

From Streets to Structures: The Deeper Logics of Stop and Search



Overview

1

Examine changes in
street policing

2

Understand the
concept of police
sub-culture

3

Discuss the
existence of
institutional racism
in police forces

4

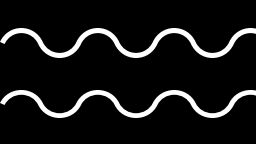
Evaluate the role of
discrimination in
stop and search



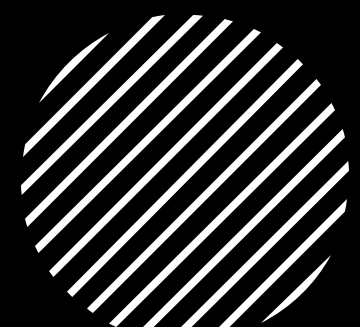
Policing & Society

While policing is a universal feature of social relations, specialised police institutions are not.

A state-organised specialist police organisation of the modern kind is only one example of policing.



The Metropolitan Police



Police are means for the emergence and protection of more centralised and dominant class and state systems.



In England and Wales, the establishment of the Metropolitan Police in 1829 – key date.



Robert Peel and the Metropolitan Police Act 1829: Crushers, Peel's Bloody Gang, Blue Locusts, Raw Lobsters, Blue Drones.



Michael Banton *The Policeman in the Community* (Tavistock Publications 1964).

‘This study of the police is intended as a small contribution to the understanding of a very important institution in modern life; one which hitherto has not attracted sufficient attention in the analysis of society; and one which, given the continuance of present trends, is going to become more important still.’



Durkheim and the sacred character of policing

Banton drew on the Durkheimian version of sacredness, and the sacred/profane dichotomy, to account for attitudes to/status of the police.

The police are set apart by regulations governing private conduct, plus other limitations.

Banton directly compares the police officer to a priest.





Banton (1964)

‘The British constable often finds that he needs to do or say relatively little, the mere presence of the man in the blue uniform being sometimes sufficient to make people stop fighting or to quiet down someone who was highly tensed.’



Changing Attitudes

Policing and social integration.

The challenge of the Royal Commission on the Police 1962.

Policing in an era of social change.



Cop Culture

Cop culture offers an understanding of the working personality of the police officer

For Reiner officers are suspicious, isolated and feel great internal solidarity.

They separate the general public into various stereotyped groups with alternative agendas.

Robert Reiner, *The Politics of the Police* (Oxford University Press 2010)

The world according to the Police

Good-class villains are professional criminals...

Police property are low status...

Rubbish are a waste of time...

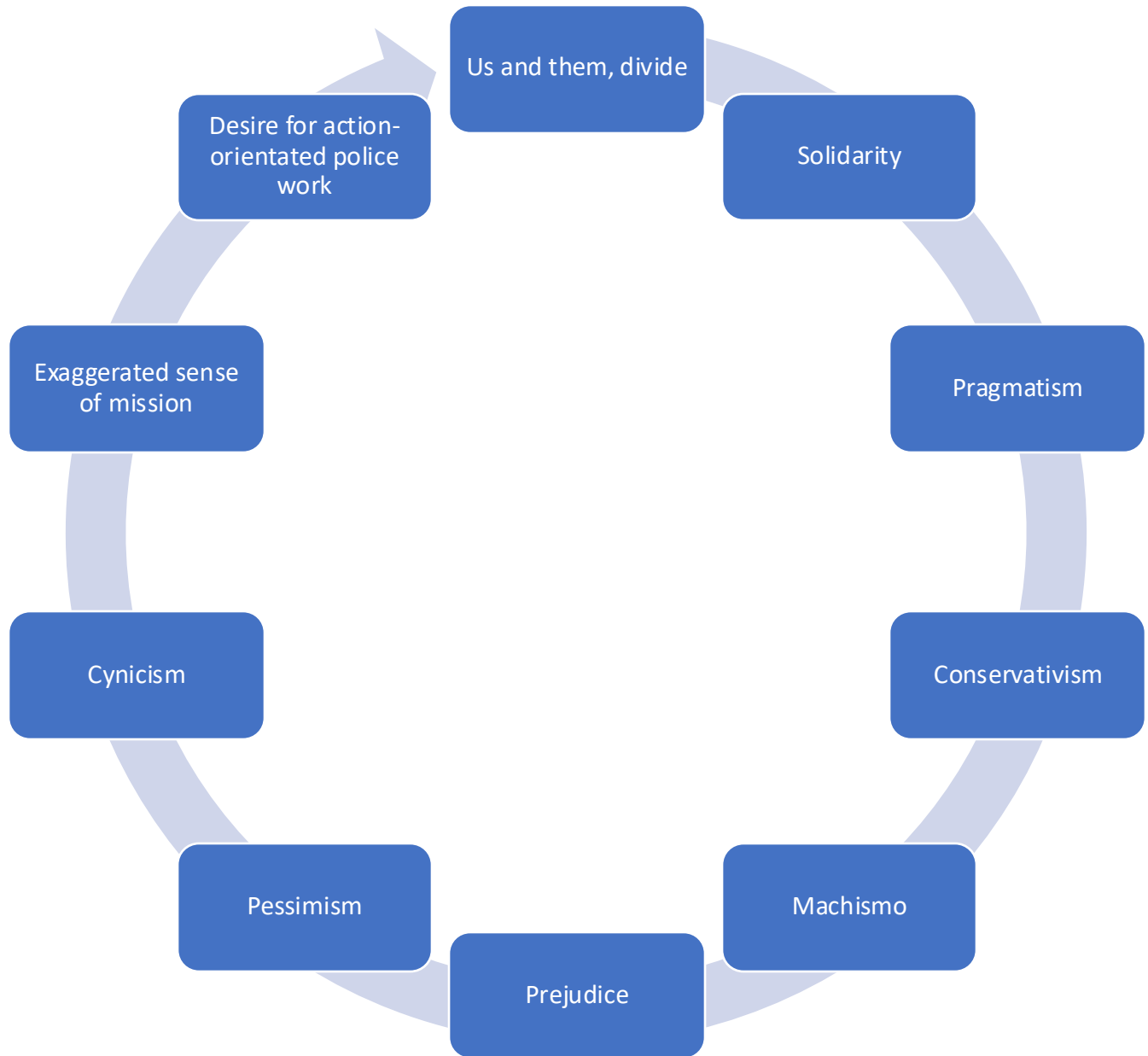
Challengers get too close...

Disarmers can be awkward...

Do-gooders try to get in the way...

Politicians have to be resisted...

Some core
constituents of
cop-culture





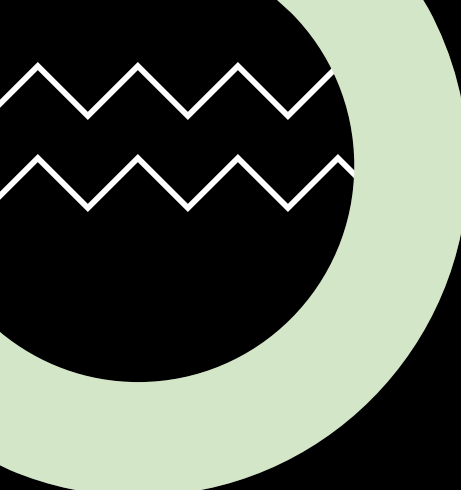
Racial Prejudice

Related to police conservatism

Does this come from wider society?

The power of – and within – the police

Minority groups as police property.



Stephen Lawrence, murdered in 1993.

Six suspects were arrested but not charged. It was suggested during the investigation that Lawrence was killed because he was black, and that the handling of the case by the police was affected by issues of race.

Nobody was convicted until 2012.



The Macpherson Inquiry defined institutional racism as:

“Institutional Racism” consists of the collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture or ethnic origin. It can be seen or detected in processes, attitudes and behaviour which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness, and racist stereotyping which disadvantage minority ethnic people.’

Source:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/277111/4262.pdf

‘Unwitting racism can arise because of lack of understanding, ignorance or mistaken beliefs. It can arise from well-intentioned but patronising words or actions. It can arise from unfamiliarity with the behaviour or cultural traditions of people or families from minority ethnic communities. It can arise from racist stereotyping of black people as potential criminals or troublemakers. Often this arises out of uncritical self-understanding born out of an inflexible police ethos of the “traditional” way of doing things. Furthermore, such attitudes can thrive in a tightly knit community, so that there can be a collective failure to detect and outlaw this breed of racism. The police canteen can too easily be its breeding ground.’ (Macpherson, 1999)

Despite the Macpherson Report representing a milestone in terms of recognition of racism within the police, later research suggested that deep changes in police culture were difficult to detect. Whilst overt racist language had been excised from the police, racist and sexist attitudes had gone 'underground'.

The main strategies adopted to combat institutional racism have been to challenge 'canteen culture' and the use of explicitly racist language; and to take steps to diversify the police force.

The Macpherson Report: Twenty-two years on

‘We have found that policing today is very different from twenty-two years ago. Since the Macpherson report was published there have been important improvements in policing including significant improvements in the policing of racist crimes, in the commitments made to promoting equality and diversity and in good examples of local community policing. But our inquiry has also identified persistent, deep rooted and unjustified racial disparities in key areas including a confidence gap for BME communities, lack of progress on BME recruitment, problems in misconduct proceedings and unjustified racial disparities in stop and search. In those areas, we propose urgent action.’

<https://publications.parliament.uk/pa/cm5802/cmselect/cmhaff/139/13903.htm>

“The Met has yet to free itself of institutional racism. Public consent is broken. The Met has become unanchored from the Peelian principle of policing by consent set out when it was established.”

Casey revealed that one Muslim officer had bacon stuffed in his boots, a Sikh officer had his beard cut, minority ethnic officers were much more likely to be disciplined or leave, and Britain’s biggest force remains disproportionately white, in a capital that is increasingly diverse.

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GMT

Met police found to be institutionally racist, misogynistic and homophobic

Author of landmark report says Met can ‘no longer presume that it has the permission of the people of London to police them’

- **Analysis: the fall of a British institution**
- **Case study: ‘I’m scared of the police’**
- **Explainer: what Casey says about the Met**

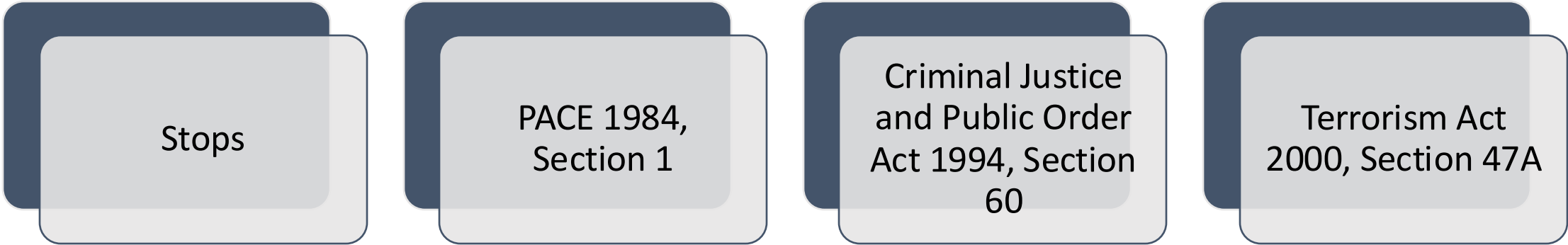


■ Institutional racism, misogyny and homophobia 'pervades' Met police, says Dame Louise Casey – video

The **Metropolitan police** is broken and rotten, suffering collapsing public trust and is guilty of institutional racism, misogyny and homophobia, an official report has said.

The report by Louise Casey, commissioned by the Met after one of its officers abducted Sarah Everard, taking her from from a **London** street in March 2021, before raping and murdering her, is one of the most damning of a major British institution .

Stop and Search



The diagram consists of four rounded rectangular boxes arranged horizontally. Each box has a dark blue background with a light gray rounded rectangle overlaid in the center. The text is centered within the light gray area. The boxes contain the following text from left to right: 'Stops', 'PACE 1984, Section 1', 'Criminal Justice and Public Order Act 1994, Section 60', and 'Terrorism Act 2000, Section 47A'.

Stops

PACE 1984,
Section 1

Criminal Justice
and Public Order
Act 1994, Section
60

Terrorism Act
2000, Section 47A

Ben Bowling and
Coretta Phillips
'Disproportionate and
Discriminatory:
Reviewing the Evidence
on Police Stop and
Search' (2007) 70
Modern Law Review 6
pp. 936-961.

'Eight years after the Lawrence Inquiry, the question of police powers to stop and search people in public places remains at the forefront of debate about police community relations. Police are empowered to stop and search citizens under a wide range of legislative acts and the power is employed daily across Britain.

Far from laying the debate to rest, the Lawrence Inquiry prompted new research studies and fresh theories to explain the official statistics. We argue that the statistics show that the use of the powers against black people is disproportionate and that this is an indication of unlawful racial discrimination.

If stop and search powers cannot be effectively regulated – and it seems that they cannot – then their continued use is unjustified and should be curtailed.'

Best Use of Stop and Search - 2014

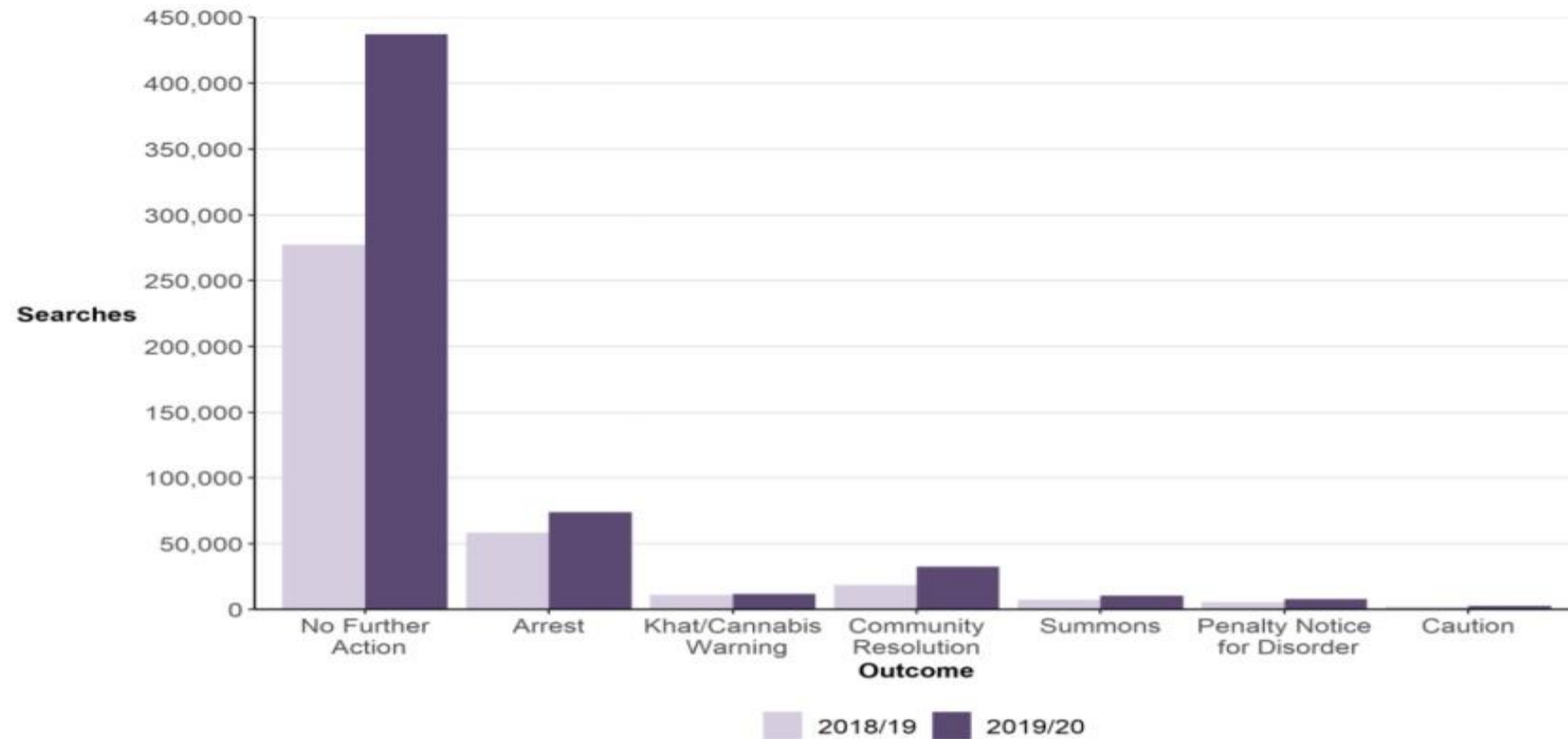
- Record the outcome of stops in more detail to show the link between the object of the search and its outcome, allowing an assessment of how well forces interpret the “reasonable grounds for suspicion” they must have. They must also record a broader range of outcomes, such as penalty notices and cautions, to show how successful each stop and search is.
- Allow members of the public to apply to accompany officers on patrol to help improve the community’s understanding of the police.
- Introduce a stop and search complaints “community trigger”. If forces receive a large volume of complaints, they must explain to the public how powers are used.
- Forces will make clear to communities that by making authorisations under Section 60 that it is necessary rather than just expedient to do so. In addition, forces in the scheme will raise the level of authorisation to a senior officer and that officer must reasonably believe that violence will take place rather than may. All forces, including those not in the scheme, must ensure that Section 60 stop and search is applied in accordance with case law and only used if necessary.

College of Police (2017)

https://whatworks.college.police.uk/Research/Documents/SS_and_crime_report.pdf

The report explores the relationship stop and search had with crime at a borough level in the Metropolitan Police over a 10-year period. Overall, it suggests that higher rates of stop and search (under any power) were associated with very slightly lower than expected rates of crime in the following week or month. Other relationships were occasionally found between the use of specific search powers and particular categories of crime. The inconsistent nature and weakness of these associations, however, provide only limited evidence of stop and search having acted as a deterrent at a borough level. It is possible that stop and search may be more strongly associated with crime at a more local level, assuming it is targeted appropriately in crime hot spots.

Figure 3.1 Principal outcome following stop and search¹, England and Wales², year ending March 2020



Police forces have reduced their use of stop and search over the past ten years, but the number of searches has increased over recent years.

Around 577,000 searches were conducted in 2019/20. 58% fewer than in 2009/10 but 52% higher than in 2018/19.

But is the situation better for BAME populations?

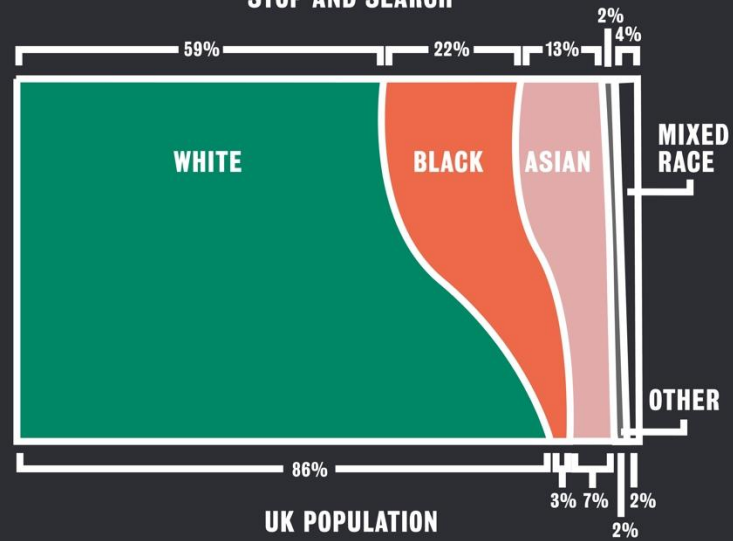
BLACK PEOPLE ARE

9.7x

MORE LIKELY TO BE STOPPED AND SEARCHED
THAN WHITE PEOPLE.

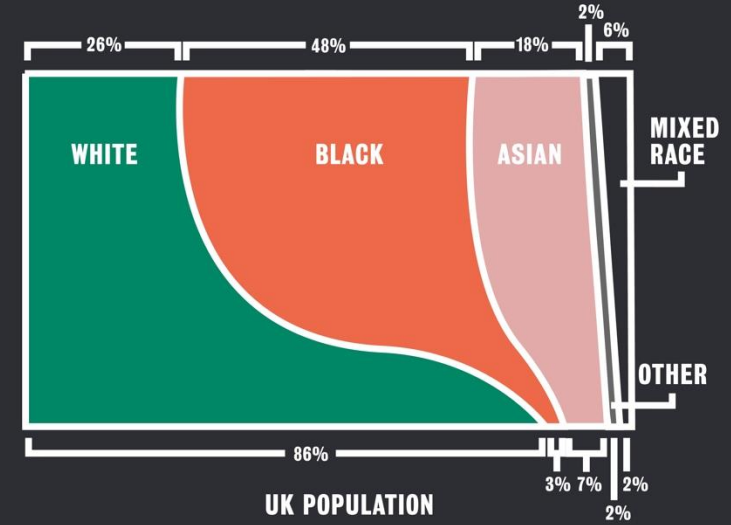
I.LIBERTY

STOP AND SEARCH



I.LIBERTY

SUSPICIONLESS STOP AND SEARCH (SECTION 60)



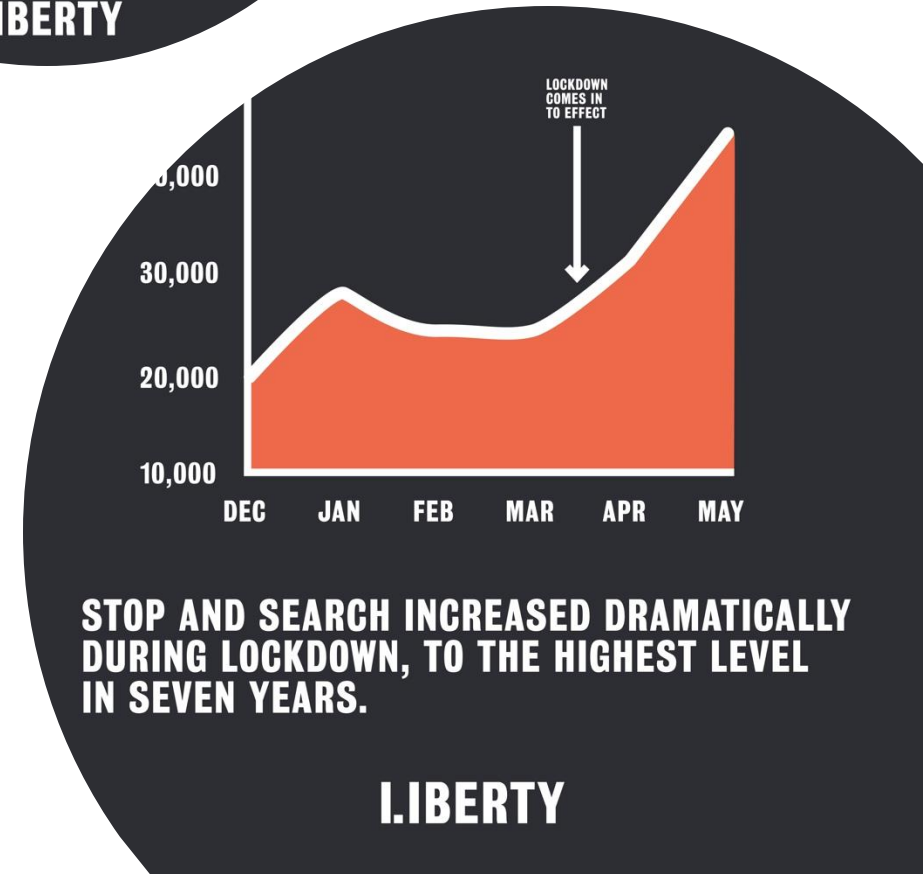
I.LIBERTY

Policing of Lockdown

Use of the expansive powers granted to police to enforce the coronavirus lockdown followed these discriminatory patterns against people of colour.

Analysis by Liberty Investigates found that nationally people of colour were over 50 per cent more likely than white people to be handed a fine for breaching the lockdown.

Some forces were nearly seven times more likely to fine people of colour than white people.



End of Presentation



ANY QUESTIONS?

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