formal evaluation of these initiatives nor as a comprehensive toolkit for other forces to replicate. Rather, its role is to identify what looks promising about the approaches adopted in the case study forces, even though they might not be unique. The review also aims to flag up some of the key problems of the approaches and how they might be overcome. It is, therefore, intended to inform the wider debate on stops and searches, by suggesting where future intervention might be focused or implemented in a more strategic way. Further research would need to be undertaken, on a more formal basis, to evaluate the range of force interventions in order to determine what is most effective and in what context. This additional research should also examine the cost-effectiveness of the interventions, as they will clearly have significant resource implications.

The study is based on fieldwork carried out in six forces. The case study forces were initially selected following a telephone survey of a sample of police forces and from earlier research (Quinton and Bland, 1999). Individual forces or police areas were selected for more detailed review for three main reasons:

- to illustrate a range of approaches adopted by forces in tackling some of the problems associated with searches;
- to focus on interventions which appeared, in the first instance, to be innovative or constructive; and
- on the basis that the impact of the force intervention could, to some extent, be evidenced.

Fieldwork was undertaken in the following force areas:

- Avon and Somerset Constabulary;
- Northamptonshire Police;
- Leicestershire Constabulary;
- Watford Area in Hertfordshire Constabulary;
- Reading Area in Thames Valley Police; and
- Bedford Area in Bedfordshire Police (see Box 6 only).

Short research visits were carried out in each of the police areas. The nature of these visits and the research that was carried out, varied according to nature of the force intervention. In all cases, key police personnel were interviewed about the aims, implementation and impact of the initiative. Policy documents and any local level evaluations were also examined. In some cases, interviews or discussion groups were held with operational police officers, community representatives or members of local communities in order to assess the impact of the interventions on officer practice and public confidence.

The detail in which the case studies are described in the report depends, in part, on the background information and evidence which was available during the research visits.

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?
- 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. (2000a).

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 (MPS), 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. (2000).

3. Public views on stops and searches

As part of the evaluation of the pilot, the British Market Research Bureau (BMRB) carried out a large-scale qualitative research project. They were asked to gather views from people who have experienced stops and searches and community members more generally, drawing on the experiences and opinions of people across different ethnic backgrounds. This is reported in Stone and Pettigrew (2000).

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 and Miller (2000).

6. Interventions to improve the management of searches

This research is presented here.

The key results from all this work are brought together in an extended Briefing Note which draws overall lessons from the programme (Miller, et al, 2000b).

Structure of the report

This report is divided into five main chapters. Following the introduction, Chapter 2 looks at interventions which have focused on improving managerial effectiveness, and in particular improving structures for supervision and monitoring. Chapter 3 deals with the issue of operational effectiveness - attempts to maximise the impact of searches on crime through intelligence-led approaches, the strategic use of searches in planned operations and identifying good officer practice. Chapter 4 examines interventions to build public confidence and trust in searches through increased community awareness and participation. The final chapter of the report draws together the main conclusions and recommendations from the review.

For the sake of clarity, the interventions are presented in two different ways in the report:

- **Textboxes** - Individual interventions are mapped out in separate text boxes which stand apart from the main discussion. In general, their purpose is to provide a broad narrative overview of an individual intervention, briefly setting out its origins, aims and main elements.

- **Discussion** - The interventions are also discussed within the main body of the report. This aims to explore the initiatives in more detail and identify their main strengths and weaknesses.

2. Managerial effectiveness

Broadly speaking, managerial effectiveness refers to the extent to which police managers are able to oversee and regulate the use of searches by operational officers. Good management might be able to increase the overall effectiveness of searches by being able to 'make visible' officers' patrol activities and directing their use of searches. It may also help increase public confidence and legality by ensuring that searches are not based on discrimination and conform to the PACE Code. Force initiatives to improve the management of searches have tended to focus on monitoring and supervision (Quinton and Bland, 1999). Previous studies have highlighted key problems in these areas which need to be addressed.

Dixon, et al. (1989) pointed out that the supervision of searches was problematic due the low visibility of officers on patrol and the problems in the process of managerial control via record-keeping. They argued that direct supervision of searches was limited because of the number of supervisors available to supervise searches on the street and because it would be problematic to detain a person in order to wait for a supervisor. Dixon, et al. (1989) also argued that there were problems with indirect supervision through the scrutiny of search records. They suggested that officers were unaware of the checking process and that a limited number of supervisors checked records.

It should also be noted that supervision is made more difficult if records are incomplete or lack detail. Also, records may not necessarily reflect what happened in the encounters. Bottomley, et al. (1991) found that where search records had been completed it was not always possible to determine whether reasonable suspicion had been fulfilled. This again called into question whether records were the most effective way of regulating searches. However, they concluded that supervision could play a greater role in influencing search practice provided that:

- supervisors were made more aware of the importance of records as a method of supervision;
- patrol officers received training and guidance on completing records; and
- there was greater expectation that records would be scrutinised.

A second key problem, related to monitoring, is the quality of the data on searches held by forces. Efforts to make use of such data as management information to monitor performance (e.g. internally in forces, or externally by Police Authorities and working groups) will be hampered unless they are an accurate measure of officers' activity on the streets. FitzGerald and Sibbitt (1997) outlined the problems surrounding the recording of searches as:

- searches of people from minority ethnic communities are more likely to be recorded;
- searches on white people are under-recorded; and
- searches that result in arrest are under-recorded.

Analysis of the British Crime Survey suggests that the problem of under-recording was far greater in forces outside London up to 1993 - the year in which ethnic monitoring was first introduced (FitzGerald and Hale, forthcoming).

FitzGerald's work in MPS has shown that the process of auditing records can have a positive impact on recording levels (Fitzgerald, 1999a). For example, a detailed audit of the figures in seven MPS pilot sites for the first quarter of 1999, in itself, improved arrest rates significantly (in one site this increased from 18% to almost 25%). However, a key difficulty to tackle is officers' reluctance to complete forms, the use for which they do not understand or see as important. One-off interventions based on incentives or sanctions to encourage individuals to change recording practices are perhaps less likely to be sustained in the longer-term than improving or simplifying the process of recording that is used day-to-day. FitzGerald (1999a) pointed out after an initial increase in supervision at the beginning of the programme of action, this "had slackened and some of the impetus dissipated" by the end of the first year.

Efforts to undertake effective monitoring will also be limited without use of a database onto which information from search records can be entered and analysed. The structure of the database will clearly depend on the information on search forms and how it is recorded. Consideration should also be given to the level of analysis which is to be undertaken and how it sits with other IT systems at both force and local levels.

Improving monitoring and recording practices - Avon and Somerset

Work by Avon and Somerset provides a good example of an attempt to improve the system and process of recording (Box 1).

Box 1: An overview of Avon and Somerset's initiative

As part of a broader Race for Equality strategy introduced across the force, the following elements have been implemented in Avon and Somerset to improve monitoring and recording from April 1999:

- Extension of ethnic monitoring to include Fixed Penalty Notices and VDRS forms[1] (April 2000 onwards). Each form required the inclusion of a four-point ethnic classification system (e.g. white, black, Asian and other) based on officer perceptions. An additional requirement was that the information recorded on the forms had to be inputted on to a new database. Prior to the extension, breath tests had been monitored and reported on a regular basis to the Equality of Service Monitoring Group. The force has also considered further extending monitoring to include HO/RT1 forms.[2]

- Improved quality control and monitoring of records (see the main body of the report).

- Reinforcing the need for sergeants to sign each form and to check that they have been completed to a required standard.

- Distribution of a 'know your rights' card. This was launched in April 1999 and has been targeted at 14-25 year olds via partner agencies (e.g. youth services). This was supported in one area by a community liaison worker whose role was to mediate between the police and local communities. (See Chapter 4 for further detail.)

It was acknowledged that implementation varied across the force because of differences in policing structures.

Notes:
1. Vehicle Defect Rectification Scheme (VDRS) forms are used to record illegal vehicle defects and require drivers to provide proof at a police station that they have been mended.
2. HO/RT1 requires a driver to produce their traffic documents at a police station within seven days.

The initial move to improve monitoring was prompted by feedback given to the Community Strategy Unit Inspector from officers who were confused about how and when to record searches. This resulted in detailed examination: two districts were tasked with analysing a one month 'snapshot' of their search records. This

involved following up arrests which had resulted from searches to check whether a search record had been submitted. This process identified a high proportion of under-recording across the two sites.

As a result, in April 1999, custody records (completed whenever a prisoner is booked in) were amended to include a question about whether an arrest resulted from a search and, if so, whether a search record had been completed. If a form has not been completed, the custody sergeant is prompted to remind the arresting officer to complete one. Moreover, the force introduced a system of shift debriefs. Officers are asked by the shift sergeant, at the end of each tour of duty shift, to provide feedback on their activities during the shift. This places responsibility on shift sergeants to ensure that officers are completing and submitting forms for searches.

Although the number of searches fell, the proportion of searches which resulted in arrest increased - in 1999/00 the arrest rate was 17% compared to 15% in the previous year. Officers felt that this increase could be attributed to a combination of improved recording (whereby search forms are submitted when a subsequent arrest is made) and better use of the searches. However, it is not possible to say categorically whether this increase resulted from improved search practice or recording, but the level of under-recording previously identified is suggestive of an improvement in data capture.

The arrival of a new chief constable at the beginning of 1998 heralded a renewed emphasis on performance management and a drive to improve the systems and processes to support this. The work specifically to improve the recording and monitoring of search activity was just one part of this general shift. Part of this change was to give districts greater responsibility for, and ownership of, their local management information and to develop structures to support this. Central to this change was the development of two posts at the district level:

- District Corporate Development Officer (DCDO); and
- Performance Inspector.

DCDOs began to be posted from April 1999 and are now all in place across the seven districts. The role of the DCDO is to act as the data-handler for all the local management information, producing statistics and further evaluation as necessary. The Performance Inspector's role is to monitor the quality of officers' records. The Performance Inspectors have the authority to approach officers who are not completing records accurately or fully, and to take remedial action (e.g. re-training). The strength of this structure is in the combination of these two posts, providing a joint district resource.

Whilst this process ensures that analysis is devolved, it was noted that there were variations between districts in the extent to which monitoring and evaluation was undertaken. In order to minimise this problem, guidance was issued centrally on the analysis to be undertaken. A further check is also provided centrally through the comparison of the performance of individual districts. This highlights the importance of striking a balance between centralised control and devolution to a more local level. Such comparisons need to be handled carefully because they might inadvertently prompt competitiveness between shifts or areas about their level of activity. This can cause problems as it can provide an incentive for officers to carry searches where grounds are low in order to increase their 'numbers'. This was identified in one district, where it was noted that the distribution of figures detailing the performance of individual sectors was leading to competitiveness between them. In order to discourage this, each sector was only given data detailing their own performance. The force has also emphasised that searches are not a performance indicator.

Analysis is also carried out at a local level in order to identify officers who have used searches disproportionately (compared to the district average). This analysis is carried out for the Ethnic Monitoring Group which consists of police and representatives from the Bristol Race Equality Council (REC). As a result, district commanders are expected to report back to the group on the reasons for any unusual results. The exercise revealed that a significant proportion of officers identified had transferred into Avon and Somerset from other forces. On the back of this finding, a new induction procedure was introduced to ensure that new entrants receive force training on the performance standards expected by the force. Officers who are identified as having carried out searches where reasonable suspicion might not have been present are advised about acceptable practice by the supervisor. Individual district commanders are also required to report back to the Deputy Chief Constable detailing how the matter has been handled. Although no evidence was available whether and how this works, the structure itself seems to provide a clear framework for accountability.

Improving monitoring and recording practices - Northamptonshire

The structures and processes introduced in Northamptonshire differ from those set out above, but attempt to address similar concerns (see Box 2). The police initiative, which was primarily based on an apparently rigorous quality control framework, highlights other important issues that need to be considered.

Box 2: An overview of Northamptonshire's initiative

Figures showing the disproportionate use of searches against black people in the area prompted the Equality of Service Monitoring Group (EOSMG) to set up a small sub-group to look at the underlying issues. The EOSMG is responsible for monitoring service delivery across a wide spectrum of activities through a regular review of figures, and consists of police and support staff, as well as representatives from the REC, the local Police Authority and a range of external agencies.

The initial terms of reference of the working party were to look at the collection of data on searches and the design of the search form used by officers. However, following publication of the Stephen Lawrence Inquiry Report, these were expanded to look at broader policy issues in light of concerns about disproportionality. The group developed a new force policy on searches following consultation based on:

- dip-sampling of the views of officers on the Eastern and Northampton Areas;
- discussion with a local African Caribbean community association;
- Police Authority representation on the working group; and
- use of a local community radio station in Northampton to promote wider discussion.

With the overall aim of improving public confidence in searches, the working party recommended (and started to implement from February 2000):

- introduction of a new form for recording searches - including a larger space for recording grounds, information on search powers and peoples' rights;
- use of a prompt card to ensure that officers use search powers fairly and effectively - to focus on crime, use powers legally and to minimise the costs to the community;
- discontinuation of voluntary searches (except as part of entry requirements to sports venues);
- officer training on the use of searches to focus on police powers and diversity issues - importantly, the training is planned to include the communication skills required for a search to carried out politely and with respect;

- inclusion of searches as a priority topic in management training courses;
- implementation of a quality control framework, based on a process of self-inspection and auditing, to improve the supervision of search records;
- on-going monitoring by the EOSMG and nominated officers at area level;
- expansion of ethnic monitoring to incorporate HO/RT1 forms;
- use of a 'know your rights' booklet given to people searched and disseminated more widely through community organisations (see Chapter 4);
- a survey of people searched to explore their experience and levels of satisfaction - carried out by the police in January and February 2000); and
- presentation of information on the new policy in a newspaper produced jointly with the Police Authority.

Monitoring

As detailed above, there is an established process for monitoring searches in Northamptonshire based on:

- Central oversight - the EOSMG examines ethnic monitoring statistics and reports to the Police Authority Scrutiny Committee, and disseminates findings more widely to the local community.

- Area level data analysis - carried out proactively by dedicated officers responsible for identifying trends in and possible reasons for disproportionality, recommending remedial action to the EOSMG.

Importantly, the central monitoring by the EOSMG places a requirement on the police to justify their performance. This has resulted in a focus on individual officer practice, and in particular, the patterns associated with individual officers or shift teams where disproportionality is identified. In some cases, discussions are held with officers to help identify the reasons for their use of searches. If a satisfactory explanation cannot be provided, an inspector is tasked to carry out a more detailed investigation. To facilitate this level of scrutiny a database of search records is held on the force intelligence system and can be analysed by a range of variables (e.g. reason for search, name of person searched, officer or shift team).

A number of key factors were identified by Northamptonshire Police which are considered in assessing whether officers use searches in a discriminatory way. This is an important point given that research carried out for PRC as part of the research programme on stops and searches has shown that structural factors might affect the

extent to which different ethnic groups are available for stops and searches (MVA and Miller, 2000). Northamptonshire police look at five factors which might provide some 'legitimate' explanation for an officer's use of searches, namely the:

- officer's previous record of carrying out searches;
- demographic profiles of areas policed by that officer;
- proportion of searches carried out on the same individual which might skew the figures (e.g. a target criminal);
- search activity of an officer's shift team to provide comparison; and
- number of searches which are successful (e.g. result in arrest, charge and prosecution).

On a related point, in attributing disproportionality to individual officers, it is easy for an officer's search activity to appear disproportionate because of the relatively small number of searches under scrutiny. For example, one officer who was interviewed by the working group had carried out four searches; three of these were of black people, and only one of a white person. It transpired that the three searches of black people related to a single incident, when the occupants of a single car were all searched. This illustrates the problem of relying on quantitative measures of activity alone in monitoring search activity. It should be noted, however, that no officer has, to date, been identified or reprimanded as discriminatory in their use of searches. This might indicate that discrimination is limited in officer practice or that monitoring needs to be used in combination with other mechanisms to identify malpractice.

Recording practices

As we noted earlier, the process of monitoring in Northamptonshire Police highlights the need to have good quality information on which analysis can be based. As a result, the intervention has attempted to reduce under-recording by discontinuing voluntary searches and emphasising to officers the need to record searches through internal publicity (e.g. internal force newspaper, force orders, posters and (planned) training).

Perhaps the most rigorous method introduced was implementation of a quality control framework to check that search records are completed. This is based on four key elements:

- Supervision - on a day-to-day basis search forms are submitted to an officer's immediate supervisor. Training is also planned to improve sergeants' understanding of supervision.

● Area self-inspection - in each area, a dedicated officer (or group of officers) reviews a sample of search records against an inspection template. Like the Avon and Somerset example, this involves checking search records against other force systems (e.g. custody records) to ensure that forms have been submitted. The reviews are recorded, as are the results and any remedial action required.

● Force audit - twice yearly, the force Audit Unit examines a sample of the self-inspection reviews against a sample of non-reviewed search records to ensure that self-inspection is carried out correctly.

● System ownership - a senior manager has been given ownership of the quality control process and has responsibility to ensure that action is taken against problems identified through supervision, self-inspection and force audit.

Although this appears to be a rigorous framework, a small discussion group of constables and sergeants carried out for this study showed that problems still remain. For example, officers said that search forms with relatively low grounds for suspicion would be signed by supervisors and not 'bounced back' for additional information. This perhaps highlights the perennial problem with supervision. In addition, it might also reflect the fact that supervisors might check the forms for completeness and accuracy rather than the level of grounds used in a search. This is a necessary element of supervision to ensure the legality and effectiveness of individual searches.

The available data indicates that recorded searches declined by 11% in the six month period in which the new policy was introduced (October 1999 - March 2000[3]) compared to the previous six months.[4] However, the number of searches was higher than the corresponding period in the previous year which suggests, that the intervention did not significantly reduce the overall levels of searches. The arrest rate for October 1999 - March 2000 increased to 13%, from 11% in the previous six months. The increase in arrest rate was significantly lower than the 21% achieved in April - September 1997. There was also no significant changes in proportion of searches carried out on people from minority ethnic groups, and in particular black people.

Whilst we cannot be certain, the fact that recorded searches had not declined significantly and arrests were starting to increase might, in part, be related to the internal publicity campaign (and intelligence-led approach described in Box 3 in the next chapter). This publicity campaign emphasised to officers that searches were an important crime-fighting tool and that the new policy was designed to improve the effectiveness of searches. However, a small discussion group of officers, carried out for this review, showed that whilst there was an awareness of the initiative, there

[3] The intervention was introduced in February 2000.

[4] It is not possible to say when the decline started because data are not available for individual months.

was also some confusion about specific elements. For example, one officer was not aware that voluntary searches were no longer permissible. It was also suggested that despite their discontinuance, officers could circumvent the rules by looking for grounds in order to carry out a search under a power. Others also said that the practice of searches had 'tightened up' recently without the intervention. This might cast some doubts over the impact of the policy on officer practice, but it does perhaps highlight the need to 'market' interventions and their perceived advantages to officers.

The decision to discontinue the use of voluntary searches can also be seen as part of the strategy to improve recording practices. Brown (1997), in reviewing research on PACE, noted that so-called voluntary searches were rarely based on informed consent and often not officially recorded. Searches with a power were more likely to be formally recorded, although practice was still patchy. The cessation of voluntary searches might, therefore:

● challenge where under-recording is likely to be greatest; and
● reduce searches which are more likely to be ineffective and have a negative impact on the community.

Summary

This chapter has looked at two case studies to explore some of the ways in which the management of searches might be improved through better supervision and monitoring. Ideally, effective management can provide an opportunity for forces to scrutinise the use and conduct of searches by officers on patrol and provide a means of directing officers' activities.

Checking officers' use of searches has clear implications. It has the potential to ensure that searches have been carried out within the law and with good grounds - both central points in securing public confidence and legality. In so doing, supervision can encourage searches to be used more effectively by officers, by making sure they are based on accurate, up-to-date information. Monitoring and management information can potentially enhance this process by providing a further check on officer activity (e.g. identifying discriminatory practices over a period of time) and showing where searches are carried out by officers.

Although we are unable to provide a definitive account of 'what works', the two interventions described in this chapter flag up areas where future interventions might usefully be focused in combination with other mechanisms for improving the legitimacy of searches. These areas are summarised in Table 3.

Table 3: Managerial effectiveness - what looks promising	
Key issues	• The need to improve the managerial oversight and regulation of searches. • Lack of direct supervision of searches on the street. • Limited supervision of search records. • Search records which are incomplete, inaccurate or do not meet the required standard. • Incomplete statistical picture of search activity. • Under-recording of searches.
What looks promising	**Supervision** • Scrutiny of individual search forms by supervisors - including checks on accuracy of the record, its completeness and, most importantly, whether there were reasonable grounds for the search. • Where problems are identified by supervisors these are followed up directly with the officer and their progress checked. • Routine checks at the end of each shift to identify whether searches have been carried out and forms submitted. • Emphasising to officers, on a regular basis, the need to record searches. • Force guidance setting out the expected standards of, and the need for supervision. • Raising the expectation amongst officers that supervision and remedial action will take place. • Development of a quality control framework to ensure supervision and record-keeping occurs to the required standard. **Monitoring** • A database containing key information about individual searches to enable monitoring and analysis at force and local levels. • Monitoring officers and teams to identify potential discriminatory practices and regular ineffective use of searches. • Force guidelines setting out minimum standards of analysis at force and local levels. • Data checks between different systems to flag up under-recording. • Amending of other records to include prompts for search forms to be submitted (e.g. a specific question on custody sheets). • Dedicated officers and support staff, within a clear structure of accountability, who have responsibility for monitoring and taking remedial action.
Outstanding concerns	• Search forms might be signed off by supervisors without full checks being made. • Monitoring might encourage perverse incentives affecting officers' performance. • Search activity which is not recorded cannot be checked by monitoring and supervision.

Note: More general findings from the full programme of research on these issues are summarised in Miller, et al. (2000b).

3. Operational effectiveness

The operational effectiveness of searches refers to the extent to which they have an impact on crime - that their use is maximised against people currently engaged in crime and minimised against law-abiding members of the public. As mentioned earlier, this can enhance the legitimacy of searches. The key areas here are ensuring that searches are used efficiently, within the law, do not damage public trust and confidence, but are successful (e.g. they lead to an arrest and, ultimately a disposal). Research carried out by PRC for this programme shows that, overall, searches seem to have a small impact on the detection and prevention of crime, although they make a more notable contribution to arrests by police forces (Miller, et al., 2000a). It concludes that forces should focus on using searches in a targeted, intelligence-led way, aimed at catching serious offenders, whilst ensuring that they are carried out politely, with respect and that a credible reason is given to the person for the stop or search.

Clearly, improving the effectiveness of searches is a significant end in itself, but it is also closely interwoven with the legality of and public confidence in searches (Quinton, et al., 2000). For example, searches are most likely to be successful when they are associated with good grounds for suspicion and based on good quality information (Miller, et al., 2000a). Moreover, it should also ensure that each search fulfils the legal requirement of reasonable suspicion. At the same time, having good grounds can provide a basis for providing the person searched with a reason for the encounter. This, in turn, can encourage public confidence and trust in the use of searches. Effectiveness can, of course, contribute more directly to public satisfaction by demonstrating that searches are being targeted appropriately, minimising unnecessary contact with law-abiding members of the public which have the potential to cause embarrassment and resentment (Stone and Pettigrew, 2000).

How then can we measure effectiveness? In general terms, the proportion of arrests which result from searches, the arrest rate, has tended to be used as the measure of effectiveness and is the only nationally available measure (Brown 1997). Success based on this measure must, therefore, involve increasing that proportion (although the absolute number of searches may decline).[5] There are alternative measures of effectiveness based in the on the proportion of search arrests which result in a disposal or the nature of the offence identified and how that relates to local policing priorities.

As we noted in the previous chapter, force interventions can have a positive impact on the effectiveness of recorded searches when measured in terms of arrest rates. This has also been shown by FitzGerald's research on the recent MPS programme of action aimed at 'renewing the tactic' (1999a; 1999b). The programme of action was

[5] *Reliance on the arrest rate alone has the potential to act as a perverse incentive to officers; encouraging them to record positive searches and to under-record negative searches.*

piloted in seven sites from April 1998. Officers in each site were given special briefings and training days about the aims of the pilot, which were primarily directed at improving the effectiveness and fairness of searches, and minimising the damage to the community. As with other force interventions, this was supported by an internal publicity campaign and the introduction of a system to identify (potentially) problem officers and provide remedial action.

FitzGerald (1999a) reported that during the first year of the programme there was a consistent improvement in arrest rates - increasing from an average of 10.6% to 18.1% between the first quarter of 1998 and the first quarter of 1999. This improvement was also sustained after the first year, with the average arrest rate for the seven sites almost 19% (FitzGerald, 1999b). While a large part of this improvement was attributable to an audit of records (see Chapter 2), their effectiveness in terms of disposals also improved, with an increase in the proportion of searches which ultimately resulted in a caution or a charge. It is important to note, however, that even though the proportion of searches leading to arrest increased, the overall numbers of searches and arrests from searches decreased.

How then have other forces attempted to improve the operational effectiveness of searches? In general, forces have attempted to link the use of searches to an intelligence-led approach, in some cases linking it to crime pattern analysis (CPA) and community intelligence (see Box 3 for examples from two case study forces). Whilst intelligence can be a useful tool in targeting searches, it is important that this information is up-to-date and accurate so that weak generalisation and negative stereotypes do not develop and are used to justify searches (see Quinton, et al. 2000). Targeted searches will also need to comply with the PACE Code in terms of having reasonable grounds for suspicion and the way in which they are conducted. The PACE Code is explicit in that being a known offender (i.e. having previous convictions), in itself, does not constitute grounds for a search. This again points to the need for supervision based on the effective scrutiny of search records and, in particular, the grounds for the search.

Box 3: The use of intelligence in two forces

Example 1: Avon and Somerset Police

The intelligence-led approach in Avon and Somerset emphasises to officers the importance of searching people who have committed offences in the local area. This is likely to encourage the use of searches against active criminals and minimise encounters with innocent members of the public. One area has also developed what appears to be effective structures for processing and sharing intelligence. This is based on:

- a tasking group to co-ordinate the flow of intelligence among uniformed and CID officers;
- attendance of the Local Intelligence Officer (LIO) at shift briefings;
- a lengthy intelligence input for teams at the beginning of series of night shifts;
- CPA focused on hotspots, serious crime and tension indicators (derived from community beat officers) which act a barometers of 'feelings' in the local community;
- the cross-flow of information between CID, LIOs, shift inspectors and the area superintendent; and
- a media strategy requesting intelligence from the public.

Example 2: Bedfordshire Police

The approach adopted in North Bedford Division involves assigning officers with specific intelligence-led tasks during the shifts, the outcomes of which are measured. This process involves:

- using daily updates from CPA to identify current and emerging crime hotspots;
- an established process which combines information from CPA with intelligence generated by Community Intelligence Officers;
- daily shift briefings to patrol officers;
- weekly briefing meetings co-ordinated by the Community Intelligence Officer with around 30 key officers from a range of departments in order to assign weekly tasks and run through intelligence updates; and
- daily emails to supervisors to provide updates on the intelligence-led tasks.

Intelligence generated by searches was also reported to have increased.

The case studies that follow look at two different attempts to improve the operational effectiveness of searches. The first example, looks at the strategic use of searches as part of a planned operation carried out in one district of Avon and Somerset Police. The second example, from Leicestershire, provides a good illustration of research carried out with operational officers to identify good practice.

The strategic use of searches - Avon and Somerset

In general, searches tend to be used during officers' daily patrol duties and can be characterised as being either:

- proactive - with higher levels of discretion (e.g. based on observed behaviour); or
- reactive - with lower levels of discretion (e.g. based on external prompts such as calls for service and suspect descriptions) (see FitzGerald, 1999b; Quinton, et al., 2000).

The following case study suggests that there might be additional scope for using proactive searches more strategically and in a way which can increase overall effectiveness. It shows that, in addition to patrol duties, searches can be used as an integral part of a planned and well-defined operation which draws on detailed observation and intelligence and ensures that there is public support and involvement.

The strategic operation was conducted in one district of Avon and Somerset and followed a significant increase in violence in and around a local café during the preceding weeks. The growth in violence was associated with a 'turf war' over the control of local illegal drugs markets, and consisted of an attempted armed robbery and drive-by shooting. At the same time, intimidating groups of 50-60 people congregated in the street outside the café where there was drug dealing. In response to the increase in violence and related community concerns, a high-profile police operation was introduced based primarily on the use of the searches. Individual searches were based on intelligence and periodic observations to pinpoint individuals amongst the groups to be searched. As a result, 96 people were searched during a three week period as part of the operation. This included 54 white people and 42 people from minority ethnic groups. Of these, 18 people were arrested; an arrest rate of almost 19% which is higher than the average arrest rate for England and Wales.

What is also significant about this approach is the extent to which the operation allayed community concerns. As we mentioned earlier, the operation was

introduced, in part, as a direct response to community concerns about crime in the area. City leaders were notified and local communities were fully consulted about the operation prior to its implementation. Part of the consultation process involved a community liaison worker carrying out a community risk assessment to determine the possible costs and benefits of the operation. The liaison worker also approached local groups to apologise for any problems caused by the operation in the community and to emphasise that it focused on 'outsiders' coming into the area.

It appeared that the process of consultation attracted further public support for the operation and provided a useful source of community intelligence - people from the local area were able to identify specific individuals who they had seen drug dealing. However, as the operation continued, the police reported that the concerns of the public grew about how long the operation would be in place. Responding to community concerns in this way might be compatible with effective policing. Previous research has shown that 'crackdowns' which last for shorter, irregular periods might be more effective compared to operations which run for more regular and longer periods (Sherman, 1990).

Identifying good officer practice - Leicestershire

As we mentioned above, attempts to increase the arrests that result from searches tend to focus on targeted use of searches based on intelligence. In general, these interventions are about developing structures and systems so that intelligence can influence police practice. There are examples of forces which have looked at effectiveness at the ground level - attempting to identify why individual officers or teams are effective at getting arrests from searches. Approaches attempting to distil the key elements of good practice have an advantage in that they might usefully inform local training and help officers develop their own policing skills. Leicestershire Constabulary provides a good example of an intervention to identify good officer practice. Their broad approach is set out in Box 4 and discussed in more detail below. Similar work carried in MPS as part of their programme of action is set out in Box 5 at the end of this chapter.

Box 4: An overview of Leicestershire's initiative

The annual publication of ethnic monitoring statistics was the main impetus for the intervention, highlighting that black people were more likely to be searched than their resident population would suggest (e.g. Home Office, 1998). In response, Leicestershire carried out research with both the community and operational officers with the intended aim of identifying the reasons underlying disproportionality. The research was unable to draw any definite conclusions, but did highlight that the management of searches was relatively poor in the force.

The research prompted a discussion amongst the Service Delivery Monitoring Group (SDMG) about the use and effectiveness of searches. This group consisted of the Assistant Chief Constable, area commanders, departmental heads and representative from two local RECs. The group focused on evidence that whilst the number of searches had declined across the force, the arrest rate had increased. This was seen as a positive step and was to be encouraged. As a result, the Community and Race Relations (CRR) Inspector was tasked with reviewing officers who were effective in their use of searches in order to identify good officer practice which, in turn, could be disseminated throughout the force.

The Corporate Development Department identified 11 officers from across the force who had a significant number of arrests resulting from searches. These included:

- 4 general duty officers;
- 2 permanent beat officers;
- 3 response drivers; and
- 2 traffic officers.

The officers participated in a discussion group run by the CRR Inspector and facilitated by a force trainer. The session had three main parts. Participants were first asked to complete a questionnaire detailing a recent search that had resulted in an arrest. They were then divided into groups to examine each example in order to determine the common elements. The session closed with an open discussion about possible organisational changes that could make searches more effective.

The findings (described in the main body of this report) were presented to the SDMG and were generally well-received. They resulted in two main outcomes:

- development of a force intranet page aimed at encouraging the effective use of searches amongst officers; and
- replication of the study at a local level - the discussion group was only repeated in one area with officers drawn from a range of local policing units (i.e. sectors).

The report presented to the SDMG also recommended that the issues raised by the discussion group should be used to raise the skill levels of officers and enable them to use existing training to better effect.

Selection and facilitation of discussion groups

The selection of a discussion group facilitated by the force training unit as a method to identify good officer practice is an interesting and important one. It was selected because officers felt that it would enable ideas to be discussed in an exploratory way which would not possible through a more quantitative survey. The CRR Inspector, who was interviewed for this review, also commented that the discussion group was useful in itself because it "brought officers together" and demonstrated to them that they could help the force as a whole. The way that the group was eventually structured was also seen to be useful because:

- officers from every area were represented - this allowed different policing experiences to be reflected (e.g. urban, rural and traffic policing) and helped ensure that area commanders were broadly signed up to the approach; and

- the rank of participating officers did not limit discussion - one participant highlighted that the group worked well because the most senior officer present was the CRR Inspector. He felt that the presence of a more senior officer would have made officers uneasy, adversely affecting the discussions.

The selection of effective officers again raises the issue of managerial effectiveness. It is clear that in order for the group members to be selected and meet, it was necessary to have access to effective monitoring systems and accurate data. In this example, a corporate search database facilitated this, storing details of search records for each of the force areas.

The discussion group was, in itself, a promising method of officer consultation. Indeed, it was seen by both the participants and organisers as being a useful exercise. From the police management perspective, the results of the discussion

group were conclusive. The CRR Inspector who had initial doubts about the methodology and what the group would be able to show, said that the strength of the results exceeded expectations. From operational officers' perspective, they welcomed the opportunity to participate in the group and were pleased that 'officers on the street' had been approached to identify good practice. Some also found participation in the group a useful and informative process, although others were more sceptical. Overall, this suggests that consultation with officers might help facilitate their 'ownership' of subsequent force policies - a necessary element to ensure they are implemented fully.

The facilitator said that the discussion group worked well a means of generating discussion. However, he highlighted that the way the group was initially introduced to officers could have been handled better. Apparently, officers were concerned about participating because the role of the discussion group had been poorly communicated. Indeed one participant said that he was 'on his guard' to start with and thought there might have been a hidden agenda behind the group. This was, in part, echoed by the CRR Inspector who reported that he spent some time at the start of the session 'breaking the barriers' and making sure officers were comfortable with the aims of the discussion group.

The findings of the discussion group

The aim of the discussion group was to uncover why the officers present were good at using searches. Five key areas were identified in discussion:

- **Use of intelligence** - The most effective officers tended to be aware of local knowledge, crime trends, and known criminals who were active in their area. This informed their patrol activities and helped them to form grounds for searches.

- **Observation** - The ability to observe behaviour and body language was identified as being an important factor in raising officers' initial suspicions before a search.

- **Motivation** - The officers tended to have high levels of self-motivation in all aspects of policing, particularly in tackling crime. They also used searches as a proactive tool for making arrests. Indeed, area commanders were not surprised by the officers selected for the group because they were generally seen as 'good bobbies' or 'thief-takers'.

- **Communication** - Communication skills were identified as a key area for developing suspicion. Officers tended to be confident in approaching people and

were able to build a good rapport with them. This in turn often led to more detailed questioning which could inform the grounds for a search. One officer interviewed for this study said that the communication skills of some colleagues could be improved:

Even I've found colleagues abrasive - the way they talk needs to be addressed.

- **Knowledge of powers** - The officers were fully aware of their formal search powers and how they could be applied practically.

- **Backup** - It was identified that working in crews might also improve performance.[6] The reason suggested for this was that working directly with a colleague provided backup and support when handling members of the public (e.g. officers could adopt different roles during an encounter with one officer in conversation, the other observing). However, other research has shown that this might be perceived negatively by the public. Stone and Pettigrew (2000) showed that the public have experienced stops when one officer has been polite and another has been aggresive.

In addition to identifying best practice, the group highlighted a number of widespread concerns which they felt needed to be addressed for officers to use their powers with confidence:

- **Complaints** - The group suggested that fear of complaints was partially responsible for a reduction in officers' confidence levels and, consequently, a fall in the overall number of searches. Officers said that their fears had been compounded by a recent training course which emphasised that grounds for a search were almost the same as grounds for an arrest. Yet records revealed that there were very few complaints arising from searches - only 8 complaints from over 5,000 searches carried out between April and September 1999. It should be noted, however, that the low number of complaints might reflect a lack of public knowledge about search powers, making complaints and confidence in the complaints system.

- **Training** - Two main issues in relation to training were raised. First, there was concern that the training currently received by officers did not look at the practical application of powers or how to improve the effectiveness of searches. Second, the group recommended that, if the issue was seen to be a priority, refresher training should be provided in order to increase skill levels and disseminate best practice throughout the force.

[6] *This refers to when two or more officers work in a team, usually in the same patrol vehicle.*

● **Officer confusion** - The group discussion highlighted that officers were confused about the force's stance. It emphasised that a clear message by chief officers was needed to clarify the force's policy on searches.

The areas highlighted by the group are useful and echo good practice identified by other research carried out by PRC (Quinton, et al., 2000) and MPS (see Box 5; Kilgallon 1998).

Box 5: Identifying good practice in MPS

Research to identify good practice has also been carried out in MPS, although using a different research method. MPS's approach was to identify and interview the most effective and least effective searchers (defined in terms of arrest rates) from across the force and to compare the working practices of the two groups (Kilgallon, 1998). The main research finding was that "those officers who operate most rationally, lawfully and fairly are also the ones who get the best results. They are valuable resources as role models. The challenge for us must be to build on their success by spreading good practice".

The final report highlighted a range of issues related to the management of searches (e.g. the intelligence system, pressures on performance, and informal practices during searches for possession of drugs). However, in terms of identifying good practice, the research showed that the most successful officers:

● were frequent and able users of the force intelligence system;
● developed sources of intelligence within the community;
● carried out more searches compared to less effective officers;
● were more likely to record searches;
● were more aware of handling issues with regard to searches (e.g. they recognised the intrusiveness of searches, the value of communication skills, and the importance of explaining their actions to the public); and
● were less likely to view searches as a means of social control.

The problems of disseminating good practice

Whilst the discussion group appeared to be useful, the case study illustrates a problem about how to disseminate good practice:

● **Force training**

The group's findings had clear implications for training and the CRR Inspector pointed out that the force training unit had been tasked with drawing on the material in future packages. Apart from probationer training which always contained elements of good officer practice, there was little evidence to suggest that the discussion group has informed other training courses. The force CRR training programme did cover searches, to a limited extent, but only when raised by officers and in terms of disproportionality and cultural awareness. Strictly, good officer practice was beyond the scope of the CRR course. This highlights that, in practice, training about the use of searches is often balanced against competing training needs. Forces should, therefore, be clear about training priorities within a strategic approach.

A chief officer pointed out that force training had not been embarked upon primarily because of the force's involvement in the pilot of the Stephen Lawrence Inquiry's recommendations. There was an awareness that the pilot could potentially result in significant changes in policy, procedure and law or the development of national training guidance. It was judged that delivering training before the outcome of the evaluation was known might risk training having to be repeated.

● **Local level training**

The discussion group has had a greater impact on training at a local level. There have been changes in the way training is delivered in the police area where the discussion was replicated. The area trainer, interviewed for this study, said that the main change was in the emphasis of the training content, rather than its overall aim.

When the training was first delivered in September 1999, it largely focused on disproportionality and legal search powers, using scenarios and examples to represent reasonable suspicion. The training package attracted criticism and negative feedback from officers. One constable interviewed for this study said that the issue of disproportionality caused friction and had been disregarded by colleagues; perhaps being seen as a criticism of their working practices. He added that he was also left with the impression that officers should not carry out searches because grounds for search were as high as grounds for arrest. As a result, the training was developed to draw more on the good practice identified, including:

– the practical use of search powers;
– how to make searches more professional;
– discussion of suspicious behaviour (e.g. what is furtiveness?); and
– cultural awareness.

One constable said that the change of focus was welcomed by officers and added that he would now record as much detail as possible for the grounds (in both pocket book and search record). Another constable was more sceptical, saying that officers still needed to know the law. He said that it was important for officers to understand the legal criteria for reasonable suspicion because not all searches followed a set pattern but still had to be justified in terms of grounds. He did add, however, that he was more aware of his search powers as a result of the training, and had become more careful in using them.

The officers involved in the local discussion group were tasked with cascading knowledge throughout the force area, although one officer said that they had that this had yet to happen. It is important to note that other factors might influence the use of searches, notably the perception that search skills can only be learnt by experience 'on the streets' (Dixon, et al. 1989). This highlights the need for area level training to be co-ordinated systematically with trainers being made fully aware of the relevant issues that need to be communicated.

● Force intranet
One of the concrete changes to come out of the discussion group is a force intranet page. As we noted earlier, this was set up to clarify the force's policy on searches, attempting to address some of the concerns raised by officers in the discussion group and to improve confidence levels. However, it should be noted that there is an inherent problem with the intranet in that it places the onus on officers to find and digest information. Although responsibility falls to officers to update themselves on current developments, forces can facilitate this process. For example, to help combat this problem, the information was originally put on the intranet as a news item with priority status. Although this should be commended, no attempt was made to gauge whether officers had actually accessed the page. Indeed, none of the officers interviewed referred to having seen it. This perhaps indicates that forces need to assess whether written policies are effectively disseminated to officers and actively encourage officers to keep updated about developments.

Overall, this example illustrates the need to provide suitable methods for disseminating good practice throughout the force and to monitor the implementation of recommendations. It is interesting to note that none of the participants interviewed for this study had seen any direct changes as a result of the discussion group (e.g. further training inputs). Indeed, one officer said that: "there's no point to the [discussion group] if it's not followed up". However, another officer from a different force area was more positive about changes in force. From his experience, he thought that officers were becoming increasingly aware of the law and were making sure that the criteria for searches was being fulfilled.

Summary

In this chapter, we have looked at ways in which some forces have tried to improve the effectiveness of searches, primarily in terms of improving arrest rates. The interventions described focused on integrating searches in an over-arching intelligence-led approach, as part of a strategic planned operation and, more generally, in terms of identifying good officer practice. Some of the key issues which we have highlighted are summarised below in Table 5.

Table 4: Operational effectiveness - what looks promising	
Key problems	• Broadly, to maximise searches against people actively involved in crime and minimise searches on law-abiding members of the public. • Improve the arrest (and disposal) rates from searches. • Focusing searches on serious offenders and local policing priorities. • To ensure that the use of searches, in general, is targeted and intelligence-led. • To effectively disseminate accurate and up-to-date information and intelligence to inform search practice. • Ensuring that individual searches are based on good grounds.

What looks promising	**Intelligence-led policing**
	• Structured intelligence briefings based on information provided regularly by LIOs to all officers.
	• Specific intelligence-led tasks for patrol officers.
	• Feedback from shifts and searches to be presented to supervisors and LIOs via debriefing sessions at the end of each shift.
	• Encouraging community intelligence from local communities.
	• Searches, where appropriate, to be co-ordinated strategically within planned operations, with the consent of local people.
	
	Good officer practice
	• Ensuring good practice is fully integrated into training.
	• Force and local level training on good officer practice to be co-ordinated as part of a strategic approach to training.
	• To promote officer confidence in the effective use of searches.
	• Clear force policies and management messages on the use of stops and searches.
	• Proactive dissemination of policies, the uptake of which is monitored.
	• Training delivered to all probationers and other new entrants, and refresher training for existing officers on:
	  – the effective use of searches;
	  – how to handle encounters politely and with respect (see Quinton, et al., 2000); and
	  – formal search powers.
	• Effective supervision of searches to ensure that grounds for search are reasonable (see Chapter 2).

Outstanding concerns	• That targeted searches are carried out with reasonable grounds for suspicion. • Emphasis on arrest rates might encourage officers to record positive searches and to under-record negative searches. • Public concern over sustained increases in the number of searches as part of planned operations. • To get officers to take responsibility for acting on current information and updating themselves on policy developments. • Balancing training on stops and searches with competing training needs. • For good officer practice to be used by officers on patrol.

Note: More general findings from the full programme of research on these issues are summarised in Miller, et al. (2000b).

4. Public awareness and partnership

As the use of stops and searches can have a negative impact on local communities, it is important that management interventions focus on addressing community concerns by increasing public awareness and adopting an approach of openness. Earlier scoping work identified that forces had, in fact, started to address wider issues relating to the impact of searches on local communities (Quinton and Bland, 1999). In general, forces had either attempted to increase public awareness about searches and their rights or to actively involve the wider community in consultation about the management of searches. This chapter explores some of these approaches in more detail and highlights where improvements and problems have been experienced by forces.

The importance of public confidence

It is clear that the legitimacy of police stops and searches can be placed at risk by their negative impact on local communities. One of the central criticisms, we noted earlier, is the extent to which searches are carried out on people from minority ethnic groups relative to white people (e.g. Willis, 1983; Smith, 1983; Young, 1994; Bucke, 1997).

Research has also shown that public confidence is affected by people's experiences of the police. Analysis of the Youth Lifestyles Survey has shown that searches are associated with a lower confidence in the police, even when other factors are taken into account (Miller, et al., 2000a). Research based on the British Crime Survey has also shown that satisfaction with police stops and searches is related to the way in which encounters are handled by the police (Skogan, 1994; FitzGerald and Hale, forthcoming). Qualitative research has explored these issues in more detail. Stone and Pettigrew (2000) and FitzGerald (1999b) have both shown that the handling of stop or search encounters has a significant impact on public confidence and that this is primarily based on being treated fairly, with respect and being given a good reason for the stop.

PRC research looking at the working practices of police officers has shown that public confidence has an important role in legitimising stops and searches and, more generally, is a central feature of policing by consent (Quinton, et al., 2000). Also, whilst the development of good police-community relations can be an end in itself, it is also centrally important for effective policing. Jordan (1998), for example, noted where the police are perceived as legitimate in their activities, the public are more inclined to co-operate with them.

There does appear to be some scope for improvements in the use of the stops and searches to actually affect public confidence. This could build on the general public support that exists for the principles of stops and searches, provided that they are used fairly: Stone and Pettigrew (2000) showed that all ethnic groups saw value in stops and searches, but that this was outweighed by the negative impact their current use has on communities (e.g. in terms of aggravation, distrust and resentment). FitzGerald (1999b) also cited survey evidence across a range of minority ethnic groups in London which suggested that most people thought the power could be useful in addressing crime; and she found support for the principle of searches in focus groups with young men, although there was strong criticism of the way they were used in practice.

Ways of improving public confidence

PRC research (Miller, et al., 2000a) also points towards key areas through which public confidence might be improved, namely:

- using searches efficiently - as mentioned earlier, to minimise their inconvenience to the community, and maximise their impact on crime;
- responding to disproportionality - to address discriminatory officer practices and to be open with the community about the management of searches; and
- well-handled stop and search encounters - to improve public satisfaction with individual stops and searches (as detailed in Quinton, et al., 2000).

The case study interventions, detailed below, also point towards other important areas where public confidence might usefully be enhanced - primarily through accountability and public awareness. Together these approaches can be seen to have four main elements:

- **Raising concerns and complaints** - Interventions involving the public might enable local communities (or their representatives) to raise general concerns about the targeting and conduct of searches. They may also provide a way of raising concerns on a more individual level via the complaints system.

- **Community ownership** - It is possible that by introducing the public into management processes and informing the wider community about the use of searches, searches might be used, or seen to be used, in a way which addresses and is more sensitive to local needs. For example, searches could be used strategically to address crime problems which are a priority for local people.

- **Scrutiny of police working practices** - Openness with local communities about the reasons for and outcomes of the searches might enhance accountability. The police might be able to demonstrate the extent to which searches are used fairly and effectively, and to show that remedial action has been taken. This might also provide an avenue for communities to identify police practices which they feel are not appropriate. An initiative focused on public scrutiny implemented in Bedfordshire Police is briefly sketched out in Box 6.

- **Public awareness police powers and people's rights** - The failure to increase public knowledge of police search powers has been criticised previously (Dixon, et al., 1989; NACRO, 1997; Stephen Lawrence Inquiry Report, 1999). Efforts which attempt to improve the information available to the public (e.g. in the form of a leaflet detailing an individual's rights during a search) aim to make individuals more aware and to question what is happening during a stop or search in order to prevent misuse of police powers. However, consideration needs to be given to how the public act upon such knowledge. Dixon, et al. (1989) noted that knowledge of the law might not be a great advantage to police suspects; attempts to use knowledge of police powers might be perceived to as a challenge to police authority or might raise further suspicions that they have been involved with the police before.

These elements are discussed in the context of the case study forces below.

Box 6: Public scrutiny of police working practices in Bedfordshire

The initiative was introduced in the North Bedford Area following criticism from the local Police Community Consultative Group about disproportionality in searches. Concerns were expressed amongst chief officers about the need to reply to public criticism about police practices, and LIOs were, as a result, tasked with carrying out research in this area. Disproportionality was shown to be affected by targeted patrols; intelligence directed patrols towards relatively high crime areas, which were also areas with high proportions of minority ethnic residents.

As it was felt that the use of searches could be justified in terms of crime levels and intelligence, a policy of openness was introduced (from July 1999). Representatives from Bedford REC and other local community groups are invited to meet on a six weekly basis to examine the use of searches in the area (amongst other topics of discussion). For these meetings of the External Advisory Group, a report is prepared by intelligence officers detailing the grounds for each search carried out on people from minority ethnic groups. It also describes whether the search was intelligence-led or based on information presented on shift briefings.

The ability to hold such meetings was attributed to the long term positive police-community relations in the area, and the high level of personal trust in the divisional commander. However, whilst one community representative welcomed the increased transparency, she highlighted a number of difficulties with the process, namely:

- "hardly anyone turns up" to the meetings because they were held on police territory rather than in the community; and
- the composition of the group was not "quite right" because some members supposedly lacked commitment.

In terms of the wider impact of the External Advisory Group, one community representative felt that officers were being more careful in their use of searches because of the public scrutiny of search records. She added that concrete changes had yet to be seen. In contrast to this view, one patrol sergeant commented that most officers on his shift were not aware that search records were open to public scrutiny. This emphasises that the intervention is perhaps focused more on public accountability at an organisational level than officer practice. Indeed, one community representative felt that there was still scope to improve the attitude of officers, citing recent examples from complaint cases.

Overall, the divisional commander said that the meeting had fulfilled its aim because criticism of the police's use of searches in local meeting had subsided. A community representative added, however, that the wider community was not aware of the External Advisory Group and there was a need for wider consultation as she believed it would be positively received.

Working alongside the police - St Paul's District, Avon and Somerset

As we noted in Box 1, a member of the public works alongside the police as a community liaison worker in the St Paul's district of Avon and Somerset Police. The community liaison worker has a broad role related to police-community relations, including:

● co-ordinating the investigation of racist incidents with Community Safety Officers;
● devising and running cultural awareness sessions as part of the Race Equality Strategy; and
● increasing officer awareness of the strategy and how it applies to them.

With reference to the police use of stops and searches, the liaison worker tries to make officers aware of the key issues (e.g. officer knowledge about search powers and the potential for an encounter to escalate into an arrest because of poor handling). There was a need for the role of the liason worker to be managed carefully with officers. The role might be perceived as challenging officers and there were concerns that it could potentially affect officer confidence and prompt a 'backlash'. As a result, emphasis was placed on encouraging officers to use searches effectively as part of an intelligence-led approach.

The community liaison worker also acts as a mediator for members of the public with the police. People from the local community are actively encouraged to discuss problems and make complaints about police stops and searches. While complaints tend to be informal, they are handled formally when necessary. In handling public grievances, the liaison worker will arrange meetings with individual officers to discuss specific issues. The community liaison worker will also contact key members of the community to inform them about specific problems and to explain serious incidents (e.g. racist incidents). As a community advocate, the liason worker has an important role in scrutinising police operations by undertaking a community risk assessment on the potential impact of specific operations on the local area. This

process of scrutiny formed part of the planning for the operation discussed earlier which used intelligence and observation to target searches strategically.

It is clear that the community liaison worker plays a key role both in terms of promoting good community and race relations in the St Paul's district and representing the concerns of local people in relation to stops and searches. However, the liaison worker, who was interviewed for this study, pointed to two key problems associated with the role. First, officers who did not understand the liason worker's role were not accepting or supportive. This points to the need for the officers to be made fully aware of the post and the advantages that it might bring particularly in terms of enhancing public confidence and effectiveness (e.g. generating community intelligence). Secondly, the liaison worker pointed out that there was an important balance in "representing the police in the community and the community in the police". In order to carry out the role effectively and to maintain credibility, it is important for the liaison worker to be, and be seen by the public as independent from the police and to be able to communicate the public's views effectively. At the same time, there is an important need to be able to represent the position and needs of the police within the community.

Community representation at a strategic level - Watford Area, Hertfordshire

Community involvement has also been introduced at a more strategic, planning level within forces. In Hertfordshire Constabulary, for example, community representatives became active members of the Watford Ethnic Monitoring Group (WEMG), a multi-agency group established to identify the causes for disproportionality in searches and to increase the transparency of police processes (see Box 7).

Box 7: An overview of Hertfordshire's initiative in Watford

In response to the publication of ethnic monitoring data and subsequent local media attention, Hertfordshire Police decided to set up a multi-agency project team to examine the problem of disproportionality in more detail. Watford was identified as the most appropriate site for the group because it had a significant minority ethnic population and good monitoring systems in place. The WEMG was established in January 1999, consisting of:

- 7 police officers - including the Assistant Chief Constable, divisional commander, two CRR officers, a Federation representive, and two constables;
- 3 civilian researchers;
- 3 academics from Hertfordshire University to provide research expertise; and
- 3 community representatives from the key minority ethnic groups in Watford (e.g. the Watford Race Equality Council, the African Caribbean Project, and the Muslim Project).

WEMG's specific objective was to identify the reasons for the apparent over-representation of members of minority ethnic groups in searches and arrests This covered four main areas:

- **Analysis of search forms** - 268 search forms from a three month period (May - July 1998) were scrutinised in terms of whether individual searches were properly recorded, linked to an incident log, crime or arrest, and based on reasonable grounds.

- **Research into available populations** - Building on research carried out by FitzGerald and Sibbitt (1997), the group set about developing a methodology to determine the population profiles of public places where searches had taken place. A total of 150 search records were selected at random and, for each encounter, a researcher was sent to the same location at the same time but one year later. The researcher then measured the pedestrian population available to be stopped or searched in the area for the 10 minutes either side of the original search. The study was repeated with a further 150 searches to the same results.

- **Consultation with the police** - 40 officers were interviewed by members of WEMG to assess their understanding of search powers and procedures, its effectiveness, and about their perceptions. The sample of officers was structured to represent different lengths of active service.

● **Research with the community** - The views of key groups in the community were assessed through a survey of students at local colleges and two discussion groups with members of the black and Asian communities (25 people of mixed ages in each group).

Like many of the interventions detailed in this report, the focus of the WEMG was on the apparent disproportionate use of searches measured against resident populations. The community representatives interviewed for this study felt that this was the key local concern. Importantly, in order to develop an appropriate strategy, the group decided that there was a need to investigate and understand fully the nature of the problem.

For the police, the primary concern was the accuracy of the statistics on which disproportionality is based. They were highly critical of the use of census statistics to calculate proportionality in policing. They argued that the size of the minority ethnic population in the local area had grown substantially since the last census and which was not reflected in the published figures. They also claimed that the residential population measured by the census did not provide an accurate profile of the people who were available to be searched - the people using public areas where searches are used. The police also drew on FitzGerald and Sibbitt's (1997) research pointing out that people from minority ethnic groups, and in particular black people, may be more available to be searched because of demographic, economic and lifestyle factors. As a result, the group was interested in developing a measure of available populations to determine whether they are accurately reflected by the residential population. This issue is also covered as part of PRC's broader programme of research (MVA and Miller, 2000).

Community representation and wider community concerns

The involvement of the community at this level raises a number of important issues in terms of the nature of existing police-community relations and whether the police and community share the same concerns.

PRC research looking at ways in which the police have tried to widen access to 'hard to reach' groups has shown that, in some cases, groups which are traditionally seen to be 'hard to reach' are sometimes highly visible and have well-established police links (Jones and Newburn, 2000). This, to some extent, has been the case in Watford with local minority ethnic groups; both the police and community representatives said they shared very positive relations prior to their partnership on

the WEMG. Indeed, good long terms relations had developed between the community project workers and the police in a number of different capacities (e.g. in the referral of domestic violence and monitoring of racist incidents). There was a recognition, however, that these working relationships could be, in part, attributed to individual officers with whom the community had confidence. There was strong agreement that police-community relations had been enhanced overall as a result of the WEMG.

The focus of the group also reflects the primary concerns of the community representatives which appears to be important to ensure they engage in the group fully. The African Caribbean development worker said that the main concern for the local black community was the disproportionality highlighted by the monitoring of searches. He added that the figures reflected the experience of people in the community, saying that he had dealt with young black people in the area who had been searched for no apparent reason. The Muslim Project development worker echoed some of these concerns saying that she had received complaints from local Asian boys who had been searched by the police because they were thought to be 'up to no good' whereas they had just been congregating in groups.

There was some concern, however, about whether the group represents all the strands of the local community. The African Caribbean development worker was careful about reflecting the concerns and views of different 'voices' within the black community. He said that there were broadly two different categories of people in the local black community, namely:

- the young - who have extremely negative opinions of the police because of their lifestyle and contact with the police; and
- the old (aged 40+) - who, in contrast, are more supportive of the police.

He added that whilst he has greater empathy with the older community, he could also speak from an informed position for the younger community, and encourage them to speak for themselves. The divisional commander also said that, in retrospect, there might have been a useful role on the group for a representative reflecting the views of the white community. The extent to which formal mechanisms of police consultation can be said to be fully representative of the wider community has been raised in previous research (Morgan, 1992; Elliott and Nichols, 1996).

Research findings on available populations and community views

As noted earlier, the primary focus of the group was to explore the underlying reasons for disproportionality. Although the group was unable to find evidence in an

analysis of search records of discriminatory behaviour amongst individual officers and teams, the research on available populations provided clearer findings. Their research shows that:

- the resident population (based on the 1991 census) does not measure available populations accurately in the areas studied;
- there is a high proportion of people from minority ethnic groups in the available population (almost 50%) compared to the resident population (just over 5%); and
- a higher proportion of searches are carried on white people than would be expected from the available population - representing about three-quarters of all searches, but just over half of the available population.[7]

[7] *More detailed findings will be presented in the forthcoming final report of the WEMG.*

The police reported that the community representatives are broadly in support of the research findings, after some initial concerns. Indeed, one development worker drove around Watford city centre at night to satisfy his own curiosity about the figures. Unsurprisingly, however, the findings are considered to be very sensitive by both the police and community representative on the group, and there has been concern about how this information is to be presented particularly to local minority communities. One representative, in particular, expressed concern about how to approach the subject with her own community; she referred to specific methodological concerns about the ability of researchers to classify individuals according to their ethnic background and the need to replicate the study further. She highlighted that, as a result of this, the ownership of the project perhaps needed to be clarified and would have preferred the police to take a greater role.

Their findings have, however, been reflected in research carried out by MVA and Miller (2000) for this programme of research. It too shows that the census population does not accurately reflect the profile of populations available for stops and searches, and tends to have a higher proportion of people from minority ethnic groups. The report, therefore, suggests that structural explanations for disproportionality are likely to be important.

The research carried out by the WEMG with members of the local community proved to be less sensitive within the group, reflecting the findings of previous studies (discussed above). The survey of predominantly white students showed that:

- understanding of search powers was relatively limited; and
- there was an expectation that people should be told why they had been stopped and what was going to happen to them during the encounter.

In addition, the discussion groups with minority ethnic groups showed that that there was less concern about people being stopped or searched by the police, and greater concern about the way they were handled and spoken to by officers. This was also reflected amongst white students who felt that police officers were aggressive and overpowering. However, despite these criticisms, there was also the wide recognition that search powers could be useful.

The impact of the monitoring group

Given that the intervention implemented in Watford is research-based it is relatively difficult to assess the wider impact of the group (e.g. on officer practice). What we can perhaps examine is how successful the involvement of community representatives has been and the group's impact on the wider community:

- **The involvement of community representatives**

From a police perspective, the divisional commander and CRR officers agreed that the community representatives had made a valuable contribution to the group, particularly in terms of raising key issues and questions. This feeling was also shared amongst the community development workers, who said that they had made a significant input in terms of generating ideas and undertaking a large proportion of the research. The Muslim Project representative also gave credit to the local police for accommodating and acting upon the views of the community representatives.

There was agreement amongst the community representatives that it had been worthwhile participating in the group. One project worker even said that their "involvement was as important as any outcome". It was felt that the representatives had learned a great deal about the challenges of modern policing, and one said that participation challenged her own assumptions and stereotypes about the police. Another said that being involved in the process had strengthened his confidence in the police.

- **Wider community relations**

There were more mixed views about whether WEMG had had a positive impact on wider police-community relations. The divisional commander commented that whilst the group enhanced the good formal police-community links already in place, he was more sceptical about the group's impact on the perceptions of the wider community, largely because a communications strategy was not pursued. This view was also shared by one of the development workers who said that the group had not changed the wider community's views (particularly amongst the 16-24 age group). The representative from the African Caribbean Project was more upbeat, saying that transparency and openness of the group was important because it gave them

credibility amongst the wider community. He also added that the public were now more aware of attempts to "stamp out racism" in the police.

Despite disagreement about the wider impact of the group, most noted that the research carried out with students and minority ethnic communities had wider influence. As such, the discussion groups with black and Asian groups served a dual purpose. Not only was it a useful method of gathering the perceptions of the community on searches, but it also provided a way of informing the public about their rights. Indeed, the police facilitator commented that the input was well-received by the participants. The community representatives also thought the groups were a useful process and helped strengthen formal community links. The African Caribbean representative said that they built on the already good police-community relations in Watford, because the police could be seen to be taking positive and genuine action.

● Specific outcomes and recommendations

At the time of writing, WEMG had not completed the final report containing points for further action. However, as a direct result of the group's work, a programme of refresher training for officers on the division had started.[8] The training focused on the problems associated with searches, police powers, community feedback, and the role of the WEMG.

Outstanding community concerns

Although the community involvement in the monitoring group was viewed positively by both the police and community development workers, there were a number of outstanding community concerns which had not been addressed by the group. For example, one representative said that it was a frustrating process. Whilst he thought the group's analysis was very thorough, he also thought it was limited in scope because the group did not look at the 'thought processes' of officers. He did recognise that this would have been a very difficult task to undertake. In general, despite individual concerns, there are two main issues to be addressed in the eyes of the community, namely:

● the cultural awareness of officers; and
● ensuring the implementation of the group's recommendations.

The main issue that community representatives felt had to be resolved was the level of cultural awareness amongst officers - providing examples which were of on-going concern (Box 8 details one example).

[8] *There was also a suggestion that 'tactical communication skills' might be included in officer safety training sessions aimed to improving the way police-public encounters are handled.*

Box 8: Community concern about the cultural awareness of officers

The Muslim Project representative said she had been stopped for erratic driving and given a HO/RT1. From her perspective, she was satisfied with the reason for being stopped because the poor road and weather conditions were affecting her driving. However, her main objection was the way in which she was spoken to by the officer and how the encounter was handled. She felt particularly insulted by the fact that the officer asked her to provide a breath-test even though her dress clearly indicated that she was a Muslim. She added that the way officers used their authority and handled encounters was still an issue, and that the police needed to be 'on the same level' as the person they are dealing with.

Although the group had yet to make its final conclusions and recommendations, there were some concerns about the process of implementation. One community member said that it is important that any recommendations proposed by the group are fully implemented. There was also some debate about the future of the group after the final report is published. From both the police and community perspective, there was an expectation that the group should continue in order to monitor and evaluate the process of implementation.

There was also slight scepticism about the extent to which changes in police attitudes and behaviour would percolate through the force. For one representative, the most significant challenge was to ensure that sergeants become accountable for the actions of their team. Another representative echoed this by saying that whilst they are able to influence the more senior officers, it is harder to influence officers on the street.

Finally, there was a sense in which the issues tackled by the group need to be addressed at a national level. For example, the African Caribbean representative commented that young people's perceptions of the police go beyond their immediate experiences in their local area:

> *If something happens in Bristol or Toxteth, they hear about it and it influences them. Hostility [towards the police] goes beyond their peer group experience.*

It was also felt that the police need to build positive relations with teenagers from the ethnic minorities to show that the police are 'real people' and that contact with the police is not necessarily negative. Another representative also felt that police-community consultation could also be extended.

Community partnership in training - Reading Area, Thames Valley

The training on cultural diversity developed in partnership between the police in the Reading Area with the local REC provides a useful example of how partnership at a practical level might work.

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Box 9: An overview of Thames Valley's initiative in Reading

Prior to the Stephen Lawrence Inquiry Report which was a further catalyst, there was impetus for change in Reading Area from a range of sources:

- Management recognised that there was a lack of understanding amongst operational officers about searches and, in particular, the way they were perceived by local communities.
- The performance culture adopted in Thames Valley (i.e. the use of league tables) had resulted in a high number of searches and arrests. This was skewed, with black people more likely to be arrested for public order and breach of the peace offences as a result of a search.
- There was local concern that there were few complaints by people from minority ethnic groups and that community views were not being raised via consultation. This was attributed to a lack of confidence in the complaints systems and that consultation did not include 'hard to reach' groups (see Jones and Newburn, 2000).

As a result of these pressures, a programme of changes was implemented. This programme consisted of the development of community fora (e.g. Racial Attacks Forum and Black Advisory Group) and a review of searches in terms of management information and officer training. In response, between January and June 1999, officers received a half-day training session focusing on formal search powers (and to a lesser extent discrimination) delivered by shift inspectors. In addition, Reading also piloted an integrated form to record searches, pedestrian stops and vehicle stops where a HO/RT1 is issued.

One of the central outcomes of this process was the development of a partnership between the Reading REC and Thames Valley Police to provide cultural diversity training in Reading Area. Although the training did not explicitly focus on the use of stops and searches, its main aim was to improve relations between frontline officers and local communities. As such, the REC provided funding for the training and helped organise community contributors from a range of minority ethnic groups to provide an input on their experiences

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Box 9: continued

with the police (e.g. being stopped or searched). Training started in June 2000 and covered:

- the different communities in the Reading Area and the role of the REC;
- the Crime and Disorder Act in relation to racially motivated crime and reporting racial incidents;
- problems which officers might encounter when dealing with people from minority ethnic groups (e.g. cultural issues); and
- discussions with the community contributors.

This was seen as being part of an on-going programme. The next phase included an evaluation of the cultural diversity training after six months (i.e. a survey of officers and a formal debriefing of participants) to inform further work. It was envisaged that community and race relations would be linked with the use of searches more explicitly in the next phase.

Building partnerships

For the local REC, the most pressing issue with regards to searches was the extent to which they are used against young black males, and in particular those in groups or those driving. There was, however, recognition from an REC representative that the REC, itself, did not represent all strands of minority ethnic opinion adequately. He commented that as a grassroots organisation, they were able to hear people's concerns, but tended not to be approached because of a lack of community confidence in the police. As a result, Reading REC spoke from an informed position developed through contacts (e.g. people speaking about friends' experiences), rather than directly representing key groups.

The REC was also concerned about the police-community relations at ground level, which were described as tense. In contrast, the relationship between senior management and community groups was viewed as being positive by both officers and community representatives. This prompted the REC to press for officer training "to tackle the front-end relationships"; to improve the way in which officers handled encounters with the public, and especially those with people from minority ethnic groups. As such, the role of the REC in the development of officer training can be seen as three-fold:

- generating the interest in officer training by highlighting community concerns;
- scrutinising training proposals and helping to re-develop the training programme to address the concerns of the community; and
- co-tutoring the training sessions.

The partnership between Reading REC and Thames Valley Police highlights a number of key issues with regards to building and sustaining partnerships, and more generally about involving community contributors in training:

● **Clarity of training aims**
The first problematic element of the partnership focused on disagreement about the aims and content of the training course. The community representative felt that the police placed greater priority on legal knowledge, as opposed to cultural awareness which, for them, was the training priority. As a result, operational officers were given a law-based training input on searches. The cultural diversity training that was later given to officers had to be developed after further negotiation and scrutiny of training plans.

● **Introducing community contributors**
The REC was concerned about how community contributors were going to be received by officers during training. As the representative interviewed for this study said, he was "dreading it". A CRR Officer said that it was important that the training sessions were introduced to officers not as a follow-up to the Stephen Lawrence Inquiry, but in terms of helping them to police the local area by giving them information about the key social groups.

● **Resourcing and planning community involvement**
The representative of the REC, who had also been involved in developing training for National Police Training, said that involving people from the community in police training was resource intensive. He said that "it is the best approach, but there a danger of doing it badly". For community contributors to work most effectively, the following was seen to be important:

– *Balanced recruitment* - early training sessions showed that the profile of the contributors would shape the topics of discussions. Whereas black participants tended speak about their experience of being stopped or searched, Asian participants were more likely to speak about wider cultural issues. This highlighted the need for contributors to be composed of a mixture of different ethnic groups and genders.

– *Preparing the contributors* - there was also an awareness of the need to have a code of ethics for the contributors. The REC representative said that it was crucial that the groups are not about "having a go at the police" because the training would not meets its objective. Similarly, they did not want contributors to "paper over the cracks". The need to develop a challenging yet constructive training environment was emphasised.

The involvement of people from outside the police clearly requires careful management. Previous PRC research has shown that other forces have had to change training involving community contributors because the sessions were too confrontational (Quinton and Bland, 1999).

● Representation

Both the police and REC were aware that the contributors did not fully represent all the views of the community. They commented that the people selected to talk about their life experiences tended to be older and more established members of minority ethnic communities. There was interest in expanding representation to the key constituencies to include, for example, young black men. Getting young black men involved in training was difficult to organise, but some significant developments had been made. Although at the early stages, contacts had been nurtured through local community centres, the Black Advisory Group and Reading Refocused (a local organisation for young black offenders). The police also planned to use a video which had been made by two young black men on behalf of Reading Borough Council which described their experiences of being stopped or searched by the police.

● 'Diluting the message'

Because the programme of the cultural diversity training was not fixed and was being developed in line with feedback from officers who had attended previous sessions, there was concern from the REC that the course would be tailored to "please people". The representative said that they had to be careful not to alter the content of the course too much or else it would affect the impact of the training.

Impact of the training

As the cultural diversity training had only recently been implemented, it is not possible to assess fully its wider impact on officer practice and community confidence. Anecdotal evidence from a senior officer suggested that earlier training on formal search powers might have had an impact: the number of searches declined, but the quality of the grounds recorded on search forms had improved. This was viewed as a positive step although there were continued concerns about the quality and detail of management information available to supervisors about searches (e.g. it was not yet possible to show what the arrests from searches were for at an aggregate level). In addition, area trainers expressed concern about their ability to carry out further work in this area because of competing training needs.

The REC representative said that positive steps had been made in terms of community confidence, but that it was too early to see any changes in police-public

contact on the streets. He added that confidence in police use of searches was a long term issue and that other mechanisms needed to be used in addition to training, such as:

- improved management - looking at how the organisation works rather than focusing on "rooting out racism"; and
- raising confidence with the community in general.

In terms of the cultural diversity training itself, there was a consensus amongst police trainers and the REC that the introduction of community contributors had been well-received and was useful (e.g. shown by training feedback forms). Whilst it was not possible to speak to a wide range of officers about the course, one officer said that the police perspective needed to be fully represented and that more could have been done to reduce tension in the training session. Again, this highlights the need for training sessions with community contributors to be well-managed because they can have the potential to alienate individual officers.

Improving public awareness - Avon and Somerset and Northamptonshire

The first attempt at providing information to the public about their rights and police powers in relation to searches was the Tottenham experiment (NACRO, 1997). In this example, police officers gave out a leaflet at the time of the encounter. The NACRO (1997) evaluation showed that whilst this was a useful idea in theory there are wider issues that need to be considered. Almost 90% of officers reported that the leaflet made no difference to their decision-making in relation to searches. Only 28% of people searched said they actually received the leaflet, most of whom said it had made no difference. This might have reflected reported officer practice: officers said that they were less likely to give the leaflet to people they knew, had been searched before and in confrontational situations. Overall, a small majority of officers were supportive of the leaflet.

Similar approaches have been adopted elsewhere. The programme of action introduced by MPS in 1997 introduced a CD-sized leaflet aimed at young people. This approach has subsequently been followed in two of the case study forces: Avon and Somerset and Northamptonshire.

It is important to note that increased public awareness, in itself, might not be able to secure public confidence. Consideration will also need to be given to how the public are to act upon any knowledge they have about police powers and their rights. As mentioned above, Dixon, et al. (1989) noted that knowledge of the law might not be a great advantage to a police suspect; an attempt to use knowledge of

police powers might be perceived to as a challenge to police authority or might raise suspicions that the person has been previously involved with the police.

Avon and Somerset

Avon and Somerset launched a 'know your rights' card in April 1999. The card is a folded credit-card sized leaflet that outlines police powers and obligations for searching in the street, entry and search, and arrest and is aimed specifically at young people aged 14-25. It was developed in collaboration with other local agencies including the local REC. An important part of this process was also the emphasis placed on sending a message internally to staff about the card in order to raise the profile of ethics, honesty and accountability among staff as part of a broader drive for cultural change.

Twenty thousand were produced in the first instance and distributed to schools and through youth services and police-community partnership groups. The force reported a "great thirst" for the card from across the community and are now producing another batch of 20,000. Officers stressed the importance of making sure that the card is distributed and not stockpiled by the police. As a result, the cards have been sent to local recreation centres and community groups There are also plans to distribute it at specific events, the Glastonbury music festival being one such example.

One of the early lessons from this initiative highlighted that the card did not include police powers in relation to stopping vehicles. This had caused some difficulties during vehicle stops where people produced the cards. Officers then needed to explain the differences in their powers. The new batch of cards to be produced will now include additional information on vehicle stops, particularly s163 Road Traffic Act.

Northamptonshire

The experience in Northamptonshire points to another key issue in relation to 'know your rights' cards - that is the extent to which they are distributed and reach target groups. An access worker interviewed for this study said that amongst the people who had seen the booklet, there was a very positive response. However, the access worker's main concerns was that the booklet had not reached people in the community - none of the people he had contact with in a local African Caribbean barbers had actually seen it. He added that it was not enough for the police to give the booklets to community groups as they were not places used by young people from minority ethnic communities:

*If you rely totally on community organisations you won't get the message through.
It's an easy option to take, but it doesn't work.*

Specifically, the access worker suggested that the police should be targeting the distribution of the booklet to, for example, African Caribbean barbers and shops, dances and churches. This again raises the general issue about the extent to which consultation and community representative reflects all strands of opinion. Indeed, as one officer pointed out: "Sometimes community groups don't speak with first-hand knowledge". This issue had been identified in force during the development of the policy and the targeting of the booklet was considered to be one of the longer-term goals.

There was also some concern amongst officers interviewed for this study about the booklet itself. Their main criticism was that the booklet might be issued to people who are in regular contact with the police, but might not want it. There were also practical concerns about having to carry the booklets on patrol. However, there was a view that the booklet made officers think about their decisions to search, particularly where grounds for search might be low. There is some weak evidence to suggest that officers, in the short term, are more likely to tell the person searched their names, collar numbers and station under the new policy.[9] This finding is based on survey of people who had been searched carried out by the force. In total, 45 telephone questionnaires were completed with individuals whose details were stored on the searches database. This included six minority ethnic respondents and 39 white respondents, and represented a response rate of 11%. Given the low response rate and sample size for this survey, the results are relatively unreliable and caution must used in making wider generalisations.

[9] *These are three steps officers are encouraged to undertake before a search.*

There were still outstanding concerns in Northamptonshire, particularly about the cultural awareness of officers (as we mentioned earlier) and the negative perception of the police amongst young people:

● **Cultural awareness**
The view of one community worker was that disproportionality was, in part, a result of a lack of cultural awareness amongst police officers. It was pointed out that people from minority ethnic backgrounds would sometimes hang around in groups in the 'wrong' places, and that this would attract police attention. An example was given of a group of people from Monserrat who congregated in large groups on the street and talked very loudly throughout the evening. The community worker commented that whereas the group feels 'picked on' because of their ethnicity, officers will want to question what any group of young men are doing.

● The perceptions of young people

From a discussion group held for this study with teenagers and staff from a local African Caribbean community group, it was clear that young African Caribbeans had no knowledge of the new policy in relation to searches. There was also no sense in which they were educated about their rights. What was perhaps more significant, however, was the very negative view they had of the police - which was based on little, if any, experience of dealing with them. When probed on why they felt the police could not be trusted, explanations fell back on incidents or events which they had seen on television (e.g. the investigation into the death of Stephen Lawrence).

It is also apparent that bad experiences among an older generation had helped structure such a negative view in the younger generation, even where experience of the police is very limited. The experiences described by older people from when they were young seemed to constitute harassment by the police. This again highlights the problem we identified earlier about the extent to which community representatives are able to represent all opinions and experiences of the groups they are supposed to represent.

Given that perceptions will draw both on immediate experience and wider influences, the impact of interventions on perceptions are only likely to be effective in the longer-term. It thus seems likely that in order to encourage a more positive view of the use of searches and policing in general, a positive and targeted marketing campaign might be required as part of a strategic and long term approach to improving the use and impact of searches.

Summary

Public confidence, as we mentioned before, is a central feature of the legitimacy of stops and searches. Not only does it directly feed into the notion of policing by consent, it can also support effectiveness by promoting community co-operation with the police (Jordan, 1998). The individual approaches we have described in this chapter have been relatively diverse. They can, however, be categorised as those which have sought the active participation of the community on the ground and at more strategic levels, and those which aim to increase wider public knowledge. As before, the main points of the interventions are summarised below (Table 5).

Table 5: Public awareness and partnership - what looks promising	
Key issues	• The use of stops and searches can have a negative impact on those experiencing them. • The disproportionate use of searches on people from minority ethnic groups compared to resident populations is a source of community concern. • Stops and searches in which people are not treated fairly, with respect and are not given a reason can alienate the public. • The existence of negative public perceptions about the use of searches and the police in general, particularly from young people. • Limited openness and accountability about police practice. • Lack of public awareness about police search powers and people's rights.
What looks promising	**Public participation and partnerships** • Providing explanations for disproportionality based on resident populations. • The development of effective consultation with the local community (e.g. about operations). • Developing channels for public feedback and encouraging complaints from the public (as well as confidence in the complaints system itself). • Public accountability of searches, perhaps through oversight of local monitoring data or scrutiny of search records. • An open approach, in itself, can help promote positive police-community relations. • Active participation of community members at either the ground or strategic level to generate ideas and to question police practice (e.g. scrutinising operations or developing policies). • Joint ownership of projects with the public with an agreed and shared agenda. • Officer training in cultural awareness and how to handle encounters. • Community contribution in training needs to be managed carefully to have a positive impact on police practice. • Again, effective supervision to make sure that searches are carried out with reasonable grounds for suspicion. **Public awareness** • Co-ordinated distribution of information about search powers and people's rights using innovative and appropriate formats (e.g. leaflets, newspapers, television). • Monitoring the extent to which information reaches target groups. • A positive and targeted marketing campaign to encourage a more positive view of the use of searches and policing.

Table 5: continued	
Outstanding concerns	• Community representatives may not represent all groups in the local community, especially key groups such as young black men. • Good police-public relations might exist amongst police managers and community representative level but not on the ground. • Ensuring that initiatives influence officer practice positively without causing alienation. • Representatives need to be, and be seen to be, independent from the police. • There is a need to respond directly to public concerns raised via consultation. • Lack of clarity about the aims of consultation and ownership of projects. • Perceptions about stops and searches, and the police more generally, are likely to be influenced by wider sources (e.g. media coverage) in addition to direct experiences. • Information might not reach the key groups in the community. • Public knowledge about search powers and people's rights might be seen by officers as a challenge to their authority.

Note: More general findings from the full programme of research on these issues are summarised in Miller, et al. (2000b).

5. Conclusions

In the previous chapters we have explored the interventions implemented in six forces to manage the use of searches. We drew on detailed case studies in order to highlight some of the key strengths and weaknesses of their interventions which could be used to enhance the legitimacy of searches (perhaps in combination with other interventions). Force efforts have tended to focus on improving managerial effectiveness, operational effectiveness, and public awareness and partnerships. These three areas are not in competition, but are overlapping and can be supportive of one another. Indeed, we noted that interventions tend not to have one exclusive aim or approach. For example, an effective, intelligence-led approach which improves the targeting of searches is also likely to require effective monitoring and supervision. Nonetheless, the distinction between the three areas is a valuable way of describing force interventions and is used below to draw general conclusions from the case studies.

The examples we have described, however, should not be seen as a toolkit for guaranteeing legitimacy. The review has looked at ways in which the use and impact of searches can possibly be improved by forces, and highlighted some of the key problems that these processes raise. It is important, therefore, that the review is seen within the context of PRC's broader programme of work on stops and searches - the key findings and recommendations of which are reported in Miller, et al. (2000b).

Managerial effectiveness

We noted earlier that there are two central problems with the management of searches. First, drawing on Dixon, et al. (1989), we showed that supervision of searches can be problematic because of the low visibility of officers and problems with the scrutiny of search forms. The second problem with the management of searches relates to monitoring, and the extent to which management information provides an accurate picture of what happens in practice. This raises the problem of the under-recording of searches and the detail recorded by officers. The review points towards some promising ideas for addressing these issues. At the very least, interventions require a database for information from search records which can be analysed at force and/or local level.

Supervision

In terms of supervision, one of the interventions showed that emphasising to officers the need to make records and having effective daily supervision of forms can be useful. Supervision, in this respect, not only means ensuring that records are completed for individual searches, but they are checked and, more importantly, scrutinised to ensure that they conform to the PACE Code. Where records or searches are inadequate it is important to take remedial action. The case study

suggested that there needs to be an effective structure in place (e.g. a rigorous quality control framework) to ensure that supervision occurs to an appropriate standard.

Monitoring

The two case studies and the previous work of FitzGerald (1999a) show the value of carrying out audits of records or checks against different force systems to identify where search forms have not been completed by officers. Whilst this cannot hope to flag up encounters where no records are made at all, it can help improve the available statistical picture and demonstrate to officers the importance of making records. There also appeared to be a clear advantage in having a defined structure for monitoring searches with key personnel held to account by senior officers. Yet, whilst monitoring can, in itself, be a useful managerial exercise, the sample forces highlighted that monitoring can be used to identify teams or officers and to target them for remedial action.

Operational effectiveness

One of the key concerns of forces is to maximise the impact searches have on people actively involved in crime and to minimise their use on law-abiding members of the public. There is scope for management interventions to make improvements in operational effectiveness, particularly in relation to increasing the arrest rate from searches. We noted earlier that there are also other measures of effectiveness (e.g. disposals from search arrests and whether arrests are related to local policing priorities).

We suggested that improved targeting of searches can help increase the arrest rate from searches. One useful way in which this might be achieved is by ensuring that individual searches are linked to intelligence-led patrols, as well as reliable and accurate information (see also Miller, et al, 2000a; and Quinton, et al., 2000). These might be based on effective structures for the sharing and dissemination of up-to-date and accurate intelligence, and specific intelligence-led patrol tasks. There might also be a role for linking searches with strategic and planned police operations, whereby individual searches are based on strong intelligence and observation with the consent of local communities. It is clear that efforts which emphasise the need to increase effectiveness need also to act against the potential development of perverse incentives and competition by, again, having an effective system for recording-keeping and supervision.

The working practices of officers themselves can also be a useful avenue for identifying good practice. This might provide a good source of information for developing specific training packages which respond to local needs. However, as

with all these interventions, forces need to ensure that interventions are implemented fully and their progress monitored.

Public awareness and partnership

The negative impact of searches on local communities and the lack of public trust and confidence have been the basis of major criticisms of the police use of stops and searches. Efforts have, therefore, focused on this critical area, attempting to build on the public support for the principle, rather than the current practice, of searches.

The initiatives reviewed in this study have adopted two general approaches which might be valuable. First, forces have adopted a policy of openness and attempted to involve members of the community with the police 'on the ground' (e.g. acting as a community liaison worker) or at a more strategic level (e.g. on steering groups). In general, their participation had a clear purpose, yet it should be noted that the involvement and consent of the public is important itself and should be encouraged where possible. We have seen that community involvement can act as a useful form of mediation both in raising community concerns and cascading information into local communities. Moreover, through a partnership approach there is scope to address the specific concerns of local people. As we identified with the training partnership, there needs to be an agreed agenda based on shared aims in order for public participation to work effectively. It is also clear that forces must also consider how representative this process is and whether they are able to effectively develop avenues into the key groups. We have, for example, showed that community leaders or representatives are unlikely to be able speak with experience for everyone in the community, particularly for those groups which might be 'harder to reach' and people who are more likely to be stopped or searched (e.g. young black men) (see also Jones and Newburn, 2000).

The second area where force interventions have focused has been on public awareness of police powers and people's rights. In general, this consisted of developing and distributing leaflets to target groups. This appears to be a useful process, although there are issues about whether it can influence officer practice, and the extent to the information permeates through to these groups within local communities. Finally, it is also important to consider how public perceptions about the police are formed. Whilst they will be based, in part, on personal contact with the police (e.g. through being stopped or searched) they will also be influenced by other external factors (e.g. media coverage) which might be more difficult for forces or Police Authorities to affect. As a result, it seems likely that in order to encourage a more positive view of the use of searches and policing in general, a positive and targeted marketing campaign could be adopted as part of a strategic approach to improving the use of stops and searches.

References

The Brixton Disorders, 10-12 April 1981 (The Scarman Report). Cmd 8427. London: Home Office. (1981).

The Stephen Lawrence Inquiry: Report of an Inquiry by Sir William Macpherson of Cluny. (1999) Cmd 4262-I. London: HMSO.

Bland, N., Miller, J. and Quinton, P. (2000a) *Upping the PACE? An evaluation of recommendations of the Stephen Lawrence Inquiry Report on stops and searches.* Police Research Series paper 128. London: Home Office.

Bottomley, K., Coleman, C., Dixon, D., Gill, M. and Wall D. (1991) *The Impact of PACE: Policing in a northern force.* University of Hull: Centre for Criminology and Criminal Justice

Brown, D. (1997) *PACE Ten Years On: A review of research.* HORS No. 155. London: Home Office.

Bucke, T. (1997) *Ethnicity and Contacts with the Police: Latest findings from the British Crime Survey.* Research Findings No. 59. London: Home Office.

Dixon, D., Bottomley, A. K., Coleman, C. A., Gill, M. and Wall, D. (1989) 'Reality and rules in the construction and regulation of police suspicion'. *International Journal of the Sociology of Law* 17: 185-226.

Elliott, R. and Nichols, J. (1996) *It's Good to Talk: Lessons in police consultation and feedback.* Police Research Series paper 22. London: Home Office.

FitzGerald, M. (1999a) *Searches in London: Interim evaluation of year one of a programme of action.* London: MPS.

FitzGerald, M. (1999b) *Searches in London: Under s1 of the Police and Criminal Evidence Act.* London: MPS.

FitzGerald, M. and Hale, C. (forthcoming) 'Stops, searches and limitations of ethnic data'. *The Howard Journal.*

FitzGerald, M. and Sibbitt, R. (1997) *Ethnic Monitoring in Police Forces: A beginning.* HORS No. 173. London: Home Office.

Home Office (1998) *Statistics on Race and the Criminal Justice System: A Home Office publication under s95 of the Criminal Justice Act 1991.* London: Home Office.

Home Office (1999a) *Police and Criminal Evidence Act 1984 (s66): Code of practice on stop and search.* London: Home Office.

Home Office (1999b) *Statistics on Race and the Criminal Justice System: A Home Office publication under s95 of the Criminal Justice Act 1991.* London: Home Office.

Jordan, P. (1998) 'Effective policing strategies for reducing crime', in: Goldblatt, P. and Lewis, C. (eds.) *Reducing Offending: An assessment of research evidence on ways of dealing with offending behaviour.* London: Home Office.

Jones, T. and Newburn, T. (2000) *Widening Access: Improving police relations with 'hard to reach' groups.* Police Research Series. London: Home Office. (in press.)

Kilgallon, M. (1998) *Attitudes and Practices of Rank and File Officers.* London: MPS. (unpublished).

Miller, J., Bland, N. and Quinton, P. (2000a) *The Impact of Stops and Searches on Crime and the Community.* Police Research Series paper 127. London: Home Office.

Miller, J., Quinton, P. and Bland, N. (2000b) *Stops and Searches: Lessons from a programme of research.* Policing and Reducing Crime Unit Briefing Note. London: Home Office.

Morgan, R. (1992) 'Talking about policing', in: Downes, D. (ed.) *Unravelling Criminal Justice.* London: Macmillan.

MVA and Miller, J. (2000) *Profiling Populations Available for Stops and Searches.* Police Research Series paper 131. London: Home Office.

National Association for the Care and Resettlement of Offenders (NACRO) (1997) *The Tottenham Experiment.* London: NACRO.

Quinton, P. and Bland, N. (1999) *Modernising the Tactic: Improving the use of stop and search.* Policing and Reducing Crime Unit Briefing Note No. 2/99. London: Home Office.

Quinton, P., Bland, N. and Miller, J. (2000) *Police Stops, Decision-making and Practice.* Police Research Series paper 130. London: Home Office.

Sherman, W. L. (1990) 'Police Crackdowns: Initial and residual deterrence', in: Tonry, M. and Morris, N. (eds) *Crime and Justice: A review of research.* Chicago: University of Chicago.

Skogan, W. (1994) *Contacts Between Police and Public: Findings from the 1992 British Crime Survey.* HORS No. 134. London: HMSO.

Stone, V. and Pettigrew, N. (2000) *The Views of the Public on Stops and Searches.* Police Research Series paper 129. London: Home Office.

Willis, C. (1983) *The Use, Effectiveness and Impact of Police Stop and Search Powers.* RPUP 15. London: Home Office.

Young, J. (1994) *Policing the Streets: Stops and search in North London.* Middlesex University: Centre for Criminology.

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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.

Paper 132: Managing the Use and Impact of Searches: A review of force interventions

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Research, Development and Statistics Directorate