

VIEWED WITH SUSPICION

THE HUMAN COST OF STOP AND SEARCH IN
ENGLAND & WALES



INTRODUCTION

In August 2011, rioting and violence spread through cities across England. For five days, disorder took hold. Television viewers watched news coverage of looting, vandalism, arson, and pitched battles with the police on a scale not seen for a generation. Five people lost their lives; hundreds more lost their businesses and homes. The events shocked and traumatised the affected communities and the country as a whole.

When the dust had settled and serious analysis started, it was evident that amongst the causes for the riots were anger at the police and, in particular, resentment toward the disproportionate and excessive use of stop and search tactics.¹

This was not the first time that anger at the police had flared into riots across England. Thirty years previously, in April 1981, riots broke out in Brixton in South London, as anger over a massive stop and search operation called "Swamp 81" erupted into urban unrest and then spread across the country. Over the intervening thirty years, research and public inquiries have drawn attention to discriminatory and ineffective policing, leading to substantial reforms of the police service.² And yet, things have not changed enough: stop and search continues to be used on a daily basis by the police. The practice continues to disproportionately and negatively impact racial and ethnic minority communities in the United Kingdom.

Police forces across England and Wales are using stop and search more than ever. Last year alone, the police carried out over two million stops, and a

million stop and searches. Over the last decade, there has been a substantial increase in the volume of stops and searches, particularly those carried out under regulations that do not require individual suspicion. But at the same time, the proportion of these stops and searches that lead to an arrest has declined significantly.

The statistics are alarming. But what do they mean?

Data shows that black people are stopped at seven times the rate of white people. Asians are stopped at twice the rate of whites. But what does this “disproportionality” mean in terms of people’s lives? What effect does it have on the individuals involved? How does disproportionate treatment shape relations with the police and society as a whole?

This report looks at some of the personal stories behind the numbers.

The Open Society Justice Initiative and StopWatch conducted interviews with nine people whose lives have been directly affected by stop and search. The nine individuals come from London, Leicester, and Manchester. They are a small sample, but their stories echo those repeated day after day in the lives of ordinary people who happen to fit the stereotypes that feed ineffectual policing.

To provide context for these stories, this report draws on police data to provide a clear picture of how stop and search is used.³ This is accompanied by data from the British Crime Survey and the London Metropolitan Police Public Attitudes Survey. These large-scale population surveys illustrate the experiences of different groups across the population.⁴

The people depicted in this report shared their experiences in the hope of creating a clearer picture of what it means to be stopped and searched. They describe the frustration, pain, and humiliation that come with being regularly singled out by the police because of the colour of your skin, as well as the damaging long term effect it can have on relations with the police.

For those not on the receiving end of stop and search, it is easy to dismiss the experience as a minor inconvenience, something necessary to make everyone safer. Many have been in denial about the real cost of stop and search. Failure to heed the warnings in these stories risks fostering a more damaged, more divided, and more dangerous society.

PAUL MORTIMER

STOPPED BY THE POLICE: "20 TO 25 TIMES"

GREATER LONDON

RETIRED PROFESSIONAL FOOTBALLER, EDUCATOR, FATHER



"My son asked me, 'So I can be stopped because I look a certain way?' I said yes, and so he said to me, 'Well, how can that be right? Does that happen to everyone, Dad?' And I said no. And he said, 'It doesn't happen to white people, does it?'"

PAUL'S EXPERIENCE



Paul Mortimer lives with his wife and family in a leafy middle class suburb in South London. He and his wife have three children, and he now has three grandchildren, too. Paul, in his mid-40s, is a former professional footballer. He played in the Premier League for Charlton Athletic, and today he still coaches Charlton's women's team. He also works for the 'Show Racism the Red Card' campaign, which fights racism in sport through education. Paul has been **stopped and searched at least 20 to 25 times** by the police. His son, **Michael**, was stopped and searched for the first time last year at the age of 14.

"I had been shopping with my wife and children, and we were going to our car. And then, all of a sudden, these people around us sprang into action and I was held against the wall. My wife was held. There were cars screeching, loads of police cars, and everything.

The police said I'd looked a little bit 'shifty' when I was signing my credit card. A gold credit card had been stolen, and I supposedly looked like I may fit the bill for being that person. This word 'shifty', I think for them it meant 'black guy with a gold credit card'. Did I look shifty? No, I didn't look shifty. Yes, I was a black guy. Yes, I had a gold credit card. But no, it wasn't illegal. It was mine. But no questions were asked. I was treated like a criminal, like I was already guilty.

When it first happens, you're in shock. You're more surprised than anything. But as you start to calm down a little bit, you start to get more and more angry. And by the end of the evening, I was absolutely fuming, because I'd done nothing wrong, yet I'd been manhandled, I'd been accused, I'd had my hands put behind my back, I'd been embarrassed because people were walking around. I'd been treated really badly—not just me, but my wife and my children were there. And people walk by and look and perceive you to be a certain way. You never forget those types of looks from people.

The impact it had on me was huge, huge; and it was negative. I felt that I needed a shower after. I felt really inadequate, I felt dirty. You're looked at a certain way, you are treated a certain way, as if you are actually guilty."

NICK GLYNN

STOPPED BY THE POLICE: "OVER 30 TIMES"

LEICESTER

POLICE OFFICER, FATHER



"Being singled out to be stopped because of your colour has a horrible effect on you. It's like something you want to keep to yourself as well because there's a bit of embarrassment there, and you don't want to tell your friends and family about it. It's upsetting. It keeps you awake at night as you relive the experience."

NICK'S EXPERIENCE:



Nick Glynn is a police officer who has served with Leicestershire Police for over 25 years. He estimates that he has been **stopped over 30 times**, mainly while driving. The experience of repeat stops and searches has led Nick to develop and deliver training courses for police officers on stop and search and its impact.

“My worst experience of being stopped by the police was a couple of years ago when I got stopped driving my wife’s car in Nottingham. There were lots of other cars on the road, the car was totally legal and road worthy.

I got asked to get out of my car and come and look at the tyre. Then I got asked to get back in the car and move the car forward a few inches so the guy could check the rest of the tyre. And it just felt to me that it was just being done for the sake of it. As far as I could see, I was stopped for nothing other than the fact that I was a black guy driving a car.

As a result of the way I was treated, I made an official complaint. The force investigated it. They took their time. There were some real difficulties in that. It was a painful process. They sent letters to my neighbour’s address instead of mine. They said I was driving a black BMW, which is a bit of a stereotype. I wasn’t driving a BMW at all—it was a Ford. There was a load of other mistakes made as well, that made it a far more painful process. It’s interesting because people say people don’t complain about getting stopped very much. But if that’s an example of what it’s like to complain, I can understand why people don’t.”

ANTHONY REDMAN-THOMAS

STOPPED BY THE POLICE: "COUNTLESS TIMES"

LONDON

VIDEO EDITOR, FATHER



"It's upsetting because I am a law-abiding citizen. I've been to university. I've been to film school. I've got various degrees. I work. I pay my taxes. I do a lot of things that many other people do in their lives every day. So I don't see why I should be singled out more than any other person to be stopped and searched."

ANTHONY'S EXPERIENCE:



Anthony Redman-Thomas lives with his family in West London, and works as a video editor. He has been **stopped and searched countless times** throughout his teenage and adult life. In one incident, he was stopped by two officers after visiting his young son. When Anthony attempted to ask for the reason for the search he was pepper sprayed and arrested for obstructing the search. He was kept in a cell for 14 hours before being released without charge. Anthony made an official complaint to the police and Independent Police Complaints Commission (IPCC). The police subsequently settled out of court.

“The attitude that I’ve got from police anytime that I’ve been stopped has been very abrasive. It’s been very aggressive. There are no niceties about stop and search. It’s, ‘Get over here. We are going to search you now. Put your arms up.’ I’ve been basically touched everywhere that you can imagine: my genitalia, my behind—places that you’re not supposed to be touched.

I think what people don’t understand is that stop and search affects people a lot more deeply than I think even the police realise. You are stopped in your own area. There’s people seeing you stopped by the police who are thinking, ‘What’s he been up to? Why is he being stopped by the police?’ And it starts a rumour mill that spreads. And it impacts you and it impacts on your family because people that are seeing you being stopped are now thinking, well, if he’s up to something, what are the rest of his family up to? It’s guilt by association.

I have a level of mistrust for the police. They want your help for certain things when they don’t know what’s going on. But in the next breath they’ll be around and then you’ll be getting stopped and searched again, for no reason.”

ASHRAF HAMALAWI

STOPPED BY THE POLICE: "MORE THAN A DOZEN TIMES"

WORCESTERSHIRE

UNIVERSITY LECTURER, SPECIAL POLICE CONSTABLE



"Why have I been searched so many times?
You start getting a bit annoyed.
It's like: 'Well, I can't change how I look.'"

ASHRAF'S EXPERIENCE:



Ashraf Hamalawi is a university lecturer who also serves as a police special constable in Worcestershire. He has been **stopped and searched over 12 times** mainly under the Terrorism Act, while visiting London.

“When you’re stopped when you’re not doing anything suspicious, and you’re stopped without the reason even being explained, that creates a really bad feeling. And you feel a lot of fear inside. You ask yourself, ‘Is there something wrong? Has someone said something about me? What is happening, exactly?’ A few hours afterwards, you’re still thinking about it, especially if they ask you for your name. You think, ‘Well, what are they doing with my name? They think I did something? Why did they ask for my name, specifically? Am I going to be stopped somewhere else after that?’

People are going to think ‘I don’t actually want to help the police anymore, even if something happens, because there’s no point in going to the police anymore,’ which is definitely not the right attitude.”

DIANNE JOSEPHS

ESSEX | UNIVERSITY ADMINISTRATOR, MOTHER



“When I think about the police, I feel that they have stripped my son of his soul and his dreams. They made him feel worthless. That they make him feel that he’s somebody that they can stop and rough up whenever they please with no explanation. You should be able to send your child to the shop to buy a pint of milk without them being stopped on the way back.”

DIANNE'S EXPERIENCE:



Dianne Josephs is a mother living in Essex with her 18 year old son, Reece, who is stopped and searched frequently by the police. Many of these stops and searches have taken place when he is socializing with friends, on his way to and from college, and most recently outside his home as he locked up his bike. His worst stop and search took place just before his seventeenth birthday, when Dianne had given Reece money to buy new trainers. Reece and a friend took the train to the Westfield Shopping Centre but were stopped and searched aggressively on the platform in front of other shoppers and asked to explain where he got the money from. Reece was so troubled by the encounter that he got back on the train and went home.

"Reece has been stopped and searched on a very regular basis. He says that it's part of life and that it happens all the time. He always says they're disrespectful and quite aggressive. And because they're aggressive, he's aggressive back.

As a young boy Reece was very bright, very bubbly, very inquisitive, always eager to learn and a really, really affectionate child. Reece now is withdrawn, temperamental. He's still very affectionate but, I think he's finding life hard at the moment. I do put it down to him being stopped and searched all the time. I try to encourage him to go out but he doesn't want to go because he knows what's going to happen when he's out there. Recently, he passed his driving theory test, and came home really excited. He went out on his bike to tell his friends. He came back in a few minutes later as he got stopped and searched at the top of the road. So it's like harassment.

I don't like to use the word hate but I feel sometimes I do despise the police for what's happened to my son. Reece feels the odds are now stacked against him. He always says people see black first before they see anything else."

KAREN CHOUHAN

LEICESTER

TEACHER AND CIVIL RIGHTS ACTIVIST, MOTHER



“For me it is devastating that this issue can have such an effect on our children’s sense of belonging, on their identity, on how they feel about society, how they feel about the police, and how it stops their chances, or can stop their chances, in education or in employment. How it could end up with them going to prison or having a criminal record, if not in prison. Or having something on their record.”

KAREN'S EXPERIENCE:



Karen Chouhan is a teacher and civil rights activist from Leicester and mother of three. Through her work with a national equality organisation she has seen the wide-ranging impact that stop and search can have. But she has also experienced it much closer to home. Between the age of 16 and 20 her son, **Ashok**, seemed to be getting **stopped by police "almost every week."** Her husband has also been stopped and searched. She recounted an instance when her son asked a police officer in London for directions. After giving him the directions, the police officer proceeded to stop and search him.

"The thing that gets my gut is that all of my children have been born here. They see this, or they did see this, as their country. And to have that continual reminder that actually, you know, you're always going to be a little bit outside of this, there's something about you that is going to make you be stopped and searched more than a lot of other people. So that hurts me. No matter how much you try to be part of the society that we live in, there's always going to be a reminder that you don't actually quite belong, no matter how good you are, no matter what you do.

And the other thing is that what really hit home was when I was asking my son about why didn't he complain, why didn't he get a record of the stop, he said to me, 'Mum, don't mind those,' a kind of Leicester expression for don't bother, because it's just normal. And that worried me. If it's normal for our young people to have an invasion of their rights, to be stopped and searched when they've done nothing wrong, if that's normalized, then what kind of a state are we living in?"

KWABENA ODURO-AYIM

SUBJECT TO STOP AND SEARCH: "SO MANY TIMES"

LONDON

ACCOUNTANCY STUDENT, VOLUNTEER YOUTH WORKER



"The relationship between my community and the police is a fairly volatile relationship. I don't have as much confidence in the police as maybe white society does, and that's not fair. Because I'm a British citizen in the same respect that they're British citizens."

KWABENA'S EXPERIENCE:



Kwabena Oduro-Ayim is an accountancy student who lives in Tottenham, North London. He is a founding member of a youth-led group that works to combat knife and gang violence in London. Tottenham was the flash point of the 2011 rioting, which started after the police shot dead Mark Duggan, a local man they were seeking to arrest. In 1985, rioting on Tottenham's Broadwater Farm public housing estate led to the death of a policeman.

"There is a kind of feeling of us against them.

There's been various generations that have had negative experiences with the police. And when you've got so many fragmented stories of negative experiences with the police, it really does give a negative mosaic of the police.

I mean, if you're an 8-year-old child and you go to play football, and the police officer stops and searches you. If you experience that from the age of 8, all the way through your secondary school career, then you're not going to have a positive view of the police. You will not invest faith in the police if something happens to you. You start to feel you have to take the law into your own hands.

Being stopped three times in the same day, that's bound to mess up your psyche. You're criminalizing people who are already in an environment where it is extremely easy to slip into crime anyway. You don't want to give them a motive to engage in crime.

For my entire childhood I would never have turned to the police for any assistance. If someone tried to rob me, my mind frame would be to phone members of my community to help me go and get back my stuff."

CORDEL ROBINSON

SUBJECT TO STOP AND SEARCH: "THREE TIMES"

NORTH LONDON

DRAMA STUDENT AND PLAYWRIGHT, VOLUNTEER YOUTH WORKER



"How can I get them to see me on the road and just leave me alone, let me go about my business? Because I don't really like being stopped. When I'm walking down the road, someone will stop me and start searching, ruffle up my clothes and stuff like that. I was never comfortable with that. Even if nothing happens, it's just embarrassing."

CORDEL'S EXPERIENCE:



Cordel Robinson is a drama student from Tottenham, North London. He also volunteers with a youth-led group that works to empower young people and to combat knife and gang violence in London. He has been **stopped and searched three times** and seen many others stopped and searched in his community.

“My last stop and search, I was out with some friends on Halloween. The police stopped us, questioned us, and searched us. They assumed certain things, that we’d stolen certain items. I had three phones on me. Two were mine, the other was a friend’s that he had given to me because it was broken. The officer automatically assumed that I stole the phone. He was like, ‘Where did you steal this?’ I just told them straight, because I knew they were my phones.

I didn’t like the way they were assuming everything. Like, they assumed that I’d stolen a phone. They assumed, assumed that we were out doing negative things. I felt like they just see us as another group of hoodlums walking around looking to cause trouble. Just because we’re a group of teenagers in a certain area.

The constant stop and search has made the public feel that we are actually under oppression, that the police are just abusing their power. If you treat people with suspicion, then some people will just get fed up, and think to themselves, ‘You know what, they expect this of me anyway. There’s no point in me trying.’”

RIZWAAN SABIR

STOPPED BY THE POLICE: "IN EXCESS OF THIRTY-FIVE TIMES"

MANCHESTER

PHD STUDENT



"It creates a fear. You start looking around you to see if there's police when you're traveling through airports or ports. I've always got in the back of my head that at any moment I could be approached by a suit-wearing Special Branch officer and taken into the back and held for up to nine hours for questioning, purely because of the way I look."

RIZWAAN'S EXPERIENCE:



Rizwaan Sabir is a 26 year old PhD student from Manchester researching counter-terrorism policies. In 2008, he was arrested on counter-terrorism charges after he downloaded a publicly available al-Qaeda training manual from a U.S. government website as part of his postgraduate research at the University of Nottingham. The same document is available in a book format from high street book shops and can also be borrowed from the University of Nottingham's library. After being questioned for seven days and six nights, he was subsequently released without charge and without apology. Rizwaan eventually brought legal proceedings against the police and, in September 2011, the police paid full legal costs and damages for his treatment. Since this arrest, he has been **stopped and searched over 35 times**. On four occasions, he was stopped and searched in ports and airports under Schedule 7 of the Terrorism Act 2000.

"The impact of being stopped and searched on regular occasions is that, in a sense, it reinforces the view that you have, that you are being criminalized because of the way you look or the beliefs you have.

It creates that fear, and it creates that anxiety. In a way it can be a self-fulfilling prophecy, where when you're frightened and you're anxious, you start behaving in a certain way, which then increases the police's suspicion and that they believe it's justified why they've stopped you, because you are behaving suspiciously.

I have felt annoyed and angered. Angered, because it has happened so many times before, with the same questions about my politics, and my political views, and my religious affiliations. They have all the information on me. Which then begs the question as to whether they're trying to intimidate you, whether they're trying to kind of have a sniff as to see whether you're guilty or not. Or whether they're just trying to make up figures and tick the box on their sheets. And that can be quite angering and enraging.

As a man from an ethnic minority background, who's Muslim, do I feel protected by the police? No. I don't feel protected."

WHAT IS STOP AND SEARCH?

In 2010–11, there were 1,205,495 stops and searches conducted across England and Wales under ordinary stop and search powers (**Section 1 Police and Criminal Evidence Act (PACE) 1984**). This is a 73 percent increase over the last decade. In practice, this means that over a million people were singled out on the street, questioned, and physically searched.

To conduct a stop and search, the police must suspect that a person has committed or is about to commit a crime.

During a stop and search, the officer can then ask a person to remove his outer clothing; the officer can put his hands into pockets, feel around inside collars, socks, and shoes. More thorough searches cannot take place on the street so they often take place in police vans or involve people being taken to the station to be strip searched. Before a search takes place, the officer is required to give his name, his ID number, and his station, and explain the reasons why he is conducting the search and what he is looking for. At the end of the search, the officer should complete a record and give the person a copy.

The police have a number of other stop and search powers, where officers do not need to have suspicion that an individual has committed a crime. Just being present in an area that has been designated as a stop and search zone is enough. Until 2010, this included powers under **Section 44 Terrorism Act 2000**, an exceptional stop and search power, which was struck down by the European Court of Human Rights for being too arbitrary. For almost a decade, the whole of London was designated a stop and search zone under Section 44.

There are further exceptional stop and search powers under which people can be stopped with no individual suspicion. The **Section 60 Criminal Justice and Public Order Act 1994** was introduced as an exceptional power to deal with football hooliganism but has increasingly been used as a response to knife crime. Over the last decade Section 60 stops and searches have risen by over 2000 percent, reaching a peak of 150,000 in 2008-09. However, this has subsequently declined to 60,180 in 2010-11 in response to legal challenges and public concern that these powers were being misused.

Another power is **Schedule 7 of the Terrorism Act 2000**, which allows police officers to stop and detain people in ports and airports. There has been a large increase in the numbers of people stopped under Schedule 7. Last year, there were 63,902 Schedule 7 stops and 2,240 of these people were detained for over an hour.

STOP AND SEARCH POWERS

“Stops” or “stop and accounts” refers to encounters where police officers stop (and, in many cases, effectively detain) members of the public to ask them to account for their actions, behaviour, or presence in an area but do not go on to search them. The police do not have a statutory power to stop and question someone on the street but are not required to inform the person stopped that they are free to leave.

The legal basis for police **stop and search** powers in the United Kingdom is embodied in various pieces of legislation that are regulated by the **Police and Criminal Evidence Act (PACE) Code of Practice A**. The vast majority of stops and searches are carried out under the auspices of three

Acts—**PACE 1984 (Section 1)**, **Misuse of Drugs Act 1971 (Section 23)** and the **Firearms Act 1968 (Section 47)**.

Under these powers the police have to have reasonable suspicion that a person has committed or is about to commit a crime.

Section 60 of the Criminal Justice and Public Order Act 1994 (“Section 60”) is a provision designed to provide an exceptional response to anticipated violence. Section 60 allows for police officers to be authorised to search any person or vehicle for weapons in an area where serious violence is reasonably anticipated. This authorisation lasts 24 hours and can be extended by another 24 hours.

Section 47a Terrorism Act 2000¹ allows police officers to stop and search individuals in a defined area without reasonable suspicion if an act of terrorism is reasonably suspected, and stop and search is deemed necessary to prevent such an act. This provision replaced Section 44.

Schedule 7 of the Terrorism Act 2000 provides stop and detention powers in ports and airports. Individuals stopped under the power are not under arrest but may be examined for up to nine hours wherein they may be questioned, searched (as well as their belongings), strip-searched and have samples of their DNA and fingerprints taken from them regardless of the outcome of the encounter and in the absence of a lawyer.

IT DOESN'T HAPPEN TO WHITE PEOPLE, DOES IT?

Police data shows that black people are stopped and searched by the police at seven times the rate of whites, while Asians are stopped and searched at more than twice the rate of whites across England and Wales.

Disproportionality is even greater in stop and search powers where police officers have wide discretion and do not have to develop individual reasonable suspicion, so can utilise generalisations and stereotypes about who is involved in crime. In 2010-11, **black people were stopped and searched under Section 60, the exceptional power aimed at combatting violence, at a rate 37 times that of white people; Asian people were stopped and searched at a rate 10 times that of white people.** These are the highest levels of ethnic disproportionality ever recorded.⁵

The police data shows that the black and Asian population are more likely to be stopped and stopped and searched but it doesn't show who within those populations is being stopped and searched.

The British Crime Survey data show that there are high-levels of disproportionality in stops and searches for all black groups and for those of mixed black-white backgrounds but striking differences within the Asian population. **Less than 1 percent of non-Muslim Asians reported experiencing a stop and search, compared with 6 percent of their Muslim counterparts.** This suggests that religious profiling is operating in stop and search, with particular groups being treated as "suspect communities" and singled out for excessive attention from the police.⁶

Up to a quarter of all stops and searches are conducted on children between 10 and 17 years of age. In these instances, a child is searched on the street

DISPROPORTIONALITY

can be described as when people from a certain group, for example black or Asian people, are more likely to be stopped and searched in relation to their number in the population compared to the white population. It can also refer to differences in treatment once the stop has taken place.

by an adult stranger without the presence of a responsible adult. Figures are not routinely broken down by age but the **statistics show 126,349 children aged between 10 and 17 were stopped in London last year, 26 percent of all stops.**

Further, on average, a youngster below the age of 10 was stopped and searched by police officers in the capital every week.⁷

As a result of the high frequency with which children from minority communities are stopped, many black and Asian parents have felt the need to prepare their children for encounters with police. This is something commonly referred to amongst black and ethnic minority communities as “**the conversation**”—a conversation that most white and ethnic majority parents never need to have.

Multiple Stops

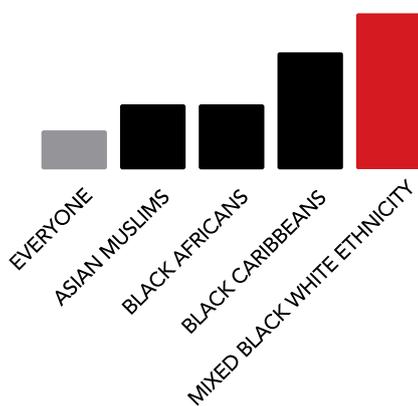
The survey data also shows who is being stopped on a regular basis. The groups identifying themselves as **black Caribbeans, mixed black-white, and Asian-Muslims are more likely to be stopped more than once.** 12 percent of the mixed black-white group and 8 percent of the black Caribbean group reported experiencing multiple stops in the

“If I had a choice, I wouldn’t want to be having that conversation with him at all, because at 14, that’s not something that a 14-year old boy should ever need to discuss. That’s what saddens me. You want your children to have good experiences when they’re young. It is hard to explain to him. I just want him to understand that unfortunately, at this moment in time, with the way society is, this is the way people are treated.” — PAUL MORTIMER

FACTORS LEADING TO SOMEONE BEING STOPPED



UNSATISFACTORY STOP EXPERIENCES



previous year. For Asian Muslims the figure was 9 percent. For whites, the figure was under 3 percent.

Reasons for Disproportionality

The level of disproportionality has stayed consistently high over the last decade. Some have advanced different explanations to justify the focus of stop and search. Disproportionality is sometimes dismissed as an artefact of recording procedures—police officers argue that they are more likely to complete a form for black and minority ethnic suspects than whites for fear that they will make a complaint. Other commonly used explanations are that black and Asian people are more likely to be stopped by virtue of their being more “available” on the streets where stop and search is taking place or living in higher crime areas or due to their higher rates of offending.

Statistical analysis of the population survey data undercuts these arguments. First, the data show that the police record the majority of stops regardless of the ethnicity of the person stopped. Second, statistical modelling reveals that simply belonging to black, mixed black-white, and Muslim Asian communities is the major determinant for being stopped; presence or residence in “high crime areas”, age, gender, and social class, are much less significant factors in chances of being stopped.

Treatment after the Stop

Black and Asian people are more likely to experience negative stop and search encounters compared to other ethnic groups in the population. Overall, only 3 percent of people reported having an unsatisfactory stop experience in the past year. However, this number rises significantly to 5 percent of Asian Muslims and black Africans,

9 percent of black Caribbeans and 12 percent of those with mixed black-white ethnicity, highlighting significant differences in how minority groups are experiencing stop and search.

Those interviewed and surveyed have reported the use of disrespectful language and false accusations against them by police. Research has also shown that dissatisfaction with stop and search is strongly linked to the failure of the police to give a reasonable explanation for a stop.⁸ **People from ethnic minority groups are less likely to be given a reason than their white counterparts.**

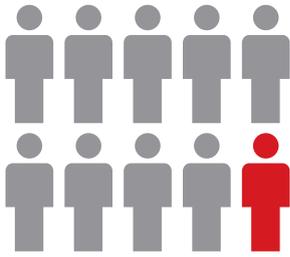
"A FEELING OF US AGAINST THEM"

Policing by consent—an axiom of British policing—rests on the public having trust and confidence that the police will do their job in a fair and neutral manner. This is quickly undermined through the use of stop and search.

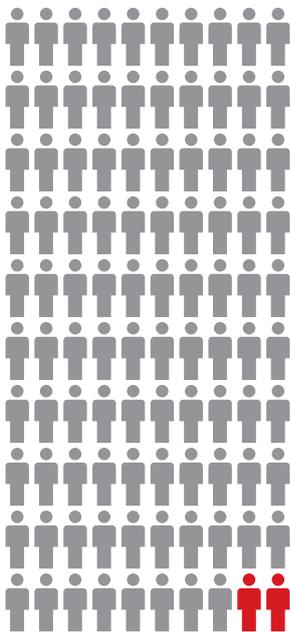
Research shows that levels of support and trust in the police are lower in people who have recently been stopped and searched.⁹ People who have negative recent experiences of stop and search tend to have significantly lower levels of trust in the police.

The data also show that positive stop and search experiences do little to improve trust and confidence in the police. For the police the message is clear: **the negative effect of stop and search on public trust cannot be reduced by improving the quality of the encounters alone. Only through a reduction in the absolute numbers of stops and searches can the damage to trust and confidence be improved.**

EFFECTIVENESS



Less than 10% of stops and searches based on reasonable suspicion actually lead to an arrest



For Section 60, a power that does not require reasonable suspicion, just 2% of stops and searches lead to an arrest.

The result is that for many people from ethnic minority communities, stop and search has become a routine experience. **National data show that those from Asian Muslim, black African, and black Caribbean backgrounds are significantly more likely to think that they will not be treated fairly by the police.**

Fewer than 10 percent of stops and searches based on reasonable suspicion actually lead to an arrest. A much smaller number of these arrests lead to people being charged and convicted. In practice, this means that most of those stopped and searched have been inconvenienced, embarrassed, and singled out for no good reason.

For powers that do not require individual suspicion, such as Section 60, the arrest rate is much lower. Only 2 percent of Section 60 stops and searches lead to an arrest, and only 0.4 percent of those are for carrying an offensive weapon, the ostensible reason for the power.

Although the arrest rate resulting from stop and search activity is similar for all ethnic groups, given the disproportionate numbers of those from ethnic minority groups who are stopped and searched in the first place, in practice **seven times as many innocent black people and twice as many innocent Asian people are searched in**

“That key decision, as to who the police stop and why they do it, is critical to relationships between the police and the public in general, and in particular communities, more specifically. If the police get those stops and stops and searches right, then that supports policing by consent. If the police get that wrong then it undermines policing by consent. And so it really is a pivotal issue.” — NICK GLYNN

comparison to their white counterparts.¹⁰ This results in significantly higher proportions of ethnic minority communities coming into contact with the police as suspects.

In comparison with their white counterparts, “black people are almost twice as likely to enter the criminal justice process as a result of being stopped and searched by the police.”¹¹ A recent study found that “a considerably higher proportion of arrests of Asian, black and mixed race teenagers originate from proactive work than arrests for other groups.”¹² Once arrested, mixed race defendants were found to be more likely to be charged than their white counterparts, while black and mixed race defendants were more likely to be held in police custody.

Research shows that when the police are seen as fair it encourages people to feel that the police have the right intentions toward them and that they are “on the same side.” It is this sense of group belonging and motive-based trust that generates police legitimacy and promotes cooperation and compliance with the law.¹³ But when the police are seen as unfair and illegitimate, it can also encourage people to take the law into their own hands.

The House of Commons Home Affairs Select Committee investigation into Young Black People and the Criminal Justice System (2007) recognised this process. Based on hearings with the police, community members, organisations and faith groups, they concluded that “a lack of trust in the police was leading young people to turn to informal ‘street justice’, in which friends, relatives or the victims themselves took action to seek redress.”¹⁴

The London survey data also support this argument. Respondents were asked a series of questions about how “right” they thought it was for people to use violence to solve problems they encounter, such as being attacked in the street or being involved in a neighbour dispute. On average, those respondents who felt the police to be fair and who granted it legitimacy were considerably less likely to say that using violence to solve problems is the right thing to do.

“The impact of stop and search on communities is quite evident. Certain people would rather call the local hard man instead of calling the police.”

— ANTHONY REDMAN-THOMAS

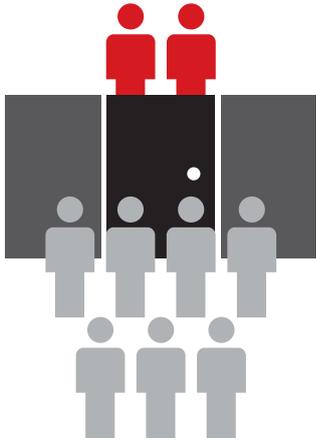
"A FEELING YOU DON'T ACTUALLY QUITE BELONG"

The way police officers treat people communicates powerful messages about their place in society.¹⁵ Experiencing unfairness at the hands of the police is linked not only to distrust in policing, but also to a wider sense of exclusion. More concretely, having contacts with the police can drag individuals into the criminal justice system and away from more socially productive roles.

The London attitudes survey provides good evidence of this sense of exclusion. It contained a series of questions concerning identities, affiliations, and belonging. To take just one example, a paired set of questions asked how strongly respondents felt they "belonged" in London and Britain. Most of the respondents did feel they belonged (nearly 80 percent, for example, felt "very" or "fairly" strongly that they belonged to Great Britain). **But those who felt a stronger sense that the police were unfair were less likely to feel they belonged to the wider society.**

The alienation from wider society that stop and search can cause was played out graphically during the riots that took place across English cities in August 2011.

The Independent Riots, Communities and Victims Panel set up to investigate the riots found that current police stop and search was one of the factors behind last summer's riots. In many of the areas the inquiry visited, stop and search was identified as a major source of discontent with the police. In some

BELONGING

Those who feel the police are less fair were less likely to feel they belonged to the wider society.

instances, these tensions were cited as a motivating factor in the riots and a reason for some of the attacks on the police.¹⁶

A survey of young people who were directly involved in the 2011 rioting in London by *The Guardian* and researchers from the London School of Economics, funded in part by the Open Society Foundations, cited poor community relations with the police, particularly over stop and search, as a motivating factor for their behaviour. The report noted that at the heart of problematic relations with the police was a sense of a lack of respect, as well as anger at what was felt to be discriminatory treatment. The focus of much resentment was police use of stop and search, which was seen to be unfairly targeted and often undertaken in an aggressive and discourteous manner.

Nowhere was the singling out of black people more apparent in the minds of the rioters than when the police used stop and search. Overall, 73 percent of people interviewed in the study had been stopped and searched at least once in the past year.¹⁷

“A young boy grows up thinking he belongs. But stop and search is a continual reminder that you are always going to be a little bit on the outside.” — KAREN CHOUHAN

“Stop and search played a significant role in the riots because that riot was a release of tension. The two main things were obviously the killing of Mark Duggan, but also the oppression that led to it. The years of police just hassling us while we’re just trying to do our thing.” — CORDEL ROBINSON

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DATA

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