

**SOCIAL EXCLUSION AND CRIMINAL JUSTICE:**

**ETHNIC MINORITIES AND  
STOP AND SEARCH IN NORTH LONDON**

**DR JAYNE MOONEY  
PROF JOCK YOUNG**

**CENTRE FOR CRIMINOLOGY  
MIDDLESEX UNIVERSITY  
CONTENTS**

|  | <b>PAGE</b>      |
|--|------------------|
| <b>ACKNOWLEDGEMENTS</b><br><i>(i)</i>                      |                  |
| <b>TABLES AND FIGURES</b><br><i>(ii-iii)</i>               |                  |
| <b>CHAPTER ONE: BACKGROUND AND AIMS OF PROJECT</b>         | <b>1</b>         |
| <b>CHAPTER TWO: EXPLAINING DIFFERENCES</b>                 | <b>9</b>         |
| <b>CHAPTER THREE:</b><br><b>17</b>                         | <b>CAR STOPS</b> |
| <b>CHAPTER FOUR: THE POLITICS OF EXCLUSION</b>             | <b>23</b>        |
| <b>CHAPTER FIVE: THE PROFLIGATE USE OF STOP AND SEARCH</b> | <b>36</b>        |
| <b>CHAPTER SIX: POLICY RECOMMENDATIONS</b>                 | <b>41</b>        |
| <b>APPENDIX STATISTICAL REPORT, PROF. C. HALE</b>          |                  |
| <b>BIBLIOGRAPHY</b>  |                  |

## **ACKNOWLEDGEMENTS**

OUR THANKS TO COUNCILOR DEREK SAWYER, LEADER OF ISLINGTON COUNCIL AND MEMBER OF THE METROPOLITAN POLICE COMMITTEE WHO HAS BEEN A CONSTANT CHAMPION OF OBJECTIVE RESEARCH AS A GUIDE TO POLICY. TO DR MICHAEL POLLAK OF ISLINGTON COUNCIL WHO HAS PATIENTLY AND UNDERSTANDINGLY WAITED FOR THIS REPORT, TO GAROID O'MEACHAIR, CHAIR OF CARA, THE IRISH HOUSING ASSOCIATION, WHO HAS GIVEN BOTH HIS SUPPORT AND INSIGHT AS HAS TREVOR JONES, SECRETARIAT ALL PARTY IRISH IN BRITAIN, PARLIAMENTARY GROUP.

AT MIDDLESEX UNIVERSITY OUR COLLEAGUES PETER KENNISON, MALCOLM READ AND JOHN LEA HAVE BEEN HELPFUL IN THEIR SUGGESTIONS AND ADVICE. PROFESSOR CHRIS HALE AT THE UNIVERSITY OF KENT HAS PROVIDED STATISTICAL ANALYSIS AND USEFUL CRITICISM. LASTLY, CATRIONA WOOLNER HAS BEEN UNSTINTING IN HER EDITORIAL WORK ON THE MANUSCRIPT.

JAYNE MOONEY

JOCK YOUNG

## TABLES AND FIGURES

|  | PAGE |
|--|------|
| <b>TABLE 1</b> PREVALENCE OF FOOTSTOPS BY COUNTRY OF ORIGIN, FINSBURY PARK STUDY               | 2    |
| <b>FIGURE 1</b> NUMBER OF SEARCHES AND RESULTANT ARRESTS, 1986-96 ENGLAND SCOTLAND AND WALES   | 6    |
| <b>FIGURE 2</b> PERCENTAGE OF SEARCHES RESULTING IN ARREST                                     | 6    |
| <b>FIGURE 3</b> NUMBER OF SEARCHES AND RESULTANT ARRESTS, 1986-96, METROPOLITAN POLICE SERVICE | 7    |
| <b>FIGURE 4</b> PERCENTAGE OF SEARCHES RESULTING IN ARRESTS                                    | 7    |
| <b>TABLE 2</b> PREVALENCE OF FOOT STOPS: NUMBERS STOPPED BY ETHNIC GROUP                       | 9    |
| <b>TABLE 3</b> RATIO OF BLACK TO WHITE STOPS: LONDON STUDIES                                   | 12   |
| <b>TABLE 4</b> ETHNIC POPULATIONS, FINSBURY PARK, BY CLASS                                     | 13   |
| <b>TABLE 5</b> ETHNIC POPULATIONS, FINSBURY PARK, BY AGE                                       | 13   |
| <b>TABLE 6</b> GENDER RATIOS AND ETHNICITY, FINSBURY PARK                                      | 13   |
| <b>FIGURE 5</b> FOCUS OF POLICE ATTENTION WITH REGARDS TO FOOT STOPS BY THREE ETHNIC GROUPS    | 15   |
| <b>TABLE 7</b> CAR STOPS BY FREQUENCY  | 17   |
| <b>TABLE 8</b> FOOT STOPS AND CAR STOPS LEADING TO SEARCHES                                    | 17   |
| <b>TABLE 9</b> CAR STOPS BY CLASS  | 18   |
| <b>TABLE 10</b> PERCENTAGE OF CAR STOPS THAT INVOLVE SEARCHES, BY CLASS                        | 19   |
| <b>TABLE 11</b> REASONS FOR CAR STOPS BY CLASS   | 19   |
| <b>TABLE 12</b> CAR STOPS BY AGE   | 20   |
| <b>TABLE 13</b> CAR SEARCHES BY AGE  | 20   |
| <b>TABLE 14</b> PERCENTAGE OF CARS STOPPED AND SUBSEQUENTLY SEARCHED, BY GENDER                | 21   |
| <b>TABLE 15</b> CAR STOPS AND ETHNICITY  | 21   |
| <b>TABLE 16</b> RATIO OF FOOT STOPS AND CAR STOPS BY ETHNICITY                                 | 21   |
| <b>TABLE 17</b> VICTIMS OF STREET CRIME BY ETHNICITY AND GENDER                                | 26   |

|                 |   |           |
|-----------------|---|-----------|
| <b>TABLE 18</b> | <b>VIOLENCE IN PUBLIC SPACE BY ETHNICITY AND GENDER</b>             | <b>26</b> |
| <b>TABLE 19</b> | <b>FACTORS LIKELY TO INFLUENCE ETHNIC PATTERNS IN<br/>PACE DATA</b> | <b>28</b> |
| <b>TABLE 20</b> | <b>THE DEMAND AND SUPPLY MODEL OF STOP AND SEARCH</b>               | <b>28</b> |
| <b>FIGURE 6</b> | <b>TYPES OF RACISM</b>  | <b>31</b> |
| <b>TABLE 21</b> | <b>TYPES OF RACISM AND REMEDIAL POLICIES</b>                        | <b>32</b> |
| <b>TABLE 22</b> | <b>STOP AND SEARCH BY SELECTED POLICE AREAS 1997/8</b>              | <b>36</b> |

## **CHAPTER ONE:**

### **BACKGROUND AND AIMS OF THE PROJECT**

#### **BACKGROUND OF THE PROJECT**

THIS PROJECT FORMS PART OF A LONG-TERM STUDY OF STOP AND SEARCH IN NORTH LONDON, PARTICULARLY THE BOROUGH OF ISLINGTON, AND FOCUSING, AMONGST OTHER THINGS, ON THE RELATIONSHIP BETWEEN THE POLICE AND ETHNIC MINORITIES. THE ADVANTAGE OF SUCH CONTINUING RESEARCH RATHER THAN ONE-OFF PROJECTS IS THAT IT ALLOWS IDEAS TO DEVELOP AND HYPOTHESES ARISING OUT OF ONE PROJECT TO BE TESTED IN ANOTHER. IT ALSO PERMITS SOME MEASURE OF COMPARISON OVER TIME. LET US LOOK AT THE EXTENT OF THE RESEARCH WORK THAT HAS OCCURRED WITHIN THE BOROUGH WHICH HAS FOCUSED PRIMARILY, OR TOUCHED UPON, STOP AND SEARCH.

|                                       |      |                          |
|---------------------------------------|------|--------------------------|
| FIRST ISLINGTON CRIME SURVEY          | 1986 | (JONES <i>ET AL</i> )    |
| SECOND ISLINGTON CRIME SURVEY         | 1990 | (CRAWFORD <i>ET AL</i> ) |
| THE IRISH AND POLICING IN ISLINGTON   |      | 1991                     |
| (WOODHOUSE, O'MEACHAIR <i>ET AL</i> ) |      |                          |
| POLICING THE STREETS                  | 1995 | (YOUNG)                  |
| THE PRESENT STUDY                     | 1999 | (MOONEY AND YOUNG)       |

THE PRESENT STUDY ARISES PARTICULARLY OUT OF A NEED TO RE-EXAMINE THE FINDINGS OF THE 1995 STUDY, *POLICING THE STREETS*, WHICH WAS BASED ON A LARGE SCALE HIGH INTENSITY STUDY OF THE FINSBURY PARK AREA IN NORTH ISLINGTON. THIS INVOLVED A SURVEY OF 1,000 INDIVIDUALS USING A SAMPLE OF 50% OF ALL HOUSEHOLDS AND A RANDOM SELECTION OF ONE PERSON OVER 16 PER HOUSEHOLD. IT WAS FUNDED BY THE DEPARTMENT OF THE ENVIRONMENT AND WAS ONE OF THE MOST INTENSIVE STUDIES OF POLICING TO OCCUR IN THIS COUNTRY. IT CAME UP WITH SOME EXTREMELY INTERESTING FINDINGS, NOT THE LEAST BEING THE PATTERNING OF FOOT STOPS:

**TABLE 1**

**PREVALENCE OF FOOT STOPS\* BY COUNTRY  
OF ORIGIN, FINSBURY PARK STUDY  
(PERCENTAGES)**

|                            |      |
|----------------------------|------|
| ALL                        | 8.6  |
| AFRICAN-CARIBBEAN          | 12.8 |
|                            | 5.8  |
| ENGLAND/WALES/SCOT<br>LAND | 14.3 |
| IRISH                      | 8.2  |
|                            | 5.9  |
|                            | 4.5  |
| GREEK/TURKISH/CYPRI<br>OT  |      |
| AFRICAN                    |      |
| ASIAN                      |      |

\* WHERE FOOT STOPS ARE POLICE INITIATED AND ARE SPECIFICALLY CONCERNING AN ACTIVE SUSPICION OF CRIME - SOCIAL AND SERVICE STOPS ARE SPECIFICALLY FILTERED OUT; UNLIKE IN MANY PREVIOUS SURVEYS (SEE YOUNG, 1995, PP.5-6)

THE HIGH LEVEL OF IRISH AND AFRICAN-CARIBBEAN STOPS WERE OF INTEREST; AS WERE THE LOWER THAN AVERAGE LEVEL OF AFRICAN STOPS. THE FACT THAT IRISH STOPS WERE GREATER THAN AFRICAN-CARIBBEAN AND AFRICAN LOWER THAN ENGLISH WAS OF PARTICULAR INTEREST. *The present study resolved to re-examine these findings, testing for statistical significance, to conduct an empirical comparison with car stops and to carry out a series of qualitative interviews in order to put flesh on the bones of the data.*

LASTLY, WE FINISHED THIS STUDY SHORTLY AFTER THE PUBLICATION OF THE MACPHERSON REPORT INTO THE MURDER OF STEPHEN LAWRENCE. THE FINDINGS TOUCH FREQUENTLY ON THE CONCERNS OF THIS REPORT AND OUR CONCERN HAS BEEN TO APPRAISE AND DEVELOP ITS CONCLUSIONS PARTICULARLY IN TERMS OF INSTITUTIONALISED RACISM AND THE PRACTICE OF STOP AND SEARCH.

**AIMS OF THE PROJECT**

THE OVERALL THEORETICAL AIMS OF THE PROJECT ARE TO EXAMINE THE FOLLOWING AREAS:

1. **DISPROPORTIONALITY** A WIDE SCALE DEBATE EXISTS WITH REGARDS TO THE 'DISPROPORTIONAL' CONTACT BETWEEN ETHNIC GROUPS AND THE CRIMINAL JUSTICE SYSTEM (FOR A GOOD SUMMARY OF THE LITERATURE AND RESEARCH FINDINGS SEE SMITH, 1997; SANDERS, 1997).

MUCH OF THIS IS FOCUSED ON DISPROPORTIONALITY AT SENTENCING (SEE HOOD, 1992) AND ITS SUBSEQUENT EFFECT ON THE STRUCTURE OF THE PRISON POPULATION, BUT INTEREST HAS ALSO BEEN EXTENSIVE IN TERMS OF THE 'ENTRY' POINT INTO THE CRIMINAL JUSTICE SYSTEM (SEE FITZGERALD AND SIBBIT, 1997).

OUR PRESENT STUDY'S REMIT WAS FIRST OF ALL TO DISCOVER IF OUR FINDINGS OF DISPROPORTIONALITY WERE STATISTICALLY SOUND AND, IF SO, TO ATTEMPT EXPLANATION OF THE PATTERNING OF STOPS. THREE COMPETING THEORIES WILL BE EXAMINED:

- A) *THE INCONGRUITY THESIS* THAT STOPS ARE A FUNCTION OF THE CONSPICUOUSNESS OF MEMBERS OF ONE ETHNIC GROUP IN AN AREA PREDOMINANTLY MADE UP OF OTHER ETHNIC GROUPS (DIXON *ET AL*, 1989; JEFFERSON AND WALKER, 1992);
- B) *THE PREJUDICE THESIS* THAT STOPS ARE A SIMPLE FUNCTION OF POLICE PREJUDICES AGAINST PARTICULAR ETHNIC GROUPS; AND
- C) *THE CLASS THESIS* THAT THE DIFFERENTIAL PATTERNS OF STOPS ARE LARGELY A FUNCTION OF THE POLICE FOCUS OF SUSPICION ON WORKING CLASS, YOUNG MEN (WALKER, 1987). THAT IS, THE HIGH FOCUS ON CERTAIN ETHNIC GROUPS LARGELY REFLECTS THE SIZEABLE PROPORTION OF WORKING CLASS, YOUNG MEN IN THEIR POPULATION.

OF PARTICULAR INTEREST HERE IS THE RECENT LITERATURE ON THE HEALTH OF MIGRANTS WHICH POINTS STRONGLY TO THE

FACT THAT THE EXPLANATION OF DISPROPORTIONALITIES IN MORTALITY AND PREVALENCE OF ILLNESS CANNOT BE SIMPLY REDUCED TO CLASS AND OTHER DEMOGRAPHIC VARIABLES (SEE S. HARDING, 1998).

2. **INSTITUTIONALISED RACISM** DIRECTLY RELATING TO THE PHENOMENON OF DISPROPORTIONALITY IS THE NOTION OF ITS MECHANISM BEING A FUNCTION OF INSTITUTIONALISED RACISM WITHIN THE POLICE SERVICE (SEE GILROY, 1987; GORDON, 1987; MACPHERSON, 1999). BOTH THE INCONGRUITY THESIS AND THE PREJUDICE THESIS CLEARLY FIT THIS CONJECTURE, ALTHOUGH BOTH HAVE DIFFERENT OUTCOMES IN TERMS OF POLICE FOCUS OF SUSPICION. SUCH DISCUSSIONS ARE OBVIOUSLY OF CONSIDERABLE POLITICAL SIGNIFICANCE PARTICULARLY IN THE WAKE OF THE LAWRENCE INQUIRY. THE ACCUSATION OF INSTITUTIONALISED RACISM CAN SPAN EVERYTHING FROM CLEARLY STATE INSTITUTED POLICY (SUCH AS IN SOUTH AFRICA UNDER THE NATIONALIST ADMINISTRATION); TO A 'COP CULTURE' WHICH EXAGGERATEDLY STEREOTYPES CERTAIN ETHNIC MINORITIES AS CRIMINOGENIC (THE CLEAREST ANALYSIS OF THE CONCEPT IS IN LEA, 1986). WHAT IS IMPORTANT TO NOTE, FOR THE MOMENT, IS THAT THERE IS NO NECESSARY SYMMETRY BETWEEN RACIST INTENT AND RACIST OUTCOME IN TERMS OF A *DISPROPORTIONATE* FOCUS ON PARTICULAR MINORITIES. FOR EXAMPLE, CLEARLY RACIST POLICE CULTURES CAN LEAD TO A NEGLECT OF ETHNIC MINORITIES; ASIAN GROUPS CAN, FOR EXAMPLE, BE STEREOTYPED AS COMMITTING LITTLE CRIME AND, THEREFORE, BE OF LITTLE INTEREST TO THE POLICE OFFICER ON THE BEAT. THE EXTREMELY LOW LEVEL OF STOPS EXPERIENCED BY ASIANS IN NEARLY EVERY SURVEY BEARS THIS OUT. IN THE EXTREME, VIOLENT ATTACKS AND EVEN HOMICIDE, *WITHIN* THE BLACK COMMUNITIES IN NATIONALIST SOUTH AFRICA OR THE SOUTH OF THE UNITED STATES, WERE COMPARATIVELY NEGLECTED BECAUSE OF RACIST INDIFFERENCE. AND THE REVERSE, AS WE SHALL SEE, STEREOTYPES AND INSTITUTIONS CAN GENERATE INTENSE FOCUS ON PARTICULAR ETHNIC GROUPS EVEN

WITHOUT ANY RACIST INTENT.

3. **ACTUARIAL JUSTICE** IN THE LAST TEN YEARS THERE HAVE BEEN REPEATED ASSERTIONS AS TO A MAJOR SHIFT IN THE ORIENTATION OF WESTERN CRIMINAL JUSTICE SYSTEMS. THAT IS FROM A SYSTEM WHICH WAS NEO-CLASSICIST, CONCERNED WITH JUSTICE, EVIDENCE, INDIVIDUAL GUILT - OR INNOCENCE AND CLEAR CUT CRIMES, TO THAT WHICH IS MANAGERIAL AND ADMINISTRATIVE, CONCERNED WITH CONTROL, BALANCE OF PROBABILITY AND CATEGORICAL SUSPICION AND CONCERNED WITH THE MANAGEMENT OF ACTUAL AND POTENTIAL TROUBLEMAKERS (SEE FEELEY AND SIMON, 1992; 1994; YOUNG, 1999).

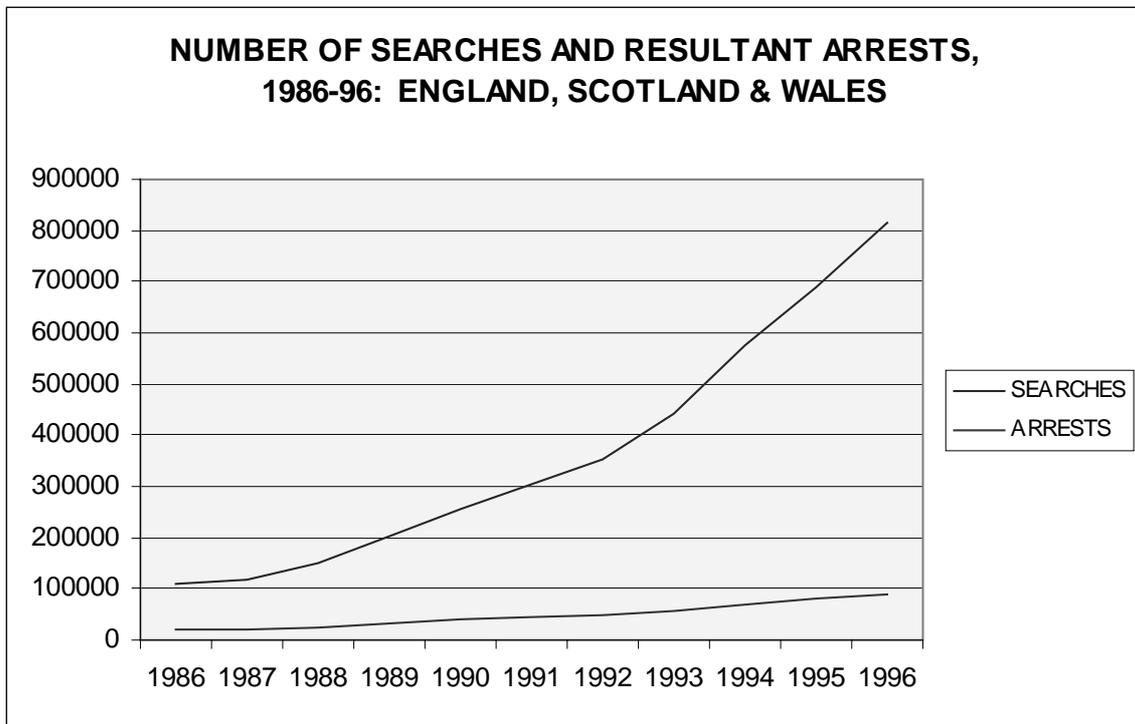
THIS ASSERTION HAS TO BE PUT IN THE CONTEXT OF THE RAPID CHANGE IN THE USE OF STOP AND SEARCH IN THE PRESENT PERIOD. SEVERAL AUTHORS HAVE POINTED TO THE RISE IN THE PREVALENCE OF STOP AND SEARCH SINCE 1986, YET THE DECLINE IN THE PROPORTION OF ARRESTS (EG SANDER, 1997; FITZGERALD AND SIBBIT, 1997). THE DRAMATIC NATURE OF THIS PHENOMENON IS ILLUSTRATED IN THE FOLLOWING GRAPHS. THUS, OVER SEVEN TIMES MORE PEOPLE WERE STOPPED AND SEARCHED ON FOOT OR VEHICLE UNDER PACE IN 1996 THAN IN 1986, THE FIRST YEAR OF THE PACE LEGISLATION, WHEREAS ARRESTS DECLINED FROM 17% TO 11% DURING THAT PERIOD (WILKINS AND ADDICOTT, 1997). IN THE METROPOLITAN DISTRICT SEARCHES ROSE BY ALMOST EIGHT TIMES, WHILST THE ARRESTS DECLINED SIMILARLY FROM 17% TO 11%.

FROM AN ACTUARIAL POINT OF VIEW SUCH A DECLINE MIGHT BE EXPLAINED AS A CLEAR INDICATION OF A SHIFT TO A CONCERN WITH DISORDER MANAGEMENT, RATHER THAN CRIMINAL JUSTICE. THAT IS, WITH MOVING UNDESIRABLES ALONG RATHER THAN BEING INVOLVED IN THE CRIMINAL JUSTICE PROCESS STARTING AT ARREST. THIS CLEARLY LINKS TO THE INCONGRUITY THESIS DETAILED ABOVE.

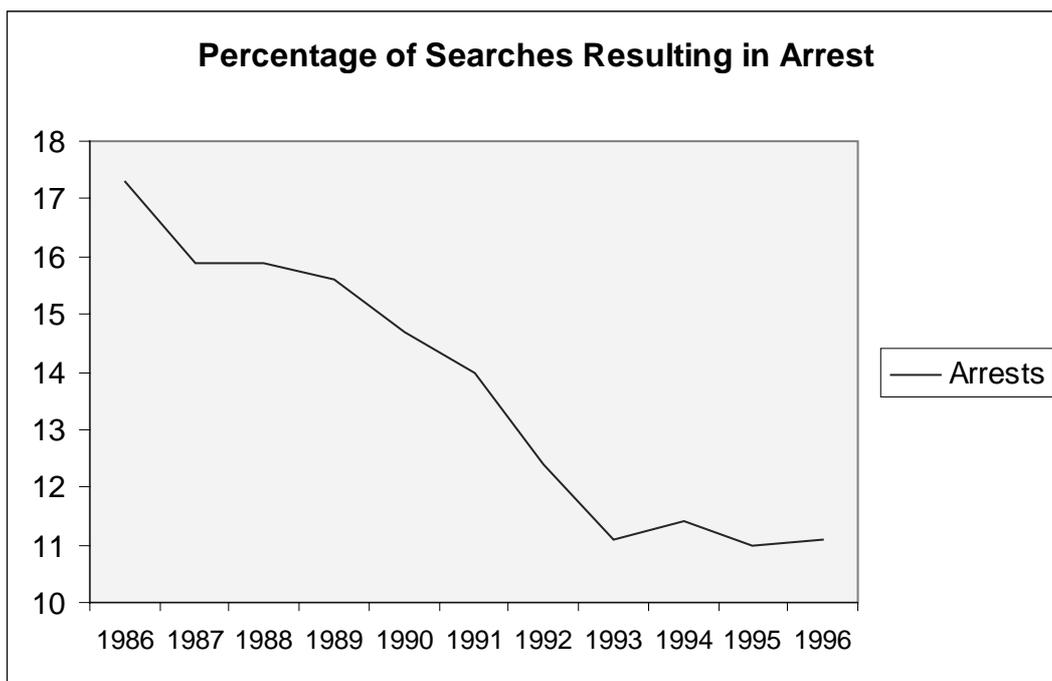
THE MOST RECENT NATIONAL FIGURES SHOW THE CONTINUATION OF THIS TREND WITH A 21% INCREASE IN THE LAST YEAR (1998) AN OVERALL NINE TIMES INCREASE SINCE 1986 AND THE ARREST RATE NOW REDUCED TO 10%. ON THE FACE OF IT SUCH A REMARKABLE DEPLOYMENT OF POLICE RESOURCES HAS STRONG ACTUARIAL OVERTONES PARTICULARLY THE LOW ARREST RATE AND THE MINOR NATURE OF MANY OF THE OFFENCES DEALT WITH.

4. **SOCIAL EXCLUSION** THE FOCUS OF POLICING ON CERTAIN SECTIONS OF THE COMMUNITY RAISES THE QUESTION OF THE DEGREE TO WHICH THE EXCLUSIONARY FORCES EMANATING FROM THE CRIMINAL JUSTICE SYSTEM ARE EXERTED ON THOSE WHO ARE EXCLUDED FROM THE LABOUR FORCE - OR AT LEAST THE SECURE, PRIMARY LABOUR MARKET. THE COMPOUNDING OF SOCIAL EXCLUSION IS AN IMPORTANT AREA OF INVESTIGATION AS IS THE EXTENT TO WHICH THIS REPRESENTS A CRIMINALISATION AND SCAPEGOATING OF POVERTY.

**FIGURE 1**

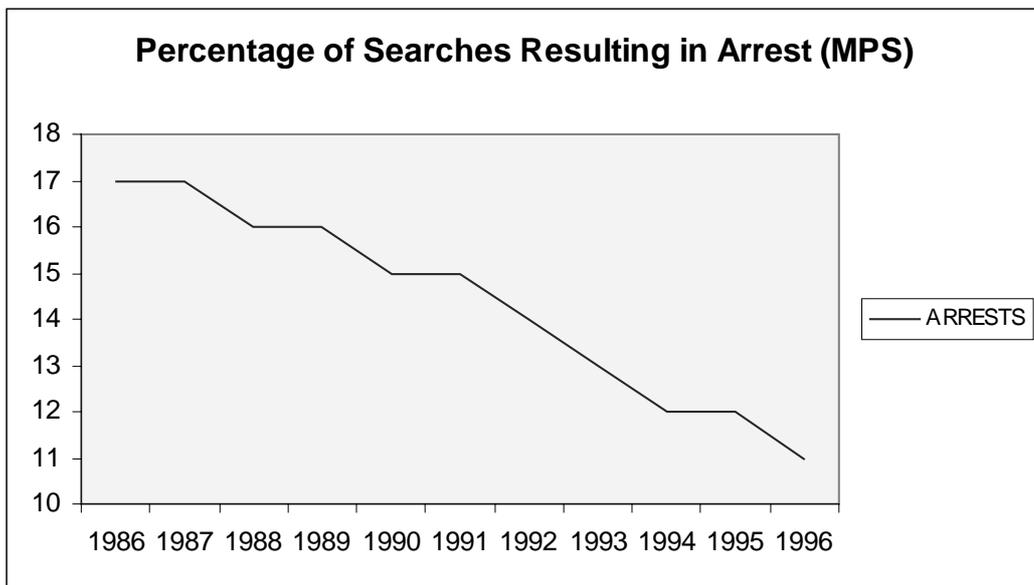


**FIGURE 2**



**FIGURE 3**

**FIGURE 4**



5. **CATEGORIES** "THE IRISH NOW CONSTITUTE THE LARGEST SINGLE ETHNIC MINORITY GROUP IN BRITAIN. THERE IS, HOWEVER, VERY LITTLE RECOGNITION OF THIS AT THE OFFICIAL LEVEL: AS YET IRISH PEOPLE ARE NOT CONSIDERED TO BE A SEPARATE ETHNIC GROUP: ... THEY REMAIN INVISIBLE IN THE SOCIAL ADMINISTRATION OF THE STATE AND ACADEMIC DISCUSSIONS IN CRIME AND CRIMINOLOGY" (HILLYARD, 1993, PP.3-4).

WE ARE CONCERNED IN THIS PAPER AS TO AN EXTENT THAT THE CONVENTIONAL CATEGORISATION BY PIGMENTATION (IE BLACK COMPARED TO WHITE) DISGUISES IMPORTANT ETHNIC DIFFERENTIALS, PARTICULARLY THOSE BETWEEN THE IRISH AND THE ENGLISH POPULATION (SEE HICKMAN, 1998). CRUCIAL HERE IS WHETHER THE CUSTOM OF DERIVING CATEGORIES FROM THE LANGUAGE OF PREJUDICE (IE BLACK COMPARED TO WHITE) IS ADEQUATE IN UNDERSTANDING THE ACTUAL LIVED REALITIES OF ETHNIC GROUPS.

**CHAPTER TWO:  
EXPLAINING DIFFERENCES**

OUR FIRST TASK IS TO RE-EXAMINE THE DATA TO SEE IF THE FINDINGS OF DIFFERENCES BETWEEN THE ETHNIC GROUPS ARE STATISTICALLY SOUND. LET US ADD NUMBERS TO THE DATA IN TABLE 1:

**TABLE 2  
PREVALENCE OF FOOT STOPS  
NUMBERS STOPPED AND NOT STOPPED BY POLICE, BY ETHNIC GROUP**

|                        | STOPPED | NOT STOPPED | TOTAL |
|------------------------|---------|-------------|-------|
| ENGLISH/SCOTTISH/WELSH | 31      | 501         | 532   |
| IRISH                  | 22      | 134         | 156   |
| AFRICAN                | 2       | 32          | 34    |
| AFRICAN-CARIBBEAN      | 8       | 55          | 63    |
| TOTAL:                 | 63      | 722         | 785   |

THE PROBLEM WITH OUR DATA IS THAT THE NUMBERS INVOLVED ARE SMALL YET, OVER AGAINST THIS, OUR SAMPLING SIZE IS EXTREMELY HIGH, VIZ 50% OF HOUSEHOLDS. THIS IS A FAR GREATER SAMPLE THAN THAT USUALLY OCCURRING IN SUCH SURVEYS. FURTHERMORE, A FURTHER 12 PEOPLE WERE STOPPED WHO DID NOT FIT THE ABOVE ETHNIC CATEGORIES (EG GREEK CYPRIOT, ASIAN, TURKISH) WHICH MADE OUR PREVALENCE FIGURE 75. MORE CRUCIALLY, THE AVERAGE NUMBER OF STOPS PER INDIVIDUAL WAS IN THE REGION OF SIX WHICH GENERATED 450 INCIDENTS IN ALL PICKED UP BY THE SURVEY. DR CHRIS HALE, PROFESSOR OF CRIMINOLOGY AT THE UNIVERSITY OF KENT AND THE LEADING EXPERT IN THIS FIELD, WAS KIND ENOUGH TO LOOK OVER OUR DATA FOR US. HIS ANALYSIS IS REPRODUCED AS AN APPENDIX TO THIS REPORT. BUT HIS OVERALL ASSESSMENT IS THAT, WHILST WE MUST DISCOUNT THE AFRICAN DATA AS BEING TOO SMALL TO ALLOW GENERALISATION, THERE ARE SIGNIFICANT DIFFERENCES IN THE FOLLOWING TWO INSTANCES:

ENGLISH/SCOTTISH/WELSH VERSUS IRISH  
SIGNIFICANT AT 1% LEVEL

ENGLISH/SCOTTISH/WELSH VERSUS /AFRICAN-CARIBBEAN  
SIGNIFICANT AT 5% LEVEL

THAT IS, THE IRISH AND AFRICAN-CARIBBEANS ARE MORE LIKELY TO BE STOPPED THAN THOSE FROM ENGLAND, SCOTLAND OR WALES, WITH THE IRISH RELATIONSHIP BEING SLIGHTLY STRONGER THAN THE AFRICAN-CARIBBEAN.

THIS ANALYSIS OBVIOUSLY SUBSTANTIATES OUR CONJECTURE THAT THERE ARE DIFFERENCES IN POLICE-PUBLIC INTERACTIONS WHICH CANNOT ADEQUATELY TO DEALT WITH IN TERMS OF THE PIGMENTATION CLASSIFICATION OF BLACK VERSUS WHITE.

LET US LOOK AT OUR THREE EXPLANATIONS OF ETHNIC DISCRIMINATION ONE BY ONE:

1. THE INCONGRUITY THESIS

PHIL COHEN, IN HIS MUCH CITED STUDY OF POLICING IN ISLINGTON AT THE FIRST PART OF THIS CENTURY, ENUNCIATED THE THEORY OF INCONGRUITY MOST CLEARLY. CHARTING THE DEVELOPMENT OF POLICING, HE NOTES:

"NOW INITIALLY, AND AT THE TIME WHEN LARGE NUMBERS OF THE SO-CALLED 'DANGEROUS AND PERISHING' CLASSES STILL LIVED CROWDED TOGETHER IN CLOSE PROXIMITY TO THE CITADELS OF POWER, THE POLICE ATTEMPTED TO APPLY THE SAME NORMS OF PUBLIC ORDER TO THESE RESIDENTIAL AREAS AS TO THE CENTRAL PLACE ITSELF. AS THE PROBLEMS OF ENFORCING THESE NORMS BECAME APPARENT, AND AS THE URBAN POOR WERE EVICTED FROM THE CITY CENTRE, THE POLICING STRATEGY CHANGED. THE INNOVATIONS CONSISTED PRECISELY IN DIFFERENTIATING BETWEEN THE TWO URBAN CONTEXTS. WHILE STATUTORY NORMS WERE STILL ROUTINELY ENFORCED IN THE CENTRE, IN THE NEW HEARTLANDS OF THE WORKING-CLASS CITY THEY WERE INCREASINGLY USED ONLY AS AN EMERGENCY MEASURE, TO JUSTIFY THE LAST RESORT OF PHYSICAL REPRESSION. IN THEIR PLACE, A SYSTEM OF INFORMAL, TACITLY NEGOTIATED AND PARTICULARISTIC DEFINITIONS OF PUBLIC ORDER WERE EVOLVED WITH *ACCOMMODATED* CERTAIN

WORKING-CLASS USAGES OF SOCIAL SPACE AND TIME, AND *OUTLAWED* OTHERS. WHAT WERE RATIFIED WERE THOSE PRACTICES WHICH ARTICULATED THE INSTITUTIONS OF PATRIARCHY AND PUBLIC PROPRIETY WITHIN THE CLASS HABITAT; WHAT WERE OUTLAWED WERE THOSE PRACTICES OF WOMEN AND CHILDREN WHICH CHALLENGED THE MONOPOLY OF THOSE INSTITUTIONS OVER THE WORKING-CLASS CITY AND ITS LEGITIMATE USAGE. THE NEW NORMS IN EFFECT IMPOSED A SYSTEM OF UNOFFICIAL CURFEW, INFORMAL OUT-OF-BOUNDS, TO DEFINE WHAT WERE THE WRONG PEOPLE, WRONG AGE, WRONG SEX, IN THE WRONG PLACE AND THE WRONG TIME." (1979, PP.130-1)

SUCH AN ANALYSIS, APPLIED TO DISCRIMINATION AGAINST BLACKS IN THE PRESENT PERIOD, HAS ACHIEVED WIDE CURRENCY (EG DIXON *ET AL*, 1989; SANDERS, A, 1997). AS NOTED, IT IS CLOSELY ASSOCIATED WITH THE NOTIONS OF SOCIAL EXCLUSION AND THE CREATION OF BARRIERS SEPARATING 'RESPECTABLE' AND 'NON-RESPECTABLE' SECTIONS OF THE POPULATION - IN PARTICULAR, THE PATROLLING OF A POSITED UNDERCLASS.

AT FIRST GLANCE SOME OF THESE FIGURES GIVE CREDENCE TO THE INCONGRUITY THESIS. THUS THE RATIO IN LONDON AS A WHOLE (WHERE THE OVERALL BLACK PROPORTION OF THE POPULATION IS SMALL) IS MUCH GREATER THAN IN MORE CENTRAL BOROUGHS SUCH AS ISLINGTON AND HAMMERSMITH AND FULHAM (WHERE THE PROPORTION IS COMPARATIVELY HIGHER). IT IS EVEN FURTHER CORROBORATED BY THE LEEDS STUDY OF WALKER *ET AL* (1990), WHICH SHOWS A VERY HIGH RATIO OF STOPS IN THAT PART OF LEEDS WITH LOW ETHNIC MINORITY POPULATIONS (2.7:1 IN AREAS AT <10%) AND EVEN A REVERSAL OF THE RATIO IN AN AREA OF LEEDS WHERE THE ETHNIC MINORITY POPULATION IS HIGH.

IT FALLS DOWN, HOWEVER, WHEN ONE LOOKS AT A BREAKDOWN WITHIN ISLINGTON. THUS THE RATIO IN NORTH ISLINGTON, WITH A HIGHER BLACK POPULATION, IS MUCH GREATER THAN IN SOUTH ISLINGTON - THE REVERSE OF WHAT SHOULD HAPPEN UNDER THE INCONGRUITY THESIS. AND THIS IS CORROBORATED BY THE

FINSBURY PARK FIGURES WHICH SHOW A RATIO WHICH, ALTHOUGH NOT AS HIGH AS NORTH ISLINGTON OVERALL (OF WHICH MORE LATER), IS CONSIDERABLY GREATER THAN IN THE SOUTH OF THE BOROUGH.

## 2. THE PREJUDICE THESIS

THE PREJUDICE THESIS WOULD STATE THAT THE EXPLANATION OF THE DISPARITIES IN POLICE STOPS IS SIMPLY A FUNCTION OF POLICE PREJUDICE. IF THIS IS SO, ONE MIGHT EXPECT SOME UNIFORMITY OF RESULTS IN THE VARIOUS STUDIES, PARTICULARLY IN THE SAME AREA WHICH PRESUMABLY CONSISTS OF POLICE OFFICERS OF ROUGHLY SIMILAR ATTITUDES. THE LONDON STUDIES SIMPLY DO NOT SHOW THIS. FOR EXAMPLE, WITHIN ISLINGTON, AS A WHOLE, THERE ARE CLEAR AND WIDE DISPARITIES, WHILST IN HAMMERSMITH AND FULHAM (SURVEYED IN THE SAME PERIOD) THE DIFFERENCES ARE NOT SUBSTANTIAL.

TABLE 3

### RATIO OF BLACK TO WHITE STOPS LONDON STUDIES

| STUDY              | AREA   | RATIO                   | AUTHOR   |
|--------------------|--|-------------------------|--|
| PSI<br>ICS2<br>HCS | GREATER LONDON<br>ISLINGTON<br>HAMMERSMITH &<br>FULHAM | 3.7:1<br>2.1:1<br>1.2:1 | D SMITH, 1983<br>CRAWFORD <i>ET AL</i><br>1990<br>PAINTER <i>ET AL</i><br>1989 |
| ICS2<br>FPCS       | NORTH ISLINGTON<br>SOUTH ISLINGTON<br>FINSBURY PARK    | 3.0:1<br>1.4:1<br>2.2:1 | CRAWFORD <i>ET AL</i><br>1990<br>CRAWFORD <i>ET AL</i><br>1990<br>YOUNG, 1995  |

ONE GLANCE AT THE ABOVE SHOWS A WIDE VARIATION IN RATES AND, INDEED, A REMARKABLE DIFFERENCE BETWEEN PRACTICES IN THE NORTH AND SOUTH OF ISLINGTON.

## 3. THE CLASS THESIS

LET US NOW LOOK AT THE CLASS THESIS. THIS STATES THAT

WHAT SEEMS TO BE PREJUDICE OR INCONGRUITY IS IN FACT CLASS, COUPLED WITH YOUTH AND MASCULINITY. THAT BLACK IS MERELY A SIGNIFIER FOR WORKING CLASS AND THAT AS THE AFRICAN-CARIBBEAN COMMUNITY HAS A HIGHER WORKING CLASS POPULATION THAN WHITES, IT INEVITABLY WILL HAVE HIGHER STOP RATES. THEREFORE, WHY THE RATIOS ARE SO HIGH IN LONDON AS A WHOLE IS THAT THE WHITE POPULATION HAS A WIDE CLASS SPREAD, AND WHY IT IS LOW IN THE INNER BOROUGH IS THAT THE WHITE POPULATION IS MUCH MORE WORKING CLASS - HENCE THE DIFFERENCES BETWEEN BLACK AND WHITE BEGIN TO NARROW. AS WE SEE, THIS FITS WELL WITH THE FIRST THREE LONDON STUDIES IN TABLE 3, AND IS GENERALLY CONGRUENT WITH FINDINGS ELSEWHERE BUT STILL HAS THE PROBLEM OF THE DIVISIONS BETWEEN THE BOROUGH WITH THE MIDDLE CLASS SOUTH HAVING LOWER RATES THAN THE MORE WORKING CLASS NORTH.

WHAT I WANT TO DO IN TERMS OF THIS PRESENT STUDY IN FINSBURY PARK IS LOOK AT THE CLASS, AGE AND GENDER DIMENSIONS OF THE ETHNIC POPULATION THERE AND SEE IF THIS EXPLAINS THE DIFFERENCES IN DISCRIMINATION.

**TABLE 4**

**ETHNIC POPULATIONS FINSBURY PARK BY CLASS**

|   | <b>PROFESSI<br/>ONAL</b> | <b>LOWER<br/>MIDDLE CLASS</b> | <b>WORKING<br/>CLASS</b> |
|---|--------------------------|-------------------------------|--------------------------|
| <b>ENGLISH/SCOTTIS<br/>H/WELSH</b>      | <b>20.3<br/>25.9</b>     | <b>35.2<br/>23.3</b>          | <b>47.8<br/>50.9</b>     |
| <b>IRISH<br/>AFRICAN-<br/>CARIBBEAN</b> | <b>18.1</b>              | <b>20.1</b>                   | <b>61.1</b>              |

THE MAIN DIFFERENCES ARE THE MARKEDLY WORKING CLASS NATURE OF THE AFRICAN-CARIBBEAN POPULATION, BUT NOTE THE COMPARATIVELY HIGH PROFESSIONAL MIDDLE CLASS POPULATION OF THE IRISH, WHICH MAKES IT PERHAPS THE MOST CLASS VARIED OF THE ETHNIC GROUPS.

**TABLE 5**

**ETHNIC POPULATIONS FINSBURY PARK BY AGE**

| <b>AGE</b>                    | <b>&lt;24</b> | <b>25-44</b> | <b>&gt;45</b> |
|-------------------------------|---------------|--------------|---------------|
| <b>ENGLISH/SCOTTISH/WELSH</b> | <b>13.8</b>   | <b>56.2</b>  | <b>30.0</b>   |
| <b>IRISH</b>                  | <b>17.1</b>   | <b>56.9</b>  | <b>26.0</b>   |
| <b>AFRICAN-CARIBBEAN</b>      | <b>20.1</b>   | <b>50.0</b>  | <b>29.2</b>   |

THE IRISH POPULATION IS COMPARATIVELY YOUTHFUL, WITH A LOW POPULATION GREATER THAN 45, THE AFRICAN-CARIBBEAN HAS THE WIDEST SPREAD OF AGE, WITH THE HIGH PROPORTION UNDER 24 YET ALMOST A THIRD OVER 45.

**TABLE 6**

**GENDER RATIOS AND ETHNICITY FINSBURY PARK;  
MALE : FEMALE**

|                               |                 |
|-------------------------------|-----------------|
| <b>ENGLISH/SCOTTISH/WELSH</b> | <b>0.93 : 1</b> |
| <b>IRISH</b>                  | <b>1.39 : 1</b> |
| <b>AFRICAN-CARIBBEAN</b>      | <b>1.07 : 1</b> |

NOTE THE STRIKINGLY HIGHER PROPORTION OF MEN IN THE IRISH COMMUNITY.

LET US SUMMARISE: THE OVERALL PROPORTION OF EACH OF THE ABOVE THREE GROUPS IS ENGLISH, SCOTTISH AND WELSH - 46%, IRISH - 14% AND AFRICAN-CARIBBEAN - 14%. IF WE COMPARE THE TWO IMMIGRANT COMMUNITIES WITH THE ENGLISH, SCOTTISH AND WELSH MAJORITY, WE COULD MAKE THE FOLLOWING DISTINCTIONS:

- IRISH**
- HAS A WIDER CLASS COMPOSITION
  - A MORE YOUTHFUL POPULATION
  - A HIGHER RATIO OF MEN TO WOMEN

THE *CLASS THESIS* SUGGESTS THAT STOPS ARE RELATED TO THE POPULATION OF WORKING CLASS, YOUNG, MALES. ON THIS SCORE THE MORE YOUTHFUL AND MASCULINE NATURE OF THE POPULATION WOULD, ALL THINGS BEING EQUAL, ENSURE A

HIGHER RATE OF STOPS. LET US APPLY THIS NOW TO:

**AFRICAN-CARIBBEAN - HAS A MARKEDLY MORE WORKING CLASS POPULATION**

- HAS A MORE YOUTHFUL POPULATION
- HAS A FAIRLY EQUAL RATIO OF MEN TO WOMEN

IN TERMS OF THE CLASS THESIS, THEN, WE WOULD EXPECT A HIGHER RATE OF STOPS BECAUSE OF THE WORKING CLASS AND YOUTHFUL NATURE OF THE POPULATION.

THE QUESTION NOW REVOLVES AROUND: IS THE HIGHER IRISH AND AFRICAN-CARIBBEAN RATE OF STOPS MERELY A FUNCTION OF THE DIFFERENCES IN THE DEMOGRAPHY OF THEIR COMMUNITIES WHEN COMPARED TO THE ENGLISH, SCOTTISH AND WELSH, OR IS THERE SOMETHING EXTRA? ALTHOUGH IT IS DIFFICULT TO BE PRECISE BECAUSE OF THE EXIGENCIES OF CLASSIFICATION BY THE AGE GROUPS USED OR CONTESTABLE DEFINITIONS OF CLASS, IT CAN BE SURMISED THAT WE WOULD NEED TO HYPOTHESISE THAT ALL STOPS WERE SOLELY DIRECTED AT YOUNG, WORKING CLASS MALES AND NOBODY ELSE (WHICH IS CLEARLY NOT TRUE) TO EXPLAIN THE HIGHER AFRICAN-CARIBBEAN RATE. FURTHER, THIS WOULD ONLY AT THE MOST EXPLAIN 75% OF THE HIGHER RATE OF IRISH STOPS.

#### **FOOT STOPS BY AGE AND CLASS**

LET US LOOK AT THE DIFFERENCES IN THE PATTERNING OF POLICE CONTACT BY AGE AND CLASS TO SEE IF WE CAN DETERMINE WHAT MAKES FOR THIS EXTRA LEVEL OF STOPS. ALTHOUGH THE NUMBERS ARE SMALL, SOME DISTINCT DIFFERENCES CAN BE OBSERVED:

1. ENGLISH, SCOTTISH AND WELSH (ESW) CAN BE CHARACTERISED AS FOCUSING PREDOMINANTLY ON THE YOUNG AND THE WORKING CLASS;
2. AFRICAN-CARIBBEAN STOPS DO NOT HAVE A WORKING CLASS FOCUS: THEY OCCUR IRRESPECTIVE OF CLASS.

THEY ALSO EXTEND TO A MUCH WIDER AGE RANGE, BUT DROP OFF AFTER 45;

3. THE IRISH STOPS HAVE A WORKING CLASS FOCUS, LIKE THE ESM, BUT THEY HAVE AN EXTREMELY WIDE AGE RANGE, INCLUDING THOSE OVER 45.

**FIGURE 5**

**FOCUS OF POLICE ATTENTION WITH REGARDS TO  
FOOT STOPS BY THREE ETHNIC GROUPS**

THE PATTERNING OF STOPS THUS VARIES ACROSS THESE THREE DIMENSIONS BY ETHNIC GROUP. THE CLASS THESIS IN AN UNDILUTED FORM ONLY WORKS FOR THE ENGLISH, SCOTTISH AND WELSH; THE FOCUS ON YOUNG WORKING CLASS MALES IS, OF COURSE, ALSO TRUE FOR THE IRISH AND AFRICAN-CARIBBEANS, BUT AGE IS OF LESS RELEVANCE FOR THE IRISH (THE FOCUS IS LESS YOUTHFUL) WHERE CLASS IS OF LESS RELEVANCE FOR THE AFRICAN-CARIBBEANS (THE MIDDLE CLASS ARE LESS IMMUNE FROM STOPS).

**CHAPTER THREE:  
CAR STOPS**

CAR STOPS ARE THE MOST FREQUENT FORM OF POLICE INITIATED INTERACTION WITH THE PUBLIC. IT IS, THEREFORE, OF GREAT INTEREST TO SEE HOW CAR STOPS RELATE TO THE FINDINGS FROM STOPS ON FOOT. THE NATIONAL FIGURES FOR VEHICLE STOPS ARE 14% OF THE POPULATION AND FOR STOPS ON FOOT ARE 3% (MIRRELES-BLACK AND BUDD, 1997). THE FINSBURY PARK FIGURES ARE DISTINCTIVE IN TERMS OF THE VERY HIGH PROPORTION OF FOOT STOPS, THE LEVEL OF CAR STOPS IS NOT SIGNIFICANTLY HIGHER.

16.1% OF PEOPLE HAD BEEN STOPPED BY THE POLICE WHILST IN A CAR IN THE LAST TWELVE MONTHS. THIS IS ALMOST DOUBLE THE LEVEL OF FOOT STOPS (8.0%). 61% OF THESE HAD BEEN STOPPED MORE THAN ONCE; 21% MORE THAN THREE TIMES.

**TABLE 7**

**CAR STOPS BY FREQUENCY**

| <b>FREQUENCY</b> | <b>1</b> | <b>2</b> | <b>3-7</b> | <b>&gt;12</b> | <b>T</b> |
|------------------|----------|----------|------------|---------------|----------|
| <b>N</b>         | 109      | 36       | 24         | 15            | 184      |
| <b>%</b>         | 59       | 20       | 13         | 8             | 100      |

OF THESE STOPS, SEARCHES WERE CARRIED OUT IN 20% OF CASES. THE OVERALL PERCENTAGE OF SEARCHES BY POPULATION WAS 3.2%.

**TABLE 8**

**FOOT STOPS AND CAR STOPS LEADING TO SEARCHES**

|             | <b>STOPS</b> | <b>SEARCHES</b> | <b>PROPORTION OF STOPS SEARCHED</b> |
|-------------|--------------|-----------------|-------------------------------------|
| <b>FOOT</b> | 8.6          | 6.5             | 76%                                 |
| <b>CAR</b>  | 16.1         | 3.2             | 20%                                 |

THUS SEARCHES ARE OVER THREE TIMES LESS LIKELY AFTER A CAR

STOP RATHER THAN A FOOT STOP AND, ALTHOUGH TWICE AS MANY OF THE POPULATION HAVE BEEN STOPPED IN A CAR COMPARED TO ON FOOT, ONLY ONE HALF AS MANY OF THE POPULATION HAVE EXPERIENCED HAVING THEIR CAR SEARCHED COMPARED TO BEING SEARCHED ON FOOT. THE OBVIOUS REASON FOR THIS IS THAT CAR STOPS ARE OVERWHELMINGLY CONCERNED WITH DRIVING OFFENCES AND NOT SUSPICION OF OTHER CRIMINAL OFFENCES.

#### CAR STOPS BY CLASS

TABLE 9

CAR STOPS BY CLASS: PERCENTAGE STOPPED

| CLASS              | N  | %    | TOTAL |
|--------------------|----|------|-------|
| PROFESSIONAL       | 40 | 19.2 | 201   |
| LOWER MIDDLE CLASS | 50 | 17.2 | 291   |
| WORKING CLASS      | 65 | 15.9 | 408   |

AS WE DISCUSSED IN THE SECOND ISLINGTON CRIME SURVEY (CRAWFORD *ET AL.*, 1990, P.108), THE RELATIONSHIP BETWEEN CLASS AND POLICE STOPS IS THE OPPOSITE IN A CAR COMPARED TO ON FOOT. THAT IS, AS WE CAN SEE FROM THE ABOVE TABLE, THE HIGHER YOUR CLASS POSITION THE MORE LIKELY YOU ARE TO BE STOPPED WHILST IN A CAR BY POLICE. BEFORE ONE TALKS OF POLICE PREJUDICE AGAINST THE MIDDLE CLASS, IT SHOULD BE NOTED THAT THERE IS AN OBVIOUS CAVEAT HERE! THIS, OF COURSE, IS THE HIGHER OWNERSHIP OF CARS BY THE MIDDLE CLASS AND THEIR LOWER USE OF PUBLIC TRANSPORT. THERE IS AN IMPORTANT LESSON HERE FOR STUDIES OF DISPROPORTIONALITY, NAMELY THAT THE EXPOSURE TO THE POSSIBILITY OF CONTACT WITH THE CRIMINAL JUSTICE SYSTEM MUST ALWAYS BE HELD IN MIND WHEN COMPARING CONTACT RATES. IT ALSO WARNS US AGAINST GENERALISING FROM OVERALL STOP RATES (THAT IS CAR PLUS ON FOOT) AS HAS

OCCURRED IN THE RECENT HOME OFFICE STUDY (MIRRELES BLACK AND BUDD, 1997).

**CAR SEARCHES BY CLASS**

IF, HOWEVER, WE EXAMINE CAR STOPS WHICH INVOLVED SEARCHES OF THE CAR, EXACTLY THE OPPOSITE RELATIONSHIP IS FOUND, VIZ THE LIKELIHOOD OF HAVING THE CAR SEARCHED INCREASES THE LOWER YOU ARE IN THE CLASS STRUCTURE.

**TABLE 10  
PERCENTAGE OF CAR STOPS THAT INVOLVE SEARCHES  
BY CLASS**

|                    |      |
|--------------------|------|
| PROFESSIONAL       | 16.7 |
| LOWER MIDDLE CLASS | 22.5 |
| WORKING CLASS      | 24.6 |
| ALL                | 20.1 |

AS SEARCHES ARE CONCERNED WITH CONVENTIONAL, NON-MOTORING CRIME, THIS REVERSAL IN RELATIONSHIP BECOMES CLEAR VIZ THE INVERSE RELATIONSHIP OF POLICE STOPS AND CLASS GENERALLY FOUND IN ALL STUDIES RELATES TO THE GREATER SUSPICION OF WORKING CLASS INVOLVEMENT IN CRIME AND HOLDS UP IN ALL CASES, APART FROM CAR STOPS WHICH ARE CONCERNED WITH MOTORING OFFENCES. HENCE IT IS INVALID ONLY FOR CAR STOPS AND NOT FOR SEARCHES.

**REASONS FOR STOP**

**TABLE 11  
REASONS FOR STOP BY CLASS  
PERCENTAGE STOPPED**

|                    | SPEEDING | VEHICLE DEFECT | ROUTINE CHECK |
|--------------------|----------|----------------|---------------|
| PROFESSIONAL       | 15       | 3              | 23            |
| LOWER MIDDLE CLASS | 10       | 16             | 20            |
| WORKING CLASS      | 23       | 11             | 9             |

|     |    |    |    |
|-----|----|----|----|
| ALL | 16 | 13 | 20 |
|-----|----|----|----|

WORKING CLASS MOTORISTS ARE, THEREFORE, MOST LIKELY TO BE STOPPED FOR SPEEDING WHEREAS PROFESSIONALS ARE MORE LIKELY TO BE STOPPED IN A ROUTINE CHECK.

THE OVERALL RATE OF BEING CHARGED WITH AN OFFENCE IS 14.6%, ALMOST IDENTICAL WITH STOPS ON FOOT (14.3%); THE DIFFERENCE IS THAT OF THOSE CHARGED A VERY HIGH PROPORTION ARE FOUND GUILTY, 65% COMPARED WITH 36% OF THOSE ON FOOT.

#### CAR STOPS BY AGE

CAR STOPS ARE INVERSELY RELATED TO AGE. THUS, FOR EXAMPLE, THE CHANCES OF YOU BEING STOPPED IF YOU ARE 24 ARE SIX TIMES GREATER THAN IF YOU ARE OVER 55.

**TABLE 12**

#### CAR STOPS BY AGE PERCENTAGE OF EACH GROUP

|       | N  | T   | %    |
|-------|----|-----|------|
| 18-24 | 43 | 155 | 27.7 |
| 25-34 | 66 | 326 | 20.0 |
| 35-44 | 43 | 222 | 19.4 |
| 45-54 | 15 | 150 | 10.0 |
| 55-64 | 3  | 70  | 4.3  |
| 65+   | 3  | 56  | 5.4  |

FURTHER, THE CHANCES OF YOUR CAR BEING SEARCHED, ONCE STOPPED, ARE INVERSELY RELATED TO AGE.

**TABLE 13**

#### CAR SEARCHES BY AGE

|       | N  | T  | %    |
|-------|----|----|------|
| 18-24 | 16 | 42 | 38.1 |
| 25-34 | 18 | 66 | 27.3 |
| 35-44 | 4  | 43 | 9.3  |
| 45+   | 1  | 19 | 5.3  |

**CAR STOPS BY GENDER**

**TABLE 14**

**PERCENTAGE OF CARS STOPPED AND  
SUBSEQUENTLY SEARCHED BY GENDER**

|               | <b>CAR STOPS</b> | <b>CAR SEARCHES</b> |
|---------------|------------------|---------------------|
| <b>MALE</b>   | <b>18</b>        | <b>22</b>           |
| <b>FEMALE</b> | <b>14</b>        | <b>21</b>           |

THERE IS NOT SUCH A WIDE GENDER DIFFERENTIAL BETWEEN CAR STOPS AND FOOT STOPS. FOOT STOPS ARE TYPICALLY MUCH MORE FOCUSED ON MALES; IN THE INSTANCE OF THIS RESEARCH 2.7:1; WHEREAS FOR CAR STOPS IT IS ONLY 1.3:1. ONCE STOPPED, HOWEVER, ONE-FIFTH WERE SEARCH IRRESPECTIVE OF GENDER.

**TABLE 15**

**CAR STOPS AND ETHNICITY**

|                               | <b>%</b>    | <b>N</b>  | <b>TOTAL</b> |
|-------------------------------|-------------|-----------|--------------|
| <b>ENGLISH/SCOTTIS</b>        | <b>11.1</b> | <b>22</b> | <b>199</b>   |
| <b>H/WELSH</b>                | <b>20.5</b> | <b>16</b> | <b>78</b>    |
| <b>IRISH</b>                  | <b>16.9</b> | <b>12</b> | <b>71</b>    |
| <b>AFRICAN-<br/>CARIBBEAN</b> |             |           |              |

CLEARLY THE TYPE OF DISTRIBUTION NOTED IN TERMS OF FOOT STOPS IS REPRODUCED IN TERMS OF CAR STOPS, ALTHOUGH SOMEWHAT LESS PRONOUNCED.

**TABLE 16**

**RATIOS OF FOOT STOPS AND CAR STOPS BY ETHNICITY**

|                                    | <b>FOOT STOPS</b> | <b>CAR STOPS</b> |
|------------------------------------|-------------------|------------------|
| <b>IRISH</b>                       | <b>2.4</b>        | <b>1.9</b>       |
| <b>AFRICAN-<br/>CARIBBEAN</b>      | <b>2.2</b>        | <b>1.5</b>       |
| <b>ENGLISH/SCOTTISH/<br/>WELSH</b> | <b>1.0</b>        | <b>1.0</b>       |

THE FIGURES FOR SEARCHES BY ETHNICITY ARE TOO SMALL TO BE OF SIGNIFICANCE.

#### DISCUSSION

CAR STOPS OCCUR FOR TWO REASONS: BECAUSE OF MOTOR OFFENCES RELATING TO BAD DRIVING OR POOR MAINTENANCE OR, AS IN FOOTSTOPS, BECAUSE OF SUSPICION OF CRIME UNRELATED TO MOTORING. SEARCHES ARE, OF COURSE, RELATED TO CRIME *PER SE* RATHER THAN MOTORING OFFENCES. THUS THE SEEMING ANOMALY OF A HIGHER PROPORTION OF MIDDLE CLASS CAR STOPS IS EXPLAINED IN TERMS OF CAR OWNERSHIP AND THAT THE FOCUS, IN THIS INSTANCE, IS ON MOTORING OFFENCES. INDEED THE *PALPABLE EVIDENCE* OF CAR DEFECT OR SPEEDING MEANS THAT, IN GENERAL, THOSE STOPPED IN A CAR ARE LESS DISGRUNTLED (ALTHOUGH SCARCELY HAPPIER) THAN THOSE STOPPED ON FOOT AND THE OVERALL RATE OF THOSE FOUND GUILTY IS CONSIDERABLY GREATER (SEE ALSO CRAWFORD, *ET AL*, 1990, PP.107-110).

HOWEVER, IF WE FOCUS ON SEARCHES (WHICH MOST USUALLY RELATE TO CRIME) THEN THE INVERSE RELATIONSHIP WITH CLASS AND AGE, AND, IN THE CASE OF ETHNICITY, CAR STOPS REPLICATES THE PATTERN OF FOOT STOPS WITH THE IRISH AND AFRICAN-CARIBBEAN WAY AHEAD OF THE ENGLISH, SCOTTISH AND WELSH.

## **CHAPTER FOUR: THE POLITICS OF SOCIAL EXCLUSION**

LET US FIRST DELINEATE THE LEVEL OF CONCENTRATION OF THE POLICE ON CERTAIN SECTORS OF THE POPULATION. THE LEVEL OF FOCUS OF FOOT STOPS IS EXTRAORDINARY; ONE IN SEVEN OF THE IRISH POPULATION IS STOPPED ON SUSPICION OF CRIME IN A TWELVE MONTH PERIOD AND ONE IN EIGHT OF THE AFRICAN-CARIBBEAN. AND, OF COURSE, EACH INDIVIDUAL IS LIABLE TO MULTIPLE STOPS IN THE YEAR, SEVEN TO EIGHT ON AVERAGE. FURTHERMORE, IF WE HONE DOWN OUR FOCUS BY AGE AND GENDER WE FIND THAT OVER ONE IN TWO AFRICAN-CARIBBEAN MEN BETWEEN THE AGE OF 18-24 HAVE BEEN STOPPED AND A SLIGHTLY HIGHER PROPORTION OF YOUNG IRISH MEN. YET EVEN HERE WE HAVE NOT ADDED CLASS, ONCE YOU PUT WORKING CLASS INTO THE PERSPECTIVE THEN YOU ARE IN ALL PROBABILITY TALKING ABOUT NEARLY ALL AFRICAN-CARIBBEANS AND IRISH IN THIS GROUP HAVING BEEN STOPPED. OUR NUMBERS DO NOT ALLOW US TO GENERALISE HERE, ALTHOUGH THEY POINT IN THAT DIRECTION AND ARE UNIVERSALLY CORROBORATED BY THE INTERVIEWEES.

"THE POLICE ASSUME BLACK BOYS ARE UP TO NO GOOD PARTICULARLY IF YOU'RE OUT AS PART OF A GROUP OF MATES BUT EVEN IF YOU ARE ON YOUR OWN. THEY [THE POLICE] SHOULD BE MADE TO KNOW THAT ALL BLACK BOYS AREN'T BAD - MOST AREN'T." (MALE, 14, SECOND GENERATION, AFRICAN-CARIBBEAN - MOTHER A CIVILIAN WORKER FOR THE POLICE.)

"WE ARE STOPPED ALL THE TIME; I CAN'T THINK ONCE OF ANYONE WHO HAD DONE ANYTHING. I THINK THEY'VE GOT IT AGAINST THE IRISH. YOU CAN TELL BY THEIR SNIDE REMARKS, THEIR ATTITUDE, THE WAY THEY STICK AROUND OUTSIDE IRISH PUBS." (MALE, 20, UNEMPLOYED, SECOND GENERATION IRISH.)

IT IS NECESSARY TO SPELL OUT THESE FINDINGS BECAUSE THEY ASSIST THE READER TO REALISE THAT ONE IS NOT TALKING ABOUT A POLICE PROCEDURE WHICH NOW AND THEN, EVER SO SLIGHTLY, IMPACTS ON THE LIVES OF PEOPLE. THIS IS TRUE OF SOME, WE, FOR EXAMPLE, FOUND NO PROFESSIONAL, WHITE MEN OVER 55 WHO HAD BEEN STOPPED ON FOOT AND THE OCCASIONAL OVER 45 YEAR OLD. IN THESE INSTANCES IT WOULD BE QUITE CORRECT TO SAY THAT

SUCH POLICING ENCOUNTERS HAVE LITTLE OR NO EFFECT ON PEOPLE'S ATTITUDES TO THE POLICE; THE OCCASIONAL, RATE STOP ON THE WAY BACK HOME AT NIGHT MAY LEAD TO A ONE-OFF ADVERSE OR CRITICAL COMMENT AT MOST, BUT IS SOON FORGOTTEN. BUT FOR SOME PEOPLE THE CONSTANT ATTENTION OF THE POLICE BECOMES A SUBJECT OF CONSTANT DISCUSSION AND RESENTMENT. AND THIS IS, OF COURSE, PARTICULARLY TRUE OF THOSE, SUCH AS THE IRISH OR AFRICAN-CARIBBEANS, WHO CONSCIOUSLY IDENTIFY AS PART OF AN ETHNIC GROUP AND WHO IN DISCUSSION COME TO REALISE THAT 'PEOPLE LIKE US' ARE A PRIME AND REGULAR TARGET OF POLICE ATTENTION.

"WHEN I WAS IN MY TEENS I HUNG OUT WITH WEST INDIAN KIDS, ACTING BLACK. IT WAS PART OF OUR THING; WE'D GET STOPPED EVERY NIGHT AND ACTED TOUGH AND ALL THAT." (MALE, AFRICAN, STUDENT, EARLY TWENTIES.)

#### THE COMPOUNDING OF EXCLUSION

IT IS COMMON TO EXAMINE THE LEVEL OF STOP AND SEARCH AS AN ENTRY POINT INTO THE CRIMINAL JUSTICE SYSTEM. THIS IS, OF COURSE, IMPORTANT AND WILL OBVIOUSLY RELATE TO DISPROPORTIONALITIES IN TERMS OF SENTENCING AND PRISON POPULATIONS. BUT JUST AS IMPORTANT IS THE LATERAL EFFECT; THAT IS IN TERMS OF THE GENERAL COMPOUNDING OF SOCIAL EXCLUSION.

IT CANNOT BE TOO STRONGLY EMPHASISED HOW THE FOCUS OF FOOT PATROLS IS, ON THE WHOLE, PROPORTIONAL TO THE LEVEL OF ECONOMIC MARGINALISATION OF A SOCIAL GROUP. THAT IS, THE MORE A SECTION OF THE POPULATION IS ECONOMICALLY IN THE CATEGORIES OF THE STRUCTURALLY UNEMPLOYED, OR THAT PART OF THE SECONDARY LABOUR MARKET WHERE WORK IS CASUAL AND INSECURE, THE MORE THEY ARE SUSPECT IN THE STREET, AND OTHER PUBLIC PLACES BY POLICE PATROLS. NO ONE SUGGESTS THAT SUCH A COINCIDENCE IS NECESSARILY PURPOSEFUL (ALTHOUGH ELEMENTS OF SUCH STEREOTYPING UNDOUBTEDLY OCCURS) BUT WHAT IS WITHOUT DOUBT IS THAT ECONOMIC EXCLUSION IS COMPOUNDED BY WHAT IS PERCEIVED AS A LEGAL EXCLUSION. HAVING BEING

BELITTLED IN THEIR ECONOMIC CITIZENSHIP SUCH GROUPS ARE THEN BELITTLED IN THEIR CITIZENSHIP AS LEGAL EQUALS. THUS THE EFFECTS OF SUCH GROSS FOCUSING ON CERTAIN GROUPS IN OUR POPULATION IS NOT MERELY LIMITED TO THE IMPACT OF THE PERCEIVED INJUSTICE AND INDIGNITY OF INTERROGATION BUT OCCURS IN THE ALREADY FRAGILE CIRCUMSTANCES OF ECONOMIC MARGINALISATION. JOHN LEA AND MYSELF, ELSEWHERE, (PARTICULARLY IN *WHAT IS TO BE DONE ABOUT LAW AND ORDER?* 1993) HAVE NOTED HOW SUCH COMPOUNDING OF ECONOMIC MARGINALISATION AND PERCEIVED HARASSMENT BY THE POLICE IS THE STANDARD COMPONENT OF RIOT SITUATIONS WHETHER IT IS IN BRIXTON OR LOS ANGELES. THIS, OF COURSE, IS AN EXTREME EXAMPLE OF SUCH COMPOUNDING OF SOCIAL EXCLUSION. THE DAY TO DAY GRADUAL PROCESS WE DEPICT IN THIS RESEARCH HAS THE MORE MUNDANE EFFECT OF SIMPLE ALIENATION FROM SOCIETY AND FROM THE MORAL BIND TO LAW AND ORDER. IT CREATES A SITUATION OF COPS AND OUTLAWS WHERE THE EXTRAORDINARY LEVELS OF FOCUS OF POLICE ATTENTION CREATE AND CONSTITUTE GROUPS.

"IT BECOMES A GAME, THEY KNOW YOU AND YOU KNOW THEM. THEY TREAT YOU LIKE DIRT BUT YOU DON'T SHOW IT. YOU JUST STARE THEM OUT." (YOUNG, AFRICAN-CARIBBEAN MAN).

#### THEY'RE NEVER THERE WHEN YOU WANT THEM

"I HAVE BEEN STOPPED PLENTY OF TIMES BOTH ON FOOT AND IN THE CAR. IN THE LEAST TWELVE MONTHS I HAVE HAD SEVEN CAR STOPS, FOUR IN FOUR NIGHTS IN A ROW. I WAS TOLD IT WAS JUST A RANDOM CHECK - EVERY TIME THEY LOOKED THROUGH MY DOCUMENTS. I GOT SO FED UP PRODUCING THEM I MADE A COPY AND GAVE IT IN TO THE POLICE STATION/ ALL OF THIS OCCURRED JUST UP THE ROAD (IN DURHAM ROAD AREA) NEAR THE STATION. THE POLICE OFFICERS WERE POLITE BUT I FELT FED UP THAT TWICE THE SAME OFFICERS STOPPED ME AND I HAD TO GO ALL THE WAY THROUGH THE SAME PROCEDURE. AS FAR AS STOPS ON FOOT, ITS GENERALLY YOUNG PEOPLE - I CAN'T SEE IT BEING VERY EFFECTIVE. IT'S MORE SO FOR CARS WHEN THEY ARE LOOKING FOR DEFECTS, NO TAX DISC AND SUCH. BUT MY CAR WAS IN GOOD CONDITION.

I FEEL GENERALLY DISSATISFIED WITH THE POLICE; THEY DON'T SEEM TO WANT TO KNOW ABOUT CRIME IN THE

ESTATE. I WITNESSED A BREAK IN RECENTLY AND 'PHONED THEM BUT NOBODY TURNED UP. THEN I RANG THEM TWO HOURS LATER AND THEY SAID THEY HAD NO RECORD OF THE CALL. IF YOU ASK ME THEY SPEND TOO MUCH TIME IN THE PUB OVER THE ROAD - WHAT IS THE POINT OF GIVING THEM INFORMATION IF THEY DON'T ACT ON IT. DON'T THEY WANT TO SOLVE CRIMES?" (MAN, 46, LOCAL GOVERNMENT OFFICER, BORN IN IRISH REPUBLIC, COUNCIL ACCOMMODATION)

A FREQUENT CRITICISM OF THE POLICE BY THOSE STOPPED CENTRES AROUND NOT A CRITIQUE OF POLICING OR A DISLIKE OF THE POLICE *per se* BUT ON THE LACK OF PROTECTION WHICH THE POLICE PROVIDE WHEN THE INTERVIEWEE HAS BEEN VICTIMISED.

THERE IS A RATIONAL CORE TO THIS. CERTAIN ETHNIC GROUPS, IN PARTICULAR, HAVE EXTREMELY HIGH VICTIMISATION RATES IN PUBLIC PLACES AS WELL AS A HIGH RATE OF STOPS IN PUBLIC SPACES. THUS IF WE LOOK AT TABLE 17, WHICH ANALYSES VICTIMS OF STREET CRIME BY ETHNICITY USING THE SAME FINSBURY PARK DATA BASE AS THE LARGE SCALE STUDY OF STOPS, THE IRISH HAVE THE HIGHEST OVERALL VICTIMISATION RATE AND IRISH WOMEN, IN PARTICULAR, THE GREATEST VICTIMISATION RATE BY STREET ROBBERY OF ANY GROUP. SUCH FINDINGS ARE REINFORCED WHEN WE EXAMINE IN TABLE 18 VICTIMS OF VIOLENCE IN PUBLIC SPACE BY ETHNIC GROUP, ONCE AGAIN USING THE SAME DATA BASE.

**TABLE 17**

**VICTIMS OF STREET CRIME BY ETHNICITY & GENDER  
PREVALENCE IN A TWELVE MONTH PERIOD (PERCENTAGES)**

| ETHNICITY                   | MALE | FEMALE | ALL  |
|-----------------------------|------|--------|------|
| ENGLISH, SCOTTISH,<br>WELSH | 5.8  | 7.5    | 7.0  |
| IRISH                       | 9.0  | 13.4   | 11.2 |
| AFRICAN-<br>CARIBBEAN       | 4.9  | 2.6    | 3.3  |
|                             | 10.5 | 10.5   | 10.5 |

|         |  |  |  |
|---------|--|--|--|
| AFRICAN |  |  |  |
|---------|--|--|--|

[SOURCE ISLINGTON STREET CRIME SURVEY, HARPER ET AL, 1995]

**TABLE 18**  
**VIOLENCE\* IN PUBLIC SPACE BY ETHNICITY AND GENDER**  
**PER CENT OF TOTAL SAMPLE**

| ETHNICITY                   | WOMEN<br>% | MEN<br>% |
|-----------------------------|------------|----------|
| ENGLISH, SCOTTISH,<br>WELSH | 7          | 13       |
| IRISH                       | 6          | 21       |
| AFRICAN-CARIBBEAN           | 13         | 13       |
| OTHER                       | 6          | 7        |

N = 1,000

\* THREATS OF OR ANY  
FORM OF PHYSICAL VIOLENCE

### THE TRIPLE COMPOUNDING OF EXCLUSION

OUR ARGUMENT, SO FAR, IS THAT THE ECONOMICALLY EXCLUDED ARE MOST LIKELY TO BE THE FOCUS OF POLICE ATTENTION AND OF CRIMINAL VICTIMISATION. THE MARGINALISED ARE HARASSED AND THEN NEGLECTED. LET US NOW TURN TO THE REASONS WHY THE POLICE FOCUS IN PARTICULAR TENDS TO BE OF THIS NATURE.

### THE SOCIAL CONSTRUCTION OF STOP AND SEARCH STATISTICS

IN OUR 1995 STUDY WE POINTED TO THE FACT THAT THERE ARE TWO MAJOR COMPONENTS WHICH GENERATE THE STOP AND SEARCH STATISTICS:

1. THE PEOPLE SELECTED BY THE POLICE, AND
2. THE PEOPLE AVAILABLE TO BE SELECTED.

IF ONE WANTS, THE DEMAND AND THE SUPPLY OF THE SITUATION. WE INDICATED HOW IT WAS COMMONPLACE TO IGNORE THE SECOND COMPONENT ALTHOUGH IT IS OBVIOUS THAT, FOR EXAMPLE, AS 51%

OF STOPS IN FINSBURY PARK OCCUR EITHER AT DUSK OR IN THE NIGHT - THOSE PEOPLE WHO REGULARLY GO OUT AT NIGHT ARE MORE LIKELY TO BE STOPPED THAN OTHERS. THIS CERTAINLY WOULD SUGGEST MEN RATHER THAN WOMEN; THE YOUNG RATHER THAN THE OLD; IN TERMS OF ON FOOT; WORKING CLASS RATHER THAN MIDDLE CLASS AND; GIVEN OUR KNOWLEDGE OF LEISURE PATTERNS; MEMBERS OF CERTAIN ETHNIC GROUPS (SUCH AS AFRICAN-CARIBBEAN AND IRISH) RATHER THAN OTHERS. SUCH AN ANALYSIS WAS DEVELOPED BY THE HOME OFFICE (SEE FITZGERALD AND SIBBITT, 1997; FITZGERALD AND HALE, 1999) IN WHICH THEY SUGGEST THAT TO UNDERSTAND DIFFERENCES IN RATES OF STOPS BY ETHNICITY ONE MUST SEPARATE OUT A SERIES OF SOCIO-ECONOMIC FACTORS OTHER THAN ETHNICITY (EG AGE, CLASS); LIFESTYLE FACTORS WHICH DETERMINE THE *AVAILABILITY* FOR BEING STOPPED; AS WELL AS POLICING FACTORS:

**TABLE 19  
FACTORS LIKELY TO INFLUENCE ETHNIC PATTERS IN PACE DATA**

| <b>SOCIO-ECONOMIC FACTORS</b>   | <b>LIFESTYLE FACTORS</b>   |
|---------------------------------|--|
|                                 | <b>POLICING FACTORS</b>  |
| AGE                             | CAR OWNERSHIP  |
| GENDER                          | NIGHTS OUT PER WEEK  |
| AREA OF RESIDENCE               | SCHOOL EXCLUSIONS  |
|                                 | OPERATIONAL REASONS FOR VARIATIONS (EG RESPONSE TO CRIME REPORTS TARGETED OPERATIONS AND SURVEILLANCE OF PROMINENT NOMINALS) |
| EMPLOYMENT AND EDUCATION STATUS | INTERPRETATION OF POWERS   |
| MARITAL STATUS                  | RECORDING PRACTICES  |

[SOURCE: FITZGERALD AND SIBBITT, 1997, P.65]

LET US REJIG THIS IN TERMS OF OUR NOTIONS OF DEMAND AND SUPPLY: POLICE SUSPICION AND PUBLIC AVAILABILITY.

**TABLE 20  
THE DEMAND AND SUPPLY MODEL OF STOP AND SEARCH**

| <b>DEMAND</b>  | <b>SUPPLY</b>   |
|--|---|
| SUSPICIOUSNESS   | AVAILABILITY  |
| POLICE STEREOTYPES<br>YIELD<br>SPATIAL FOCUS<br>(CLUBS AND PUBS) | UNEMPLOYMENT<br>LIFESTYLE<br>SCHOOL EXCLUSIONS<br>POVERTY |

IT SHOULD BE NOTED THAT IN TERMS OF THE CLASS THESIS BOTH DEMAND AND SUPPLY COME TOGETHER MARKEDLY. THE POLICE ARE SUSPICIOUS OF YOUNG, WORKING CLASS MALES AS INDEED THEY COMMIT A HIGH PROPORTION OF STREET CRIME AND YIELD FROM STOP AND SEARCH IS PRESUMABLY HIGHEST FOR THIS GROUP. AND PRECISELY THIS SECTION OF THE POPULATION ARE MORE LIKELY TO BE OUT AT NIGHT, TO BE ON THE STREET BECAUSE OF SCHOOL EXCLUSION ETC.

THUS YOUNG WORKING CLASS MEN ARE THE MOST FREQUENT OFFENDERS AND HAVE THE LIFESTYLE (OUT AT NIGHT AND ON FOOT) WHICH MAKES THEM AVAILABLE FOR STOP AND SEARCH. OUR CONCLUSION FROM OUR EARLIER STUDY WAS THAT ON A SUPERFICIAL LEVEL POLICE SUSPICION WOULD BE RATIONALLY DIRECTED TOWARDS THIS GROUP. YET, IN FACT, ONLY A VERY SMALL PROPORTION WILL BE (AND EVER ARE) ARRESTED FOR SERIOUS OFFENCES. THUS, ALTHOUGH THIS MAY BE THE MOST SENSIBLE GROUP TO FOCUS UPON, THE YIELD WILL BE SMALL (AND IS INDEED FALLING) AND THE LIKELIHOOD OF ALIENATING A SIGNIFICANT SECTION OF THE POPULATION IS CONSIDERABLE.

#### **INSTITUTIONALISED CLASSISM?**

AS WE HAVE SEEN, THE OVERWHELMING FOCUS OF POLICE ATTENTION IS ON THE WORKING CLASS, YOUNG, MALE. AND LET US NOTE THAT BOTH POLICE SUSPICION AND PUBLIC AVAILABILITY COME TOGETHER TO PRODUCE THIS STATISTIC .. THAT IS THESE ARE THE PEOPLE THE POLICE SUSPECT MOST AND THESE ARE THE PEOPLE MOST AVAILABLE TO BE PICKED UP ON THE STREET, AT NIGHT, OR WANDERING THE CITY IN 'INAPPROPRIATE PLACES'.

ZYGMUNT BAUMAN, IN HIS RECENT WORK, TALKS OF 'THE CRIMINALISATION OF POVERTY' (1998A, P.125) AND NOTES HOW "POVERTY TURNS FROM THE SUBJECT MATTER OF SOCIAL POLICY INTO A PROBLEM FOR PENOLOGY AND CRIMINAL LAW" (1998B, P.77). INDEED, THESE PEOPLE, 'THE POLICE PROPERTY' ARE LARGELY POOR - LOWER WORKING CLASS RATHER THAN SKILLED AND THIS FOCUS SEEMS TO HAVE INCREASED, FACILITATED BY NOTIONS OF 'UNDERCLASS' AND THE BELIEF THAT SOCIAL PROBLEMS CAN BE SOLVED, OR AT LEAST CONTAINED, BY MULTI-AGENCY POLICING AND THE RHETORIC AND PRACTICE OF COMMUNITY SAFETY.

#### **THE CRIMINALISATION OF POVERTY**

THE STEREOTYPICAL DIVISION OF THE WORLD BY POLICE OFFICERS INTO THE VAST MAJORITY OF RESPECTABLE PEOPLE AND 'THE DREGS', 'THE SCUM' - THE SMALL MINORITY OF THE UNWORTHY AND THE

DISREPUTABLE HAS BEEN POINTED OUT BY NEARLY EVERY COMMENTATOR ON POLICING (SEE REINER, 1992; SMITH, 1983). THESE PEOPLE ARE, IN J A LEE'S (1981) GRAPHIC PHRASE, 'POLICE PROPERTY', THE 'TRUE' OBJECT OF POLICE ATTENTION AND CONCERN. THE RATIONAL CORE OF THIS IS THAT IT IS, OF COURSE, THE POOR WHO COMMIT MOST STREET CRIMES SUCH AS MUGGING AND BURGLARY, WITH WHICH POLICE PATROLS ARE CONCERNED (AND CONVERSELY, THAT IT IS THE RICH AND THE MIDDLE CLASSES WHO COMMIT CRIMES SUCH AS FRAUD AND INSIDER DEALING WITH WHOM PATROLS ARE, BY DEFINITION, UNCONCERNED). THE FOCUS UPON THE POOR, THE YOUNG AND THE MALE PART OF THE POPULATION IS NOT, THEREFORE, AT ALL ODD. YET AS ONLY A TINY MINORITY OF THE SUSPECT POOR ARE ACTUALLY GUILTY OF SUCH AN OFFENCE, THE WIDESPREAD USE OF STOP AND SEARCH INEVITABLY RESULTS IN A LARGE NUMBER OF INNOCENT PEOPLE BEING STOPPED AND CONSEQUENTLY ALIENATED. INDEED THE FIGURES SHOWN IN FIGURES 1-4 IN THE INTRODUCTION TO THIS REPORT SHOW THAT THE PROPORTION OF SEARCHES WHICH DO NOT RESULT IN ARREST HAS BEEN RISING RAPIDLY SINCE 1986. THE PROBLEM, ALWAYS THERE, HAS SEEMINGLY INCREASED REMARKABLY.

AS NUMEROUS STUDIES HAVE SHOWN, THIS SECTION OF THE POPULATION WHICH IS THE FOCUS OF POLICE ATTENTION HAS:

- A) THE HIGHEST LEVEL OF CRIMINAL VICTIMISATION (IE THE GREATEST *NEED* FOR POLICE SERVICES);
- B) THE HIGHEST KNOWLEDGE OF ILLEGALITIES (IE THE POTENTIALLY MOST USEFUL *KNOWLEDGE* AS INFORMANTS);
- C) THE HIGHEST LEVEL OF ALIENATION AND SUSPICION OF THE POLICE;
- D) THE LOWEST LEVEL OF WILLINGNESS TO COOPERATE WITH THE POLICE.

THE DIVISION OF THE SOCIETY INTO TWO SECTIONS IS DRAMATICALLY INDICATED BY PETER KENNISON'S OBSERVATION THAT THE RATIO OF BLACK TO WHITE POLICE CONTACTS IS INVERTED WHEN WE COMPARE POLICE-PUBLIC CONTACTS IN PUBLIC SPACES. THAT IS, THE DISPROPORTIONATE LEVEL OF *POLICE INITIATED*

CONTACTS WITH BLACKS COMPARED TO WHITES BECOMES A SIMILARLY DISPROPORTIONAL LEVEL OF *PUBLIC INITIATED* CONTACTS WITH THE POLICE OF WHITE COMPARED TO BLACKS (SEE KENNISON, 1999). THUS ONE SIDE OF THE LINE ARE PERCEIVED AS THE FOCUS OF POLICE ATTENTION AS POTENTIAL CRIMINALS AND DEMAND LESS OF A SERVICE FROM THE POLICE WHILST THE OTHER ARE SEEN AS THE FOCUS OF POLICE SERVICE PROVISIONS AND DEMAND A COMPARATIVELY HIGHER LEVEL OF PROVISION. SUCH A STEREOTYPICAL DIVISION OF THE WORLD IS SEEN TRAGICALLY IN THE EVENTS FOLLOWING STEPHEN LAWRENCE'S DEATH WHERE THE DETECTIVES SEEMED TO VIEW THE DEAD TEENAGER AS PART OF A CRIMINAL INCIDENT RATHER THAN THE VICTIM AND WERE EXTRAORDINARILY UNHELPFUL TO THE LAWRENCE FAMILY IN THE SUBSEQUENT INVESTIGATION (MACPHERSON, 1999).

THE FOCUS OF POLICE ATTENTION ON THIS GROUP IS, THEREFORE, RATIONAL IN DIRECTION BUT IRRATIONAL IN TERMS OF THE LOW YIELD. AS WE HAVE SEEN, THE DEGREE TO WHICH ETHNIC GROUPS HAVE A HIGH MASCULINE OR YOUTHFUL OR WORKING CLASS COMPONENT WILL MEAN THAT IN THESE TERMS THEY WILL INEVITABLY HAVE A HIGHER FOCUS UPON THEM; THE CRITIQUE OF THIS POINT IS THEREFORE *NOT* ON THE EXISTENCE OF DISPROPORTIONALITY BUT THE HIGH AMOUNT OF STOPS AND THE LOW LEVEL OF YIELD. BUT, AS WE HAVE ARGUED IN THE PREVIOUS CHAPTER, THE HIGH STOP RATE OF AFRICAN-CARIBBEANS AND THE IRISH IS OVER AND ABOVE THAT EXPECTED SIMPLY FROM A FOCUS ON THE WORKING CLASS POOR. IT IS HERE LOCKED ON TOP OF INSTITUTIONALISED CLASSISM WE WILL FIND RACISM BOTH OF AN INSTITUTIONALISED AND NON-INSTITUTIONALISED VARIETY.

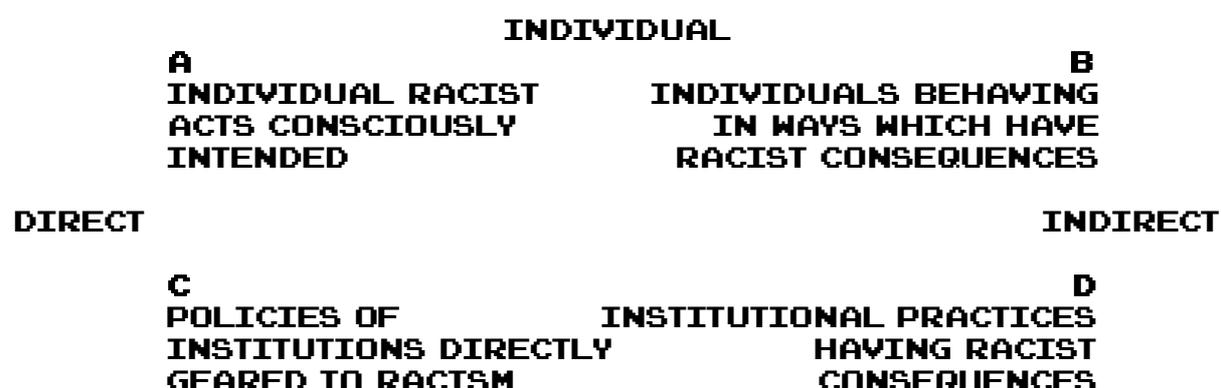
#### **INSTITUTIONALIZED RACISM**

THERE IS CONSIDERABLE DISAGREEMENT AND CONFUSION IN THE LITERATURE AS TO WHAT CONSTITUTES INSTITUTIONALIZED RACISM, LET ALONE WHETHER IT EXISTS AND WHAT IS ITS IMPACT (SOLOMOS AND BACK, 1996). THE CLEAREST EXPOSITION OF TYPES OF RACISM IS THAT SET OUT BY JOHN LEA (1986) WHICH IS OF PARTICULAR INTEREST AS IT IS DEVELOPED IN A DISCUSSION OF POLICY. IN THIS HE USES TWO DIMENSIONS, WHETHER THE RACISM IS DIRECT OR

INDIRECT, AND WHETHER IT IS BASED ON INDIVIDUAL OR INSTITUTIONAL PRACTICE. THUS:

FIGURE 6

TYPES OF RACISM



INSTITUTIONAL

[SOURCE: JOHN LEA, 1986, P.149]

EACH OF THESE FOUR TYPES OF REASON HAS A POLICY IMPLICATION.

TABLE 21

TYPES OF RACISM AND TYPES OF REMEDIAL POLICIES

|   |   |                            |
|---|---|----------------------------|
| A | 'BAD APPLE'   | WEED OUT THESE INDIVIDUALS |
| B | UNCONSCIOUS STEREOTYPING                                      | RACIAL AWARENESS TRAINING  |
| C | INSTITUTIONALISED RACISM AT LEVEL OF STATE                    | POLITICAL CHANGE           |
| D | INSTITUTIONALISED RACISM AS A FUNCTION OF UNINTENDED PRACTICE | ORGANISATIONAL CHANGE      |

LEA'S CLASSIFICATION IS OF IMPORTANCE BECAUSE IT CLEARLY DISTINGUISHES WORKING PRACTICES FROM INDIVIDUAL ATTITUDES AND, ~~TAKES ON BOARD, THE FACT THAT CERTAIN PRACTICES CAN HAVE RACIST OUTCOMES~~ *WHETHER OR NOT* THE OVERARCHING POLICY IS RACIST IN INTENT. THE INSTITUTIONAL RACISM (TYPE C ABOVE) WHICH IS INTENDED, AS EXEMPLIFIED HISTORICALLY BY THE APARTHEID RÉGIME IN SOUTH AFRICA AND THE ACTIVITIES OF SOME POLICE DEPARTMENTS IN THE SOUTH OF THE UNITED STATES, HAS NO CLEAR PARALLEL HERE, IT IS INSTITUTIONALISED RACISM OF AN UNINTENDED NATURE (TYPE D) WHICH IS OF GREATEST RELEVANCE.

THUS RACISM CAN OCCUR ON ALL OF THESE LEVELS BUT INSTITUTIONALISED RACISM WHICH IS LOCKED INTO THE *PRACTICES* OF A BUREAUCRACY IS MUCH MORE DIFFICULT TO ERADICATE THAN THAT WHICH IS MERELY ON AN ATTITUDINAL LEVEL. WITH THE RIGHT PRACTICES IN PLACE, AS LEA INDICATES, EVEN RACIST OFFICERS CAN ACT IN A CIVILISED FASHION BECAUSE IT IS IN THEIR INTERESTS TO DO SO. ON THE OTHER HAND, WHEN RACIST PRACTICES ARE INSTITUTIONALISED INTO THE WORKING PRACTICES OF A POLICE SERVICE, THEN RACIST ATTITUDES ARE GIVEN LEGITIMACY. IN THESE INSTANCES THOSE POLICE OFFICERS WITH RACIST OPINIONS WILL BE ENCOURAGED TO EXPRESS THEM BUT, EVEN MORE UNFORTUNATELY, THOSE PERFECTLY DECENT OFFICERS OF A FAIR MINDED DISPOSITION WILL FIND THEMSELVES BOUND INTO PRACTICES WHICH HAVE RACIST OUTCOMES.

#### **OCCLUDED FOCUS**

BY OCCLUDED FOCUS WE MEAN THAT POLICE OFFICERS MAY PUT A PARTICULARLY HIGH PRESSURE OF SURVEILLANCE ON A COMMUNITY WITHOUT REALISING THAT THIS IS HAPPENING. FOR EXAMPLE, AS THE WHITE POPULATION OF FINSBURY PARK IS CONSIDERABLY LARGER THAN THE BLACK POPULATION, FROM THE POINT OF VIEW OF THE POLICE OFFICER, HE OR SHE IS HARDLY SINGLING OUT BLACKS GIVEN THAT FIVE OUT OF SIX FOOTSTOPS ARE DIRECTED AT WHITES. YET, OF COURSE, FROM THE POINT OF VIEW OF YOUNG BLACKS WHAT ACTUALLY HAPPENS IS A VERY HIGH PROPORTION ARE MULTIPLY STOPPED. THIS IS EVEN MORE OCCLUDED IN THE CASES OF THOSE OF IRISH DESCENT TO WHOM ONE IN THREE OF STOPS OCCUR IN FINSBURY PARK. THIS IS A FAIRLY HIGH PROPORTION OF STOPS, YET BECAUSE MANY SECOND GENERATION IRISH HAVE LONDON ACCENTS WITH LITTLE OR SLIGHT IRISH LILT, IT WOULD NOT BE OBVIOUS TO THE POLICE OFFICER IN MANY INSTANCES THAT THEY WERE IRISH *although from the perspective of those stopped and their families it would be obvious that a very significant targeting was occurring.*

FURTHERMORE, IT IS INTERESTING WHAT THE EFFECT OF INCLUDING THE IRISH IN THE SAME CATEGORY AS ENGLISH, SCOTTISH AND WELSH IN THE PSEUDO-SCIENTIFIC CATEGORY 'WHITE' WHEN MAKING

COMPARISONS. FOR, IN FACT, JUST OVER ONE HALF OF STOPS ARE FOCUSED ON AFRICAN-CARIBBEANS AND THE IRISH. PUT THIS WAY, THE BIAS OF POLICING IS OBVIOUS.

#### **THE SOCIAL FOCUS**

THE FOCUS OF POLICE ATTENTION EVIDENCED IN THE SURVEY WAS CLEARLY CORROBORATED IN THE INTERVIEWS. TIME AND TIME AGAIN INTERVIEWEES IN THEIR THIRTIES AND FORTIES NOTED THAT BEING STOPPED WAS LESS LIKELY NOW THAN COMPARED TO WHEN THEY WERE YOUNG.

"I WAS STOPPED A LOT WHEN I WAS YOUNG - JUST A TEENAGER, NOT DOING MUCH, JUST HANGING AROUND AS YOU DO. I WAS CONSTANTLY ASKED TO MOVE ON. IT DOESN'T HAPPEN TO ME NOW THAT I AM OLDER, ANYWAY I HAVE A YOUNG FAMILY AND DON'T GO OUT MUCH ANYMORE." (MALE, 32, SECOND GENERATION IRISH, BT ENGINEER).

"I DON'T GET STOPPED AS MUCH AS WHEN I WAS YOUNGER, AT LEAST IN THIS AREA - ALTHOUGH I DID GET STOPPED THREE MONTHS AGO OUTSIDE A CLUB IN THE WEST END. IT'S TEENAGERS WHO GET STOPPED THE MOST." (MALE, 28, GREEK CYPRIOT, UNEMPLOYED).

## **LURKING AND LARKING: THE SPATIAL FOCUS**

"WE GO OUT ONCE A WEEK ON SATURDAY NIGHT TO [WELL KNOWN IRISH PUB]. IT'S OPEN LATE, THE MUSIC IS GOOD AND WE GET A WEE BIT BOISTEROUS. IT'S JUST LARKING ABOUT REALLY. BUT THE FUNNY THING IS WE'RE ALMOST ALWAYS STOPPED ON OUR WAY HOME. SAY ONE IN TWO TIMES. IT'S AS IF THEY ARE LYING IN WAIT FOR US. WE'RE REGULARLY STOPPED BUT THERE'S NEVER ANY REASON TO ARREST US." (TWO IRISH LADS, LATE TEENS, ONE BORN IN IRELAND, THE OTHER SECOND GENERATION)

THE FOCUS BOTH OF STOPS AND SEARCHES WAS CLEARLY FOCUSED 71% OF ALL MULTIPLE STOPS WAS IN THE FINSBURY PARK AREA (RATHER THAN PEOPLE BEING STOPPED OUTSIDE OF THEIR AREA OF RESIDENCE) AS DID 70% OF SEARCHES. BUT THE SPATIAL FOCUS WAS GREATER THAN THIS: IT WAS OUTSIDE OF PARTICULAR PUBS AND CLUBS, IT WAS ON SPECIFIC AREAS OF PARTICULAR ESTATES. IT WAS SURELY TARGETING TOWARDS WHAT WERE SEEN AT CERTAIN TIMES AS HOTSPOTS OF INCIVILITIES AND CRIME. PLACES WHICH DESERVED ATTENTION BUT PERHAPS, MORE SIGNIFICANTLY, PLACES WHERE IT WAS EASY TO ATTEND TO. THE INCONGRUITY THESIS CLEARLY DID NOT APPLY: THE FOCUS WAS ON PARTICULAR SORTS OF PEOPLE IN PRECISELY THOSE PARTS OF FINSBURY PARK, AT THOSE TIMES, THAT ONE WOULD EXPECT TO FIND THEM. IF ANYTHING, THIS CORROBORATES THE SURMISE OF OUR EARLIER, 1995, STUDY WHICH USED THE METAPHOR OF TRAWLING. THE POLICE TRAWL IN THOSE AREAS WHERE THEY CAN MAKE SOME LEVEL OF ARREST, SOME POSSIBILITY OF RESULT, EVEN THOUGH THE YIELD IS LOW AND CONSISTS LARGELY OF TRIVIAL CRIMES AND MISDEMEANOURS.

## **FAILING THE ATTITUDE TEST**

IT IS IMPORTANT TO STRESS THE HOSTILITY, MORE OFTEN UNSPOKEN BUT SOMETIMES REplete WITH RACIST EPITHETS, WHICH ACCOMPANIES MANY A STOP PARTICULARLY LATE AT NIGHT. INTERVIEWEE AFTER INTERVIEWEE MENTIONED THE BRISTLING OF RESENTMENT AS ONE GROUP OF YOUNG MEN IN UNIFORM CONFRONTED ANOTHER WALKING THE STREETS. FREQUENTLY THE INDIVIDUALS STOPPED EVENTUALLY CRACK AND QUARREL WITH THE POLICE SOMETIMES ON THE EDGE OF VIOLENCE. THE ARRESTS WHICH ARISE FROM SUCH CONFRONTATIONS WE CALLED, IN THE LAST REPORT,

'META-CRIMES' - CRIMES CREATED BY THE CONFRONTATION RATHER THAN CRIMES IN THEMSELVES. IT IS DIFFICULT NOT TO VIEW THESE SITUATIONS AS AN ATTEMPT TO BOLSTER ARREST STATISTICS OR, AS ONE POLICE OFFICER INTERVIEWED SUCCINCTLY PUT IT, THE SUSPECTS HAD "FAILED THE ATTITUDE TEST".

#### **INSTITUTIONALISED CLASSISM AND RACISM**

AS WE HAVE SEEN THE NOTION OF THE CLASS THESIS (MORE PRECISELY THE FOCUS ON THE YOUNG, THE MALE AND THE WORKING CLASS) IS FREQUENTLY POSITED AS AN ALTERNATIVE TO THE NOTION OF RACIST PREJUDICE AS THE MECHANISM WHICH EXPLAINS AWAY THE ETHNICALLY DISPROPORTIONAL FOCUS OF STOPS. IN THE MARVELLOUS PHRASE OF THE MACPHERSON REPORT, THE HOST OF FACTORS WHICH 'PRAY AWAY' RACISM (SEE CHAPTER SIX). BUT EVEN IF THE DISPROPORTIONALITY WERE TO BE EXPLAINED COMPLETELY BY CLASS FACTORS (AND AS WE HAVE SEEN THIS IS NOT SO) THIS WOULD NOT FOR A MOMENT MITIGATE THE RACIST *impact* OF SUCH DISPROPORTIONALITY. YET WE HAVE UNCOVERED NOT ONLY INSTITUTIONALISED CLASSISM BUT UPON ITS BACK INSTITUTIONALISED RACISM: A DOUBLE BURDEN OF PREJUDICE AND EXCLUSION. THIS PROCESS HAS BOTH A SOCIAL AND A SPATIAL FOCUS - IT CONCENTRATES ON CERTAIN ETHNIC GROUPS AND DWELLS UPON THE PLACES (THE PUBS, CLUBS AND STREETS) THAT THEY FREQUENT. ITS STEREOTYPE VARIES AND DIFFERENTIATES BETWEEN ETHNIC GROUPS. THUS IT SEES *certain* SOUTH ASIAN GROUPS AS OF LOW CRIMINALITY AND OTHERS, SUCH AS AFRICAN-CARIBBEAN AND IRISH OF HIGH CRIMINALITY, TROUBLESOME AND UNCIVIL. AND, AS WE HAVE DELINEATED, IT DRAWS DIFFERENT PARAMETERS AROUND GROUPS. IT FOCUSES ON ALL AFRICAN-CARIBBEANS REGARDLESS OF CLASS, WITH THE EXCEPTION OF THOSE OVER 45, AS POTENTIAL TROUBLEMAKERS. PERHAPS THIS IS BECAUSE OFFICERS SEE BLACK SKIN AS EQUALLYING LOWER CLASS AND ARE UNABLE TO DISTINGUISH MIDDLE CLASS AFRICAN-CARIBBEANS, PERHAPS THIS IS SIMPLY RACISM; WHATEVER, IT HAS A SIGNIFICANT RACIST IMPACT ON THE COMMUNITY PLACING BLACK PEOPLE IN THE CATEGORY OF THE TARGETS RATHER THAN THE 'CONSUMERS' OF THE POLICE SERVICE. (THE EVENTS AROUND THE DEATH OF STEPHEN

LAURENCE WERE A TRAGIC EXAMPLE OF THIS). WITH REGARDS TO THE IRISH, THE PARAMETERS CUT DIFFERENTLY: THE FOCUS IS MORE UPON THE WORKING CLASS BUT THERE IS LITTLE ALLOWANCE MADE FOR AGE. "THEY SEE US ALL AS DRUNKEN PADDIES", ONE INTERVIEWEE SAID AND THIS SENTIMENT WAS ECHOED AMONGST THE OLDER PEOPLE WE TALKED TO.

## CHAPTER FIVE:

### THE PROFLIGATE USE OF STOP AND SEARCH

WE NOTED IN THE FIRST CHAPTER THE EXTRAORDINARY RISE IN STOP AND SEARCH WHICH HAS OCCURRED SINCE THE INCEPTION OF PACE IN 1986. THIS HAS BEEN ACCOMPANIED BY A STEADY DECLINE IN THOSE ARRESTED SO THAT AT PRESENT 90% OF THOSE SEARCHED ARE INNOCENT - AND, OF COURSE, THESE ARE ONLY THOSE WHOSE STOP HAS BEEN RECORDED. IF WE LOOK AT THE VARIATION NATIONALLY WE CAN FIND SOME CLUES AS THE WAY FORWARD IN TERMS OF RETURN IN THE METROPOLITAN POLICE AREA:

**TABLE 22**

**STOPS AND SEARCHES UNDER SI POLICE ON CRIMINAL EVIDENCE ACT 1984 AND OTHER LEGISLATION, BY SELECTED POLICE FORCE AREAS 1997/8**

|                    | <b>RATE OF STOP &amp; SEARCH PER 1,000 POPULATION</b> | <b>PERCENTAGE OF STOP &amp; SEARCH RESULTING IN ARREST</b> | <b>PROPORTION OF ALL ARRESTS RESULTING FROM STOP &amp; SEARCH</b> |
|--------------------|---|--|---|
| BEDFORDSHIRE       | 11  | 12   | 4   |
| E                  | 22  | 10   | 5   |
| GREATER MANCHESTER | 10  | 10   | 4   |
|                    | 15  | 14   | 4   |
|                    | 19  | 11   | 6   |
| HERTFORDSHIRE      |   |  |   |
| LANCASHIRE         |   |  |   |
| LEICESTERSHIRE     |   |  |   |
| METROPOLITAN       | 52  | 11   | 11  |
| NOTTINGHAMSHIRE    | 9   | 13   | 2   |
| THAMES VALLEY      | 9   | 13   | 3   |
| WEST MIDLANDS      | 19  | 8  | 3   |
| WEST               | 12  | 12   | 3   |

|                            |   |   |   |
|----------------------------|---|---|---|
| <b>YORKSHIRE</b>           |   |   |   |
| <b>ENGLAND &amp; WALES</b> | - | - | 5 |

[SOURCE: TABLES 3.2, 3.4, 4.3, HOME OFFICE, 1998]

IF WE EXAMINE TABLE 22 WHICH IS DERIVED FROM THE RECENT *STATISTICS ON RACE AND THE CRIMINAL JUSTICE SYSTEM*, WE CAN NOTE THE FOLLOWING:

**1. VARIATION IN RATES OF STOP AND SEARCH**

THERE IS EXTREMELY WIDE VARIATION FROM 9 PER 1,000 IN NOTTINGHAMSHIRE TO 52 PER 1,000 OF THE POPULATION IN THE METROPOLITAN POLICE DISTRICT. EVEN GREATER MANCHESTER, WHICH IS A COMPARABLE URBAN AREA, HAS A RATE CONSIDERABLY LESS THAN HALF (42%) OF THE METROPOLITAN RATE. IT IS DIFFICULT TO IMAGINE WHAT JUSTIFICATIONS THERE ARE FOR THE HIGH USE OF SUCH POWERS IN LONDON. THERE ARE OBVIOUSLY NO UNSURMOUNTABLE REASONS WHY CONSIDERABLE REDUCTIONS COULD NOT BE MADE.

**2. ARREST YIELD FROM STOP AND SEARCH**

HERE THE RATE VARIES FROM 8% IN THE WEST MIDLANDS TO 13% IN NOTTINGHAMSHIRE AND THE THAMES VALLEY, WITH THE MPD BEING IN BETWEEN, AT 11%. THE PERCENTAGE OF INNOCENT PEOPLE STOPPED IS, THEREFORE, HIGH IN ALL AREAS - AROUND THE 90% MARK - THIS IS A GENERAL PROBLEM OF STOP AND SEARCH WHICH NEEDS TO BE REMEDIED RATHER THAN A PROBLEM OF PRACTICES IN PARTICULAR POLICE DISTRICTS.

**3. PERCENTAGE OF TOTAL ARRESTS THE RESULT OF STOP AND SEARCH**

HERE THERE IS CONSIDERABLE VARIATION FROM 2% IN NOTTINGHAMSHIRE, THROUGH 5% IN GREATER MANCHESTER TO 11% IN THE MPD. IT IS OBVIOUS THAT THERE IS NO CAST IRON REASON WHY STOPS SHOULD PROVIDE ONE TENTH OF ALL

ARRESTS AS THEY DO IN LONDON. THAT IS, THE ARGUMENT THAT STOP AND SEARCH IS VITAL BECAUSE OF ITS VALUABLE CONTRIBUTION TO THE OVERALL ARREST RATE WOULD NOT SEEM TO HOLD WATER.

### **THREE TYPES OF SUSPICION**

*IN POLICING THE STREETS* WE ARGUED THAT SUSPICION COULD BE OF THREE SORTS:

1. STEREOTYPICAL: WHICH IS THE PRESENT SYSTEM WHERE POLICE STEREOTYPES AND PRACTICE FOCUS UPON CERTAIN GROUPS CREATING ALIENATION FROM THE PUBLIC YET PRODUCING A LOW YIELD;
2. DEMOCRATIC: WHERE EVERY GROUP, SUB-GROUP AND INDIVIDUAL WITH SOCIETY IS SUSPECTED EQUALLY. THIS IS OFTEN THE IDEAL AGAINST WHICH STEREOTYPICAL SUSPICION IS FOUND WANTING BUT IT WOULD BE COSTLY TO ENACT, BE POLITICALLY COUNTERPRODUCTIVE AND WOULD IN NO TIME MAKE THE LAW LOOK LIKE AN ASS. IT WOULD BE A NONSENSE TO SUSPECT OLD LADIES OF BURGLARY, STREET ROBBERY AND THE POSSESSION OF ECSTASY TABLETS. AS STOP AND SEARCH IS AIMED AT STREET CRIMES AND WORKING CLASS YOUNG MEN ARE THE CHIEF OFFENDERS, THE FOCUS IS NATURALLY UPON THEM. IN A WAY THIS IS "INSTITUTIONALISED CLASSISM" BUT THE PUBLIC PRIORITISE THESE CRIMES, AND IN THAT THE POOR SUFFER MORE FROM THESE CRIMES THAN DO THE MIDDLE CLASSES (SEE LEA AND YOUNG, 1993). THE PROBLEM OF SUCH INSTITUTIONALISED CLASSISM IS NOT THE FOCUS BUT THE SCALE: ENORMOUS NUMBERS OF INNOCENT PEOPLE ARE SUSPECTS AND STOPPED CAUSING WIDESPREAD PUBLIC DISAFFECTION. AND, ON TOP OF SUCH CLASSISM, IS AN INSTITUTIONALISED RACISM WHICH, AS WE HAVE SEEN, BOTH INTENTIONALLY AND UNINTENTIONALLY FOCUSES ON ETHNIC GROUPS SUCH AS THE IRISH AND THE AFRICAN-CARIBBEAN IN A DISCRIMINATORY FASHION.

3. INFORMATION-LED: AGAINST BOTH OF THE ABOVE MODES IT WAS ARGUED THAT THE IDEAL USE OF STOP AND SEARCH WOULD BE WHERE SUSPICION WAS INFORMATION-LED, THAT IS WHERE STOPS ONLY OCCURRED WHERE THERE WAS ACTUAL HARD EVIDENCE AS TO THE LIKELIHOOD THAT THE PERSON STOPPED WAS AN OFFENDER.

THE HOME OFFICE RESEARCH STUDY *ETHNIC MONITORING IN POLICE FORCES: A BEGINNING* (FITZGERALD AND SIBBITT, 1997) FOLLOWS THIS LINE OF REASONING, CONCURRING THAT DEMOCRATIC SUSPICION WOULD BE UNFEASIBLE AND ILLOGICAL AND AGREEING THAT STEREOTYPICAL SUSPICION UNDOUBTEDLY OCCURS. BUT THE RESEARCHERS NOTE:

"THIS POSES A REAL DILEMMA ... ALSO ILLUSTRATED BY REFERENCE TO YOUNG'S 1994 STUDY OF STOP AND SEARCH ... - THE POLICE CANNOT DO THEIR JOB EFFECTIVELY WITHOUT BEING SELECTIVE IN THEIR SUSPICIONS; AND THERE ARE STRONG ARGUMENTS THAT IMPROVED SHARING AND STRATEGIC USE OF 'INTELLIGENCE' WILL CONTRIBUTE TO MORE EFFECTIVE (AND EFFICIENT) POLICING. YET, IN THE CONTEXT OF CONCERNS ABOUT POLICE RELATIONS WITH ETHNIC MINORITIES, TWO CONSIDERATIONS NEED TO BE BORNE IN MIND. ONE IS THAT, INASMUCH AS SOME PROPORTION OF THOSE TARGETED WILL INEVITABLY BE INNOCENT OF ANY OFFENCE, A GREATER PROPORTION OF INNOCENT BLACK PEOPLE WILL BE TARGETED THAN WHITES. THE OTHER IS THAT SUSPICION REINFORCED BY INTELLIGENCE MAY PROVIDE A LEGITIMATE CLOAK FOR HARASSMENT. THIS CAN ONLY INCREASE RESENTMENT, REINFORCING THE WIDESPREAD PERCEPTION THAT THE POLICE DISPROPORTIONATELY PICK ON BLACK PEOPLE. WHERE FORCES ARE CONSCIOUS OF THIS DILEMMA, ETHNIC MONITORING DATA MAY PROVE INVALUABLE - NOT ONLY IN INDICATING WHETHER THEY ARE ACHIEVING THE RIGHT BALANCE BETWEEN THE POTENTIALLY CONFLICTING DEMANDS OF BETTER TARGETING AND IMPROVED COMMUNITY RELATIONS BUT ALSO, AS NECESSARY, IN PINPOINTING *WHERE* THE FIRST OF THESE OBJECTIVES IS PUTTING THE SECOND IN JEOPARDY." (1997, P.95)

THIS SEEMS TO MISTAKE OUR POSITION. THE NATURE OF THE CRIMES UPON WHICH STOP AND SEARCH FOCUSES MAKES IT INEVITABLE THAT THERE WILL BE DISPROPORTIONATE FOCUS BY CLASS, AGE AND GENDER *AND* BECAUSE OF THIS, ETHNICITY. THAT IS ANY GROUP WHICH HAS A HIGHER THAN AVERAGE WORKING CLASS POPULATION

(SUCH AS THE AFRICAN-CARIBBEAN AND THE IRISH) OR A HIGHER MALE PROPORTION (SUCH AS THE IRISH) WILL INEVITABLY HAVE A DISPROPORTIONATE POLICE FOCUS UPON THEM. THE PROBLEM IS NOT THE EXISTENCE OF DISPROPORTIONALITY BUT ITS *LEVEL* AND THE *QUANTITY* OF PEOPLE SUSPECTED. AS FAR AS LEVEL IS CONCERNED, WE HAVE SEEN HOW RACIST STEREOTYPING AND PRACTICE INFLATES THE PROPORTION OF IRISH AND AFRICAN-CARIBBEAN COMPARED TO THE ENGLISH, SCOTTISH AND WELSH POPULATION. IF THIS INSTITUTIONALISED RACISM WERE REMOVED THE CLASS FOCUS WOULD STILL RESULT IN DISPROPORTIONALITY BUT THIS WOULD BE OF A SUBSTANTIALLY REDUCED LEVEL. BUT THE PROBLEM OF THE HIGH (AND INCREASING) NUMBER OF STOP AND SEARCHES WOULD REMAIN WITH THE CONCOMITANT ALIENATION OF A LARGE NUMBER OF INNOCENT PEOPLE. THIS IS THE PROBLEM OF INSTITUTIONALISED CLASSISM. WHAT IS NECESSARY HERE IS TO FUNDAMENTALLY CHANGE THE *PRACTICE* OF STOP AND SEARCH SO THAT THE NUMBERS ARE DRASTICALLY REDUCED. THIS WOULD BE ACHIEVED BY A SHIFT FROM STEREOTYPICAL TO INFORMATION-LED SUSPICION. THE HOME OFFICE STUDY AGREES WITH THE NOTION OF INFORMATION-LED SUSPICION BUT CASTS INFORMATION IN MUCH TOO GENERAL A MODE. IT IS NOT BASED ON *SPECIFIC* AND *DETAILED* INFORMATION ABOUT INDIVIDUALS AND PLACES BUT ON MUCH MORE GENERAL INFORMATION OF LIKELIHOOD. BECAUSE OF THIS IT WOULD NOT ALLEVIATE THE PROBLEM OF COMMUNITY RELATIONS AS IT QUITE CORRECTLY POINTS OUT.

#### **STOPS TO BE JUDGED IN TERMS OF YIELD**

STOPS MUST BE JUDGED IN TERMS OF YIELD, THAT IS IN TERMS OF :

- (A) QUALITY AND SERIOUSNESS OF CRIME: IT IS NOT IMPRESSIVE, FOR EXAMPLE, TO NET AS IN HACKNEY 83% OF POSSESSION OF DRUGS ARRESTS FOR CANNABIS (A CRIME WHICH IS EXTREMELY LOW ON PUBLIC PRIORITIES, SEE JONES *ET AL*, 1986; CRAWFORD *ET AL*, 1990, AND ONLY 5% FOR COCAINE AND 4% FOR HEROIN (HACKNEY COMMUNITY SAFETY PARTNERSHIP, 1999));
- (B) LEVEL OF ARREST AND ULTIMATE SUCCESSFUL PROSECUTION;

IE THE PRESENT 10% ARREST RATE WITH PERHAPS 3% FOUND GUILTY MUST BE RAISED CONSIDERABLY SO THAT MANY LESS INNOCENT PEOPLE ARE HARASSED BY THE POLICE.

TO ARGUE THAT POLICE PERFORMANCE SHOULD BE STRINGENTLY TIED TO YIELD, OF COURSE, COMPLETELY RULES OUT THE HABIT OF MAKING STOPS A REGISTER OF PERFORMANCE IN THEMSELVES. THERE CAN BE NO DOUBT THAT ACCOUNTABILITY DEMANDS THAT PUBLIC BODIES BE SUBJECT TO ASSESSMENT BY THE APPLICATION OF AGREED PERFORMANCE INDICATORS. BUT THE IMPACT OF AN OVERBURDENING AND ILL-THOUGHT OUT PERFORMANCE CULTURE IS OFTEN COUNTER-PRODUCTIVE (SEE LOVEDAY, 1999). *There is a point where rather than the indicator measuring the performance we have the performance being judged by the measurement of the indicator.*

#### **DEALING WITH PRACTICE RATHER THAN ATTITUDE**

WE HAVE TAKEN A POSITION WHICH MAINTAINS THAT IN ORDER TO TACKLE INSTITUTIONALISED RACISM AND CLASSISM ONE MUST TACKLE THE INSTITUTIONALISED PRACTICES THEMSELVES RATHER THAN HOPE THAT REFORMING INDIVIDUALS WILL ACHIEVE THE TASK. IN PARTICULAR THIS SHOULD BE ACHIEVED THROUGH THE ASSESSMENT OF RESULTS IN TERMS OF CLEARLY SPECIFIED YIELD (SEE D SMITH, 1986). WE WHOLEHEARTEDLY CONCUR WITH THE MACPHERSON REPORT THAT A CENTRAL PROBLEM OF CURRENT POLICING IS INSTITUTIONALISED RACISM (AND WOULD ADD CLASSISM TO THIS CATEGORY) AND THAT THE DISPARITIES IN THE STOP AND SEARCH STATISTICS RELATE TO STEREOTYPING. BUT THESE STEREOTYPES ARE LODGED AND MAINTAINED IN INSTITUTIONALISED PRACTICES; YET THE MACPHERSON REPORT STOPS SHORT OF RECOMMENDING ANY INSTITUTIONAL CHANGE (SEE RECOMMENDATION 60). INSTEAD, BY PUTTING SUCH A STRONG EMPHASIS ON RACIAL AWARENESS TRAINING, IT FOCUSES IN UPON INDIVIDUAL MISTAKES IN BELIEF RATHER THAN TACKLING THE INSTITUTIONAL ROOTS OF THE PROBLEM (TYPE B RATHER THAN TYPE D RACISM - SEE FIGURE 6 ON PAGE 31).

#### **CHAPTER SIX:**

## **POLICY RECOMMENDATIONS**

### **1. REDUCTION IN LEVELS OF STOP AND SEARCH**

THE RATE OF STOP AND SEARCH SHOULD BE BROUGHT DOWN, IN THE FIRST INSTANCE, TO THE NATIONAL LEVEL AND THEREBY REDUCED TO A SITUATION WHERE SUSPICION IS BASED ON CONCRETE EVIDENCE. THAT IS, THE PRACTICE SHOULD BE INFORMATION-LED AND NOT BASED ON GENERALITY OR PROBABILITY.

OUR GENERAL ARGUMENT IS THAT STOP AND SEARCH AS USED AT PRESENT IS A MASSIVE AND BLUNT INSTRUMENT, COSTLY TO MAINTAIN AND GROSSLY INACCURATE IN ITS IMPACT. ITS EFFECTS ARE COUNTERPRODUCTIVE, ITS YIELD LARGELY OF MINOR CRIMES AND ITS NECESSITY UNPROVEN. IN ITS PLACE WE SUGGEST A SMALLER, PRECISION INSTRUMENT, INTELLIGENCE LED AND SHARPLY FOCUSED.

IN ORDER TO ACHIEVE THIS AIM THERE HAS TO BE A RADICAL CHANGE IN THE *PRACTICE* OF STOP AND SEARCH BOTH IN TERMS OF ITS BASIS (SEE 2 AND 3 BELOW) AND ITS YIELD (SEE 4 BELOW).

### **2. SUSPICION MUST BE INFORMATION-LED**

STOP AND SEARCH MUST BE BASED ON CONCRETE EVIDENCE WITH REGARDS TO INDIVIDUALS (IE DIRECT POLICE OBSERVATION AND PUBLIC INFORMATION).

### **3. SPATIAL TARGETING MUST BE INFORMATION-LED**

JUST AS THE SURVEILLANCE AND SEARCHING OF INDIVIDUALS MUST BE BASED ON HARD EVIDENCE, SO TOO MUST THE FOCUS ON SPATIAL AREAS WHETHER IT IS CLUBS, PUBS, OR DESIGNATED 'HOTSPOTS'. THE DANGER OF REGULAR, INDISCRIMINATE SURVEILLANCE IS THAT IT WILL GENERATE HOSTILITY AND BEAR DOWN DISPROPORTIONALLY ON PARTICULAR SECTIONS OF THE POPULATION. THE FASHION OF IDENTIFYING HOTSPOTS PREVALENT IN RECENT CRIME AUDITS IS USEFUL ONLY IF THE TARGETING IS HONED DOWN AND TEMPORARY.

### **4. STOPS MUST BE JUDGED IN TERMS OF YIELD**

THE REDUCED, MORE LEAN VERSION OF STOP AND SEARCH SHOULD AIM AT A MUCH HIGHER ARREST RATE. FURTHERMORE, THIS RATE SHOULD HAVE HIGH QUALITY CRIMES. CRIMES OF A MINOR NATURE (EG CANNABIS POSSESSION) SHOULD BE WEIGHTED VERY LIGHTLY IN ANY MEASURE AND OFFENCES WHICH ARE OFTEN THE RESULT OF ALTERCATION RESULTING FROM THE STOP ITSELF - SHOULD BE REGARDED WITH SUSPICION. WHAT SHOULD BE LOOKED FOR IS A YIELD WHICH IS BOTH HIGH IN PRODUCTIVITY AND QUALITY. THE NUMBER OF STOPS ACHIEVED *PER SE* SHOULD CEASE TO BE USED AS A PERFORMANCE INDICATOR.

#### 5. ETHNIC MONITORING

IN LINE WITH THE MACPHERSON REPORT WE STRESS THE IMPORTANCE OF THE ETHNIC MONITORING OF STOP AND SEARCH BY 'SELF-DEFINED ETHNIC IDENTITY' (RECOMMENDATION 6J). IMPORTANT HERE IS INCLUSION OF THE IRISH (NOT JUST IRISH BORN, BUT SELF-IDENTIFYING) AND THE SEPARATION OUT OF FIGURES FOR DIFFERENT SOUTH AND SOUTH-EAST ASIAN ETHNIC GROUPS, TURKS, CYPRIOTS, ETC.

THE AIM SHOULD BE TO DISCERN PATTERNS OF DISCRIMINATION BUT ALTHOUGH ETHNIC DISPROPORTIONALITY SHOULD BE SUBSTANTIALLY REDUCED, THEIR ELIMINATION IS AN UNLIKELY AND UNDESIRABLE GOAL AS DIFFERENTIALS IN AGE, CLASS AND GENDER BETWEEN ETHNIC GROUPS WILL ALWAYS RESULT IN VARIATION. WHAT IS MORE IMPORTANT IS THE DRASTIC REDUCTION IN THE RATIO AND THE QUANTITY OF STOPS SO THAT SUCH DISPROPORTIONALITY DOES NOT HAVE A LARGESCALE DISCRIMINATORY EFFECT AS IT DOES AT PRESENT.

## STATISTICAL REPORT

IN THE FOLLOWING I HAVE MADE THE FOLLOWING ASSUMPTIONS:

1. HOUSEHOLDS CAN BE (NEATLY) CHARACTERISED AS BEING BRITISH, IRISH, AFRICAN OR WEST INDIAN.
2. 50% OF HOUSEHOLD FROM EACH DOMAIN (I.E. BRITISH, IRISH ETC.) WERE SAMPLED.

STRICTLY ANY ANALYSIS NEEDS TO TAKE ACCOUNT OF THE HOUSEHOLD SIZE. I UNDERSTAND THIS IS NOT POSSIBLE.

FOR ANY DOMAIN LET N BE THE TOTAL NUMBER OF HOUSEHOLDS AND N THE NUMBER OF HOUSEHOLDS SAMPLED. THEN  $N/N$  IS REFERRED TO AS THE SAMPLING FRACTION, DENOTED F, AND IN THIS CASE IS 0.5 FOR ALL DOMAINS. IF P IS THE PROPORTION OF HOUSEHOLDS WHERE THE RESPONDENT HAS BEEN STOPPED THEN  $V(P)$ , AN ESTIMATE OF THE VARIANCE OF P, CAN BE CALCULATED BY

$$V(P) = (1-F)P(N-1)$$

THE ESTIMATED PROPORTIONS OF HOUSEHOLDS WHERE THE RESPONDENT HAS BEEN STOPPED ARE:

|             |            |
|-------------|------------|
| BRITISH     | 0.06 (6%)  |
| IRISH       | 0.14 (14%) |
| AFRICAN     | 0.06 (6%)  |
| WEST INDIAN | 0.13 (13%) |

LET'S TAKE AS AN EXAMPLE THE DIFFERENCE IN STOPS BETWEEN BRITISH AND IRISH HOUSEHOLDS. USING AN OBVIOUS NOTATION, WITH THE SUBSCRIPTS INDICATING DOMAIN, THE STATISTIC TO TEST THE HYPOTHESIS THAT THE PROPORTION OF BRITISH HOUSEHOLDS WHERE THERE HAS BEEN A STOP IS THE SAME AS THE PROPORTION OF IRISH HOUSEHOLDS IS GIVEN BY:

$$(P_B - P_I) / \sqrt{(V(P_B) + V(P_I))} \quad (1)$$

SIMILAR STATISTICS CAN BE CALCULATED FOR THE OTHER PAIR-WISE COMPARISONS. THE DISTRIBUTIONS OF THESE STATISTICS CAN BE GENERALLY APPROXIMATED BY THE NORMAL DISTRIBUTION IF THE SAMPLE SIZES ARE LARGE. WITH YOUR DATA THE ONLY PROBLEM IS WITH THE AFRICAN DATA WHICH STRICTLY SPEAKING IS TOO SMALL TO ALLOW USE OF THE NORMAL APPROXIMATION.

WE ARE INTERESTED IN THE NULL HYPOTHESIS THAT THE PROPORTIONS OF HOUSEHOLDS EXPERIENCING STOPS IN THE TWO GROUPS BEING CONSIDERED ARE THE SAME. WE WOULD REJECT THIS NULL HYPOTHESIS IF THE VALUE OF THE STATISTICS CALCULATED FROM (1) IS LARGER IN ABSOLUTE VALUE THAN SOME CRITICAL VALUE.

THESE CRITICAL VALUES DEPEND UPON THE SIGNIFICANCE LEVEL CHOSEN AND WOULD TYPICALLY BE 2.58 (1%), 1.96 (5%) AND 1.64 (10%).

**1% IMPLYING A STRONGER RELATIONSHIP THAN 5% ETC.**

**WE OBTAIN THE FOLLOWING RESULTS**

- 1. BRITISH VS. IRISH**  
THE CALCULATED STATISTIC IS 8.11. SINCE 8.11 IS GREATER THAN 2.58 THIS MEANS WE REJECT THE NULL HYPOTHESIS AT THE 1% SIGNIFICANCE LEVEL AND CONCLUDE RESPONDENTS FROM IRISH HOUSEHOLDS ARE MORE STATISTICALLY SIGNIFICANTLY MORE LIKELY TO HAVE BEEN STOPPED THAN THOSE FROM A BRITISH HOUSEHOLD.
- 2. BRITISH VS. WEST INDIAN**  
THE CALCULATED STATISTIC IS -2.03. AT THE 5% SIGNIFICANCE LEVEL RESPONDENTS FROM WEST INDIAN HOUSEHOLDS ARE MORE LIKELY TO BE STOPPED THAN THOSE FROM A BRITISH HOUSEHOLD.
- 3. IRISH VS. BLACK**  
THE CALCULATED STATISTIC IS -2.34. AT THE 5% SIGNIFICANCE LEVEL RESPONDENTS FROM IRISH HOUSEHOLDS ARE STATISTICALLY MORE LIKELY TO HAVE BEEN STOPPED THAN THOSE FROM BLACK HOUSEHOLDS.
- 4. WEST INDIAN VS. BLACK**  
THE CALCULATED STATISTIC IS -1.64. THIS IS JUST SIGNIFICANT AT THE 10% LEVEL.
- 5. ALL OTHER PAIR-WISE COMPARISONS ARE NOT STATISTICALLY SIGNIFICANT.**

**WHEN CONSIDERING THE RESULTS FOR THE BLACK HOUSEHOLDS THE SMALL SAMPLE SIZE AND THE HEALTH WARNING GIVEN ABOVE NEED TO BE REMEMBERED.**

**PROF. C. HALE  
PROFESSOR OF CRIMINOLOGY  
UNIVERSITY OF KENT, AT CANTERBURY**