BECOMING SUSPICIOUS
A study of police-initiated encounters with the public

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Abstract

This thesis develops a conceptual framework — based on the work of Erving Goffman — to understand the practical exercise of police suspicions. In so doing, it generates provisional insights about how the police decide to stop and search members of the public, and assesses the role of broader influences on officer decision-making. The thesis draws primarily on extensive observations of police patrols, and face-to-face interviews with operational officers. These data were gathered as part of a mixed-methods study carried out for the Home Office on the reforms to stop and search introduced following the Stephen Lawrence Inquiry.

It is argued that police suspicions are generated through two related processes, which are also to be found in everyday social interactions. On the one hand, social information about a person’s identity is ‘signalled’ to other people, which results in them adjusting their conduct towards that person. Understanding this communicative process in the context of policing helps to identify the physical, categorical, and behavioural signals which are ascribed meaning, and prompt suspicions. On the other hand, the police are also seen to use interpretative schema — through a tacit cognitive process of ‘framing’ — to locate social information and define it as suspicious. Importantly, because signals are patterned temporally and geographically, and frames are influenced by the organisational and social context, there is a need to develop a systemic understanding of police decision-making.

In examining these processes, ‘methodical suspicion’ and ‘categorical suspicion’ are found to be pervasive in police work. The thesis shows that suspicions tend to fall on the socially marginal — particularly young men, those from ethnic minority backgrounds, and people who are ‘known’ to the police — and concludes that routine police decisions and encounters are central to the production, and reproduction, of social order.

Word count: 290
Declaration of originality

This thesis, and the work to which it refers, are the results of my own efforts. Any ideas, data, images or text resulting from the work of others (whether published or unpublished) are fully identified as such within the work and attributed to their originator in the text, bibliography or in footnotes. This thesis has not been submitted in whole or in part for any other academic degree or professional qualification. I agree that the University has the right to submit my work to the plagiarism detection service TurnitinUK for originality checks. Whether or not drafts have been so-assessed, the University reserves the right to require an electronic version of the final document (as submitted) for assessment as above.
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PART I - INTRODUCTION
Chapter 1 – Suspicion as social process

The police-initiated encounter is a bold confrontation between state and citizen. (Black 1980: 88).

The ability of a police officer to stop members of the public in the street, deprive them of their liberty, ask them questions, pat them down, feel around their clothing, remove it, turn out their pockets, and look inside their bags -- and all using force where necessary -- raises a series of fundamental questions that go to the heart of policing: To what extent are the police effective at controlling crime? Do officers follow the rules? Do the police target the right people? Do legal safeguards afford sufficient protection to suspects? How do the police and the public interact with each other? How should patrol officers be held to account for their actions, when their decisions are not immediately visible? What is the impact on the legitimacy of the police? These questions have ensured that the practice of stopping and searching citizens has remained enduringly problematic.

This thesis attempts to address some of these lasting concerns about police-initiated contact with the public, but does so from a largely micro-socio logical perspective. Earlier ideas about impression management, decision-making, and interaction are revisited and developed in order to understand an important aspect of contemporary police work. The main theme running throughout the thesis is the concept of ‘suspicion’ and its role in police decisions to stop and search members of the public. The concept has been defined in fairly broad terms with reference to two distinct processes. First, the police can ‘be suspicious’ of something in the sense that they may be uncertain, uneasy, mistrustful, or have doubts. Suspicion is, therefore, imprecise, with the object of suspicion not being ‘right’. Second, the police can ‘suspect’ something in a more concrete way. They may have a firm belief, expectation, or assumption. Suspicion is particular with the object of suspicion identified more directly associated with wrong-doing. Suspicion is also used in a third sense to talk more generally about any prompt for a stop or search, because it reflected the way police discussed their decision-making. Strictly speaking, some of their decisions were not based on suspicion as previously defined and were carried out for other reasons (e.g. to maintain order).

With its focus on police suspicions, the thesis has three overarching aims. It seeks to:

• develop a conceptual framework to help understand how suspicions are formed during patrol work;
• explore what prompts an officer to carry out a stop or search, and the relative importance of these prompts within contemporary policing;
• weigh-up the role of the law and other organisational, social and political influences on police decision-making.

Widening the debate from patterns to processes

In recent years, academic and public debates on stop and search have tended to focus on the contested notions of ‘race’ and ‘ethnicity’. National statistics have repeatedly shown that people from minority ethnic groups are far more likely to be stopped or searched by the police than their numbers in the wider population would predict and if police suspicions were evenly spread. The statistics have presented a complex picture whereby the level of disproportionality has varied by ethnic group, encounter type and over time. For example, the level of race disproportionality for stops has been markedly lower than for searches.
In 2007/08, a black person was almost eight times more likely to be searched than a white person under powers where reasonable suspicion were required (Figure 1). While there has been some annual change, the variation has been within a limited range. Under more permissive public order legislation where reasonable suspicion is not required (most notably searches under s60 Criminal Justice and Public Order Act), disproportionality has been consistently higher. In 2007/08, a black person was 11 times more likely to be searched than a white person, a level that was relatively low compared to previous years.

Figure 1 – The level of disproportionality for black people by encounter type (England and Wales)

For Asian people, the level of disproportionality has been less marked overall (Figure 2). For reasonable suspicion searches, Asian people have, consistently, been around twice as likely to be searched compared to white people. Under counter-terrorism legislation (s44 searches), the risk of being searched was over five times greater than for white people in 2007/08.

The interpretation of the national statistics has been made more complex by the fact the figures are based on police records. Evidence suggests encounters with the public are under-recorded (Bland et al. 2000) and that there may be an ethnic bias in recording practices (FitzGerald and Sibbitt 1997). The data also refer to the number of recorded encounters, which is likely to mask the extent to which individual citizens have been subjected to repeated contact with the police.¹

¹ Data on police-initiated contacts are available from the British Crime Survey (Hearnson and Hough 2004), but their use is restricted by the small number of survey respondents who have had such contact, as well as recall and definitional problems.
Figure 2 — The level of disproportionality for Asian people by encounter type (England and Wales)

![Figure 2](image_url)

Source: Home Office and Ministry of Justice (95 statistics)

Note: Disproportionality is assessed by comparing incidence rates for Asian people to those of white people.

Most importantly, the national data on stops and searches do not tell us anything about police-initiated contact with the public as a social process. While there is clear evidence of disproportionality in terms of perceived race, the figures reveal little about the underlying reasons for it. As Bowling and Phillips (2002) noted, identifying disproportionality is a necessary first step in providing evidence for the existence of discrimination but does not, in itself, provide sufficient evidence. A wide array of competing hypotheses have been put forward as to these ethnic disparities, ranging from offending levels, structural inequalities, discrimination in wider society, the public reporting of suspect descriptions, the differential use of public space, to racist targeting by the police (see, for example: Bittner 1980; FitzGerald and Sibbitt 1997; Choongh 1998; MVA and Miller 2000). There are varying degrees of empirical evidence in support of each of these hypotheses. What, however, is lacking from these studies is an account of how the patterns evident in the national data are produced and reproduced through the routine decisions of patrol officers, grounded in their everyday work practices. Many of the previous studies that adopted a micro-sociological perspective to understand police patrol practices are now rather dated (e.g. Smith and Gray 1985) and/or were carried out in other countries (e.g. Ericson 1982; Reiss 1971).

The thesis does not try to unpick the reasons for the ethnic differences in the national data or to determine whether policing is discriminatory. The purpose of this preamble has simply been to make the point that attempts to locate the ‘cause’ of disproportionality are likely to fail because of the wide array of influences and pressures that contribute to the overall problem. The answers found in the quantitative data are also likely to lack explanatory power because they will inevitably be detached from everyday police work (Reiner 1998). It is, therefore, necessary to develop a fuller appreciation of the social processes that police officers are engaged when they become suspicious and decide to stop a member of the public.
The changing context

A detailed examination of police stop and search practices is also needed because the context in which police officers initiate encounters with the public has changed immeasurably over the last 25 years in England and Wales. Four broad trends are relevant to the arguments developed in this thesis.

First, police practices have increasingly been subject to claims of discrimination. The Stephen Lawrence Inquiry (SLI), into the failed police investigation of the racist murder of a black teenager, resulted in police stop and search practices being subjected to considerable public scrutiny (Macpherson 1999). Part two of the Inquiry, which focused on the nature of the relationship between the police and ethnic minority communities, found a lack of trust and confidence in the police, which was symbolised by people’s experiences of being stopped or searched. It was noted that, “if there was one area of complaint that was universal it was the issue of ‘stop and search’” (Macpherson 1999: para 45.8). Pointing to both direct and indirect discrimination in a wide range of police-public encounters, the SLI proposed a series of recommendations that sought to increase the bureaucratic safeguards around searches and to extend their application to police stops where no formal power was required. Significantly, the SLI concluded that the police service was institutionally racist, a label that was to resonate strongly in the media and amongst frontline officers for several years (Foster et al. 2005). In the years immediately after the SLI, the number of ‘ordinary’ searches based on reasonable suspicion fell sharply (see Table 1). Their level in 2000/01 was 34 per cent lower than in the year preceding the SLI. It took almost 10 years for these searches to return to their pre-1999 levels. The introduction in 2005/06 of the new requirement to record stops following the SLI revealed the extent of police-public encounters where no power was required. Within two years, the number of recorded stops increased by almost 40 per cent to over two million encounters (although this increase may represent growing familiarity amongst officers with the recording requirement more than an underlying change in the number of encounters initiated).

Table 1 — The number of recorded stops and searches (England and Wales)

<table>
<thead>
<tr>
<th>Year</th>
<th>Recorded stops</th>
<th>Recorded searches</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Reasonable suspicion</td>
<td>s60</td>
</tr>
<tr>
<td>1997/98</td>
<td>-</td>
<td>1,011,533</td>
</tr>
<tr>
<td>1998/99</td>
<td>-</td>
<td>1,037,271</td>
</tr>
<tr>
<td>1999/00</td>
<td>-</td>
<td>818,203</td>
</tr>
<tr>
<td>2000/01</td>
<td>-</td>
<td>686,114</td>
</tr>
<tr>
<td>2001/02</td>
<td>-</td>
<td>713,683</td>
</tr>
<tr>
<td>2002/03</td>
<td>-</td>
<td>869,164</td>
</tr>
<tr>
<td>2003/04</td>
<td>-</td>
<td>738,016</td>
</tr>
<tr>
<td>2004/05</td>
<td>-</td>
<td>839,977</td>
</tr>
<tr>
<td>2005/06</td>
<td>1,400,745</td>
<td>878,153</td>
</tr>
<tr>
<td>2006/07</td>
<td>1,868,570</td>
<td>955,113</td>
</tr>
<tr>
<td>2007/08</td>
<td>2,353,918</td>
<td>1,035,438</td>
</tr>
</tbody>
</table>

Source: Home Office and Ministry of Justice (s95 statistics).

The claims of discriminatory practices have continued in recent years. The concerns raised by
the SLI in relation to police powers aimed at dealing with crime remain. Recently, the use of s60 public order search powers to deal with the problem of knife and gun crime among predominantly black young men has raised questions about police targeting (see Guardian, 16 May 2008). There has also been growing disquiet about the discriminatory use of searches under enabling counter-terrorism legislation (s44 searches). Since the London terrorist bombings on 7 July 2005, concerns have been increasingly expressed about the way in which s44 search powers have been authorised, and the extent to which the police have used their powers to target Muslims (Walker 2008). Table 1 shows that since their introduction in 2001/02, there has been a six-fold increase in the number of s44 searches. The rate of this increase, however, was more notable in the period preceding the July bombings than after.

The second major change over the past 25 years has involved police powers. During this period, police powers to search members of the public have been extended and increasingly subject to fewer restrictions. Following the Scarman report (1981) into the Brixton riots, the Police and Criminal Evidence Act 1984 (hereafter PACE) saw the introduction of a national police search power, which simultaneously sought to consolidate, extend and regulate police practices through legal and bureaucratic means (see Chapter 3). The police have since gained additional search powers. The police are now able to look for a much broader range of prohibited articles, including items that could be used to commit criminal damage or terrorism. Furthermore, many of the traditional legal safeguards that placed restrictions on officers' use of their powers (such as the need to have reasonable grounds for suspicion) have been absent from the newer and more enabling statutes (i.e. s60 and s44 search powers).

Since their introduction, the use of these search powers has increased dramatically. For example, s60 searches, originally introduced to deal with public order problems at football matches, have increased seven-fold. In 2002/03, the use of s60 searches more than doubled (see Table 1). The increase in s44 searches has previously been noted.

In recent years, the bureaucratic safeguards introduced as a result of the SLI have been subject to challenge around claims of excessive 'red tape' and, as a result, are to be reduced supposedly to free-up officers and enable them to spend more time fighting crime (see: Flanagan 2008; Home Secretary 2009). Similarly, a joint Home Office/Cabinet Office review (2002) and subsequent Home Office (2007) consultation paper have questioned the efficacy of the bureaucratic and legal framework created by PACE, claiming that its 'increasing rigidity' and 'over-complicated procedures' have 'tied the hands' of the police.\(^2\)

Thirdly, there have also been several significant changes in the organisation, management and focus of the police. The number of sworn officers in the police service has gradually increased and now stands at a record high. In March 2009, there was an equivalent of 143,770 full-time police officers in England and Wales (Mulchandani and Sigurdsson 2009). The capacity of the police to carry out stops and searches has, therefore, been expanded and may, in part, explain the increased number of recorded encounters. Since 1995, official statistics have also suggested that recorded crime has fallen, and that the chances of being a victim have become historically low (Walker et al. 2009). With these declines, the police mission has been extended to incorporate counter-terrorism at the high end of policing, and dealing with anti-social behaviour and incivilities at the lower end. Search powers now exist at both ends of this continuum. Drawing on ideas from New Public Management, the Home Office has sought to control the effectiveness and efficiency with which the police deliver on its extended mission through the introduction of a highly centralised performance framework to incentivise particular behaviours (Senior et al. 2007). While the recent police reform green

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\(^2\) Michael Zander QC has been a stern critic of the government's rhetoric, calling the joint review a deplorable report (2003).
paper may have signalled a partial shift in approach (Home Office 2008), the overriding emphasis of the performance regime has been on crime reduction and detections, which may have affected stop and search practices directly or indirectly. The focus on crime reduction has been supportive of the general move seen across the police service towards a more intelligence-led approach. Since the late 1990s, the National Intelligence Model has become central to policing and involved the police using bureaucratic procedures to assess short term crime trends, develop an enforcement response, and deploy resource accordingly. With its overt emphasis on crime control, this approach can be characterised by its focus on individual offenders (e.g. 'prominent nominals') and a narrow law-enforcement view of policing (Tilley 2003). The impact of intelligence on stop and search practices will be discussed throughout the thesis. In more recent years, the re-emergence of more community-oriented forms of policing (e.g. neighbourhood and citizen focused policing) have started to challenge the primacy of crime control engendered by the intelligence-led model, and stressed the importance of reassurance, the public’s perceptions of crime and disorder, and police legitimacy (Innes et al. 2002; Tuffin et al. 2006; Quinton and Morris 2008).

Finally, there have been notable changes outside the police service that may have influenced its internal organisation and the actions of individual officers. Two changes have direct relevance to this thesis. The rapid growth of information and communication technology in western societies has been embraced by the police, and resulted in the introduction of new computerised information systems and a proliferation of surveillance equipment. While new technologies may be presented as a means of enhancing the effectiveness of the police and making their work more rational, such impacts should be questioned (Chan 2003), particularly in relation to patrol work which suffers from low visibility. There has also been an expansion, in recent years, in private forms of policing provided by organisations outside the auspices of state (Crawford 2003). Of particular importance to this thesis is the relationship between the public and private police, and the extent to which, for example, Closed Circuit Television (CCTV) operators and security guards inform the decisions of sworn officers to carry out stops and searches.

Overall, because of the nature of these changes, the continuing applicability of older studies to contemporary policing should not automatically be assumed. Thus, there is an academic and policy need for theoretically informed empirical research to revisit the world of the patrol officer, in order to understand how suspicion is exercised and encounters with the public carried out.

**A sociological rendering of suspicion**

Before concentrating narrowly on the criminological literature and the work of the police officer, it is worth briefly exploring how ‘suspicion’ has been portrayed within the social sciences. After all, Smith and Gray (1985) pointed out that the decisions made by officers involved the same processes as the decisions made by people in everyday life.

The concept first came to prominence in social psychology during late 1950s, during the height of the cold war. ‘Suspicion’ played an important role within game theory and referred vaguely to risky situations that could have a detrimental outcome for a person, almost as the opposite to ‘trust’ (Deutsch 1958). In this rational choice context, suspicion was closely related to notions of competition, resistance and defensiveness, although later work in the...
field saw suspicion as being comprised of an observable choice behaviour as well as a subjective psychological state (Kee and Knox 1970). Despite this greater conceptual sophistication, suspicion remained a strategy to be deployed in a thought-experiment and did not reflect the lived experience.

In contrast, the seminal work of Erving Goffman provided a better means of understanding how ordinary people identified something amiss in their everyday lives. Goffman wrote at the same time as the rational choice theorists and, ironically, shared with them an interest in roles and decisions, and the language of games and strategies. His was a largely micro-sociological concern that sought to unearth the intricate social processes and conventions at work in mundane encounters, which functioned to create an interaction order from the bottom upwards (Goffman 1983). Goffman rarely used the term ‘suspicion’ in his analysis of social interaction, but his work was infused with ideas of social expectations, mistrustfulness, doubt.

Goffman (1972) argued that, like animals, people constantly monitored their surroundings — almost on subconscious level — as means of managing risk. As they surveilled their immediate environment, people would distinguish between ‘normal appearances’ and signs which indicated the presence of something that threatened their personal safety and prompted alarm. If everything was judged to be in order, a person would continue with the matter at hand. However, if something was judged to be up, that person could choose to ‘take flight or fight’. In discussing this process, Goffman drew an important distinction between the initial cues for suspicion, and social reaction that was subsequently triggered.

The term ‘suspicion’ is used in everyday speech, interestingly, to both refer to events that give rise to suspicion and to the feeling or sense that something is suspect. This dual usage could be taken as evidence of how deeply embedded the interactive character of these signs is, the more so since both usages imply that there may be alarming intent behind innocent appearance. (Goffman 1972: 318)

These two definitions have been developed within the thesis to understand the formation of police suspicions. The concept of ‘signalling’ refers to the process by which information about events and other aspects of the social world is transmitted and received (Goffman 1968 and 1971). The notion of ‘framing’ describes the how feelings of suspiciousness take shape through the deployment of devices which, on a cognitive level, help to orient people and organise their experiences (Goffman 1974).

Goffman’s (1971) dramaturgical work on impression management also has relevance to our understanding of suspicion. He argued that people give off signals about their social and personal identity (willingly or unwillingly) as they go about their everyday lives. Thus, people routinely try to control the information they present about themselves, so that their behaviour meets with the expectations of the audience. The maintenance of a ‘front’ could be at odds with a person’s ‘ordinary’ behaviour, which would be on display when they were back-stage. People who are engaged in social interaction, therefore, simultaneously project and conceal information about their ‘real’ selves and intentions. The audience, depending on their capability to decode the information presented to them, inevitably draw conclusions about a social actor’s identity, set against the conventions and norms of the setting, and adjust their own conduct accordingly. In so doing, the audience may become wary about a person and attempt to ‘see round’ the presented self, in order to uncover ‘true’ character and motivation. The work of Goffman, therefore, suggested that suspicions and social order are grounded within interaction, and involve highly ritualised and intricate information games. They also have a negotiated character, and rely on the aptitude of the players to engage in the regulation of others and themselves.
While impression management was seen to involve conduct of an everyday kind, Goffman was also concerned with interactions involving people with a 'stigma', whose social identities were discreditable. In these situations, if information was revealed which pertained to a stigmatised person's actual rather than virtual identity, he or she may become discredited.

While the stranger is present before us, evidence can arise of his possessing an attribute that makes him different from others on the category of persons available from him to be, and of a less desirable kind - in the extreme, a person who is quite thoroughly bad, or dangerous, or weak. He is thus reduced in our minds from a whole and usual person to a tainted, discounted one. (1968: 12)

The management of a 'spoiled identity' had important implications for a person's social acceptance. A link can, therefore, be made between suspicions and social control, but one grounded in social relationships rather than the discreditable attribute. Knowledge about stigma-possession was thus seen to be critical. People who were aware of having a stigma made self-conscious and deliberate attempts to give off particular impressions about themselves, so that they could 'pass' unnoticed or, at least, 'cover' the source of deviance.

Their success in doing so relied, in part, on the perceptibility of the stigma and the 'decoding capability' of other people. As Goffman noted in relation to discrediting illnesses, people who are "medically blind, will see no evil" (1968: 68). It was argued that only the 'wise', who accepted the presence a socially discrediting attribute, would intentionally be given knowledge about it. While Goffman's discussion of 'undesired differentness' largely related to ordinary social interactions, many of the processes were seen to hold for "functionaries...employed to scan various publics for the presence of identifiable individuals whose record and reputation have made them suspect, or even 'wanted' for arrest" (1968: 89). Nonetheless, it might be anticipated that the ability of the police to decode social information about particular kinds of deviance, and their reaction to those signals - as formal agents of social control - might be different to ordinary people.

The analytical perspective

Drawing on Goffman's sociological insights, the thesis examines the use of suspicion in police decisions to stop or search members of the public. Through detailed empirical analysis, the study seeks to develop some provisional insights as to why the police stop some people but not others. In taking a micro-sociological perspective, the study inevitably concentrates on police action and is intentionally modest in scope. It strives to be a study of a "small social world" to reveal common-sense meaning (Rock 1979: 92). Social action is not seen to be completely disconnected from its situated context. An attempt is thus made to show how, and in what ways, structural influences can enable and constrain agency in a cautiously holistic account, which highlights the systemic character of decision-making.

The analysis of police decision-making is rooted in the tradition of Symbolic Interactionism (SI). From this perspective, whose lineage can be traced back to Kant and Simmel, the idea is taken that objects are unknowable as objective 'things-in-themselves', and can only be grasped through experience as subjective phenomena (Rock 1979). Suspicion, therefore, is symbolically constructed, in that social information cannot be said to be intrinsically suspicious, but is ascribed meaning by those people who attend to it. A primary aim of this thesis, therefore, is to investigate the interpretive behaviour of police and, in particular, how the social information they receive on patrol is understood, placed, accorded relevance, and responded to. It tries to convey some of the everyday realities of policing, but is not atheoretical and empiricist in its orientation. No attempt is made to develop a grand theory that would be inevitably divorced from the social world of the police and present their
everyday practice as fixed. Instead, a conceptual apparatus is proposed that seeks to achieve a 'cautious reconstruction' (Rock 1979) or, in other words, tentative understanding about temporary local processes. A strength of SI is its ability to convey the fluidity and order of the lived experience, and to get underneath people's tacit practical knowledge and taken-for-granted assumptions about the world. Where the thesis attends more to issues of order within interactions, the thesis diverges from SI and draws on Goffman's more functionalist approach.

The structure of the thesis

The thesis is divided into three parts. Part I sets the context for the subsequent empirical chapters by reviewing the literature on suspiciousness and police-initiated encounters, and discussing the legal framework. It concludes with an overview of the study's research methods. Part II investigates the role of signalling and framing in the formation of police suspicions. The empirical chapters look at the cognitive processes used by officers to identify, filter and categorise information. The chapters also explore, in detail, the physical, categorical and behavioural signals that generated a reaction from police officers, and examine the meaning given to these pieces of social information. The main conclusions and implications from the study are set out in Part III.

Indeed, police officers' knowledge of their own social world should not be given pre-eminence as they too will find aspects of it confusing and challenging. See, for instance, Van Maanen's (1982) discussion of an officer-involved fatal shooting.
Chapter 2 – Patrol work and suspiciousness

The purpose of this chapter is to introduce some of the key concepts, arguments, and empirical findings from the literature to help contextualise and frame the discussion in subsequent chapters. In so doing, the review of the literature seeks to highlight the main strengths and limitations of adopting a particular perspective. The review draws exclusively on criminological work from US and the UK, and assumes a degree of comparability between these Anglo and American perspectives.

Overall, the review carried out for this thesis found that, while suspiciousness was regarded as central within police work, it was often neglected conceptually and empirically. That said, notions of suspicion featured in many of the first observational studies carried out in policing. Despite its near universal nature, there is a need to unpick its meaning and to recognise its contingent nature within police practice. Suspicion should not be regarded as a given within police work. It is historically rooted (Dixon et al. 1989), and its use and institutionalisation “represents the historic choice of a main method over conceivable and extant others” (Matza 1969: 182). The concept of suspicion has also been used fairly loosely to describe any ‘trigger’ for law-enforcement activity. While police action was based, at times, on unease, uncertainty, doubt or a belief of wrong-doing, decisions to initiate contact with suspects were also carried out for other reasons (e.g. to exert authority or maintain order).

Idealised forms of suspicion

Much of the policing literature has drawn a distinction between legal and idealised forms of suspicion (law in books), and how suspicion actually operates in practice (law in action).

In Becoming Deviant, David Matza (1969) talked about an ‘incidental’ mode of suspicion. Under this mode, people are not suspected of a crime because of who they are or the way they look. Offenders are identified by the police through a classic form of detective work or direct observation of an offence. In these temporary and specific situations, “the police start from the crime and detect the offender by systematically sifting the ‘clues’ and investigating those who had motive and opportunity to commit it” (Young 1994: 22). Incidental suspicion was characterised by Matza as the mode of suspicion used by the police when dealing with traffic violations and homicide. In other words, a person stood out as a suspect as a direct consequence of a specific incident - they had a broken tail light or left fingerprints at the crime scene. Matza, however, did not see this mode as the ordinary method of investigation beyond these specific crimes. Indeed, Young claimed that the “classic mode of detection is a rarity – outside Agatha Christie” (1994: 22).

Young also argued that the ‘democratic’ mode of detection, based on an objective index of suspicion, was grossly naive. The notion of democratic suspicion, like the legal conception of ‘reasonable suspicion’, would require police to be suspicious of all citizens equally regardless of social characteristics and the situation. In practice, surveillance would inevitably fall on certain sections of society more than other.

A young lad nervously carrying a large bag late at night might well present a suspicious spectacle; and an old lady agitatedly carrying just such a bag, would not. One might look like a possible offender, the other a possible victim frightened of attack. Suspicion has to be socially grounded and such sociological generalizations - the working principles of police practice - may and without doubt, should reflect, the likelihood of a member of a particular social group being an offender. (Young 1994: 20)
A distinction was thus made between the legal framework and police working practices. In practice, context and risk become central features of the suspicious mind. Dixon et al. (1989) have, for example, shown that the legal definition of suspicion is highly individualised, requiring the police to assess what a person has been seen to do in a specific setting. Such a definition is at odds with patrol work, in which suspicions are contextualised and cumulative. As Waddington has noted: “Suspicion can only rarely, if ever, be individualised, for even a masked man wearing a striped jumper and carrying a bag marked ‘swag’, must be appraised against the possibility that he is [a] fancy-dress party-goer” (1999c: para 6.5).

The literature tends to suggest that abstract, legal definitions of suspicion are largely detached from the realities of day-to-day policing, and do not directly inform officer decisions to initiate contact with the public. This is not to suggest, however, that the law is unimportant to police practice. The law may have some presentational value to police when the rules can be used to justify a particular course of action, or show that the officer was working with the rules (Smith and Gray 1985). Egon Bittner (1980), for example, argued that the law was like a screwdriver in that it could be used for a wide range of tasks including, sometimes, the one it was designed for. The legal framework for stop and search was said to help account for police practice: “It is impossible to imagine a situation in which a patrolman could not cite these rules to justify invoking the law, whatever the real reasons were that motivated him” (1980: 109). Legal rules have also been seen as enabling police practice in the sense that “the police can use the procedural law to achieve the outcomes they deem appropriate” (Ericson 1982: 15). This is not to suggest that the police routinely invoke the law. Instead, the law is used as a resource – alongside many other techniques – to handle situations and to maintain order (e.g. Wilson 1968).

Suspiciousness, danger and managing uncertainty

Policemen need to develop finely grained cognitive maps of the social world, so that they can readily predict and handle the behaviour of a wide range of others in many different contexts without losing authority in any encounter. (Reiner 1992: 115)

Until the 1960s, when police discretion was ‘discovered’, there was a general assumption that enforcement was a straightforward and mechanical process of applying the law as it appeared in books. The first observational studies of police patrol, however, revealed that officers often under-enforced the law, were more likely to engage in peace-keeping and order maintenance, and had considerable latitude about when and how to act (see: Goldstein 1960; Banton 1964; Reiss 1971). In the context of the discretionary application of the law, suspiciousness became an important concept in understanding the day-to-day decisions of police officers. Suspicion was described by Skolnick (1966) as a key aspect of the patrol officer’s ‘working personality’, and has since been seen as an enduring component of ‘cop culture’ (Reiner 1992). For Skolnick, working in the interactionist tradition, the working personality was a product of police culture and external pressures upon it. Suspiciousness was largely a consequence of two interdependent features of policing. The police were seen to be required to face unpredictable and possibly confrontational situations, and also had the ability to exert their authority through the use of force. Encounters with the public were inherently volatile, and police needed to be ready to respond: “[T]he police officer faces, behind every corner he turns or door bell he rings, some danger, if not of firearms at least of fists” (Reiner 1992: 110). Coupled with a need to produce ‘results’, the police were looking out for trouble. In order to manage the threats on patrol and to make risk predictable, Skolnick (1966) argued that officers characterised people as ‘symbolic assailants’ through use of a ‘perceptual shorthand’, whereby specific gestures, language and attire would signal to police the potential
for violence. This line of thinking was later echoed in Goffman’s (1972) work on alarms and normal appearances, and in the social psychological literature on prejudice (e.g. Glassner 1980).

The dangers associated with patrol work and their centrality to the formation of the police’s authoritarian character were expanded by Rubinstein (1973). In his ethnographic account of policing in Philadelphia in the late 1960s, he depicted a situation in which patrol officers had to learn their ‘craft’ in order to protect themselves. While these risks were described by Rubinstein, the pervasiveness of police suspicions was presented more in terms of the need for officers to exert control over both their workload and territory. For Rubinstein, suspiciousness was intrinsically bound with officers’ territorial knowledge, which was contingent and incomplete.

In order to perform street work competently and to minimise unwanted attention from the line sergeant, patrol officers were described as having to develop a finely tuned understanding of the bounded geographic area they were assigned to. This process involved learning which corners were ‘good’ or ‘bad’, and being able to make an assessment of the legitimacy of people’s behaviour compared to local social norms. Suspicions were based on an officer’s stock of local knowledge built up through experience, and by testing that knowledge out: “Each policeman must teach himself to see what he is looking at, just as he must teach himself on patrol... [and these] skills he acquires are discovered by accident, by example, and by making mistakes” (1973: 219). Police knowledge was, however, inevitably imperfect, meaning they faced considerable uncertainty while patrolling their sectors. Suspicion was seen as a means by which officers could manage those gaps: “Because he cannot know a great deal of what is going on, and since much of what is going on people do not want him to know, he is frequently obliged to rely on suspicion to guide him into action” (1973: 215).

The emphasis in Rubinstein’s work on territorial knowledge and uncertainty in the formation of suspicions partly reflected the way police work was organised in the US during the late 1960s. Individual officers were posted to, and granted ownership of, small geographic sectors where they were primarily engaged in preventive vehicle patrol. Such a strategy seemingly led to citizens being subjected to the panoptical gaze of the officer as they proceeded to drive slowly around their territory. Police were described as ‘eye-balling’ people on the street to see how they reacted to the officers’ stare; as a means of picking up cues, testing their character, and letting them know they have not escaped unnoticed. In this highly localised context, police suspicions were largely about evaluating the legitimacy of the street life. While current police practices are likely to echo those in Rubinstein’s study, it should be noted that the police organisation in the England and Wales, almost 40 years on, places greater emphasis on responding quickly to calls and on the policing of wider geographic areas (with the exception of neighbourhood policing). This shift is likely to undermine the ability of officers to develop detailed territorial knowledge and, as a result, has the potential to increase levels of uncertainty. Indeed, Albert Reiss (1971) talked about the police having to intervene on social stages where the actors were unknown, in order to uncover the plot and gain control of the situation, as being a product of modern mobile patrol.

Suspicion can, therefore, be seen as a product of the police having to deal with unknown (and unknowable) situations. Writing in 1970, Egon Bittner (1980) argued that police used schemes of interpretation (or frames to use Goffman’s language) to make sense of the uncertainty they faced. In particular, they used extrapolation and analogy “to reduce the open and unrestricted variety of interpretative possibilities” (1980: 91). Bayley and Mendelsohn, writing at a similar time, suggested that the uncertainty faced by police officers could be
racialised. Police were described as being “more apprehensive and suspicious in contact with minority people” (1968: 164), because these encounters tended to take place in higher crime areas, pose a legal threat to their career and physical danger, or involve complex emotional situations.

While the potential for personal injury might explain an officer’s response in certain situations, the role of danger in the formation of suspicions should not be over-stated compared to the broader notions of risk and uncertainty. Wilson (1968) has argued that police seek to initiate encounters based on cues which signal danger and impropriety, but their decision to intervene is primarily dependent on evaluating all the costs and benefits of doing so. Indeed, danger need not necessarily refer to that faced by officers: “A policeman’s world is filled with cues spelling potential danger to the community” (Bayley and Mendelsohn 1968: 88 emphasis added). The emphasis on danger also neglects the mundane and routinised character of policing, the extent to which action is glamourised by the police (Banton 1964; Waddington 1999b), and the greater relevance of threats of disorder in the British context (Holdaway 1983).

Impressions, cues and suspicions

In much of the literature on police patrol work, decision-making was seen to be grounded in the interpretation given by officers to the cues identified on the streets (e.g. Bittner 1980). Such work was vital in that it underlined the negotiated character of suspicions. Following the labelling perspective, it emphasised the role of the police, as the formal agents of social control, in ‘creating’ suspects. Suspicion was principally a social reaction rather than being intrinsically associated with the ‘criminal’.

The work of David Matza (1969) is central to our understanding of suspiciousness in two important ways. First, Matza emphasised the importance of shared meaning and adopted identity in the active process of a person becoming deviant. Echoing the notion of ‘secondary deviance’ (Lemert 1967), Matza described how the initial social reaction to deviant behaviour could lead a person to see themselves as a deviant to the extent to which the deviant identity prevailed over other identities. For example, when apprehended by the police, that person may choose to gravitate towards the deviant identity to the point that they are seen to represent the essence of a deviant activity: “The thief will stand for theft” (Matza 1969: 180). Thus, the initial banning of an activity and the subsequent adoption of a deviant identity was seen to make a person a suitable target for surveillance and control. This process of signification could lead to the person becoming ‘bedevilled’. Second, drawing on Becker’s (1963) study of marihuana users, Matza discussed how a deviant would attempt to disguise their own identity from others. While Matza was more interested in the effect that recognition had on a person’s sense of identity, whether a person attracted the attention of others was predicated on the extent to which they ‘let slip’ their deviant identity (see also Goffman 1968 and 1971). Matza identified a series of ways in which a person could inadvertently reveal their hidden identity, thereby inviting apprehension.

Reflecting the internal connection of a fused consciousness of self with society is the outer proximity of human beings: the intricate and sensitive network of gestural cues, shifting eyes, tell-tale expressions, nervous avoidance, assiduous interest, informational slips and everything else that composes the sensibility of suspicion. (1969: 152)

3 Unlike other scholars who adopted the labelling perspective, Matza underplayed the extent to which deviant status was conferred on the person by the state and others, emphasising the role of the individual in the process as an active agent.
Suspicions, then, were seen to be established through interaction. In this context, the work of Erving Goffman, despite the fact he rarely talked about the police, plays a major role in our understanding. His micro-sociological studies of people's everyday lives illustrated how suspicions informed ordinary and routine social encounters. He argued that when people were engaged in focused interaction, they were participating in an intricate performance in which they tried to maintain control over the information they revealed about themselves to the other person, in order to give off a particular impression. As Goffman noted: "Sometimes the person will act in a thoroughly calculating manner, expressing himself in a given way solely in order to give the impression to others that is likely to evoke from them a specific response he is concerned to obtain" (1971: 17). Whether a person was able to pass or was discredited relied on the perceptibility of their stigma and the reaction social information garnered in different social contexts, rather than on their 'true' identity (Goffman 1968). The deviant identity was thus not only a social construct; it was also highly contingent. The degree of symmetry in this communication process depended on the competence of the actors to maintain a front, and on the ability of the audience to 'pierce' his or her efforts. Goffman noted that audiences were often all-too-ready "to pounce on trifling flaws as a sign that the whole show is false" (1971: 59). Critical to our understanding of suspicions is that the nature of interactions require people to deploy strategies in order to project particular definitions of themselves. Actors also have a clear sense of the front- and back-stages, the latter being the place away from the audience where they can engage in 'dirty work' and knowingly contradict their outward performance.

Goffman's work is important for two principal reasons. First, while Goffman may have over-emphasised the cynical and strategic dimensions of social interaction for effect, his work demonstrated that the efforts of people to conceal stigma and the suspicions of others about them are part of ordinary, everyday life. The police may be formal agents of social control and, as such, their contact with the public may have special features, but the communicative techniques and strategies used in police-public encounters are likely to reflect those deployed on other stages. Second, Goffman's intricate portrayal of interactions highlights the communicative value of social and physical cues as they broadcast information about the social world to others. Thus, people transmit signals about themselves – knowingly or unknowingly – which are received and interpreted by others. Building on the idea that the absence of normal appearances can trigger alarm, Goffman argued that social cues could also signal 'undesired differentness', and result in the formal and routinised expression of social control to maintain order at the level of interaction (1968; 1972; 1983). The process of signalling is thus important to explore in respect of the police not only because of their status as formal agents of social control, but also because of their particular abilities to decode information, 'wisdom' about people with stigma, and reactions (both legitimately and illegitimately) to deviance.

The criminological work on the police has recognised the importance of signalling in the formation of officer suspicions. For example, while Wilson talked about police decisions being rational in the sense officers would target the social groups that were more likely to commit offences, he noted that "to be in those categories and to behave unconventionally is to make oneself a prime suspect" (1968: 40). To use Goffman's language, the 'unconventional' nature of a person's behaviour in this example meant the police could discredit the actor's performance of normality. Social cues have also been shown to inform

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6 As Goffman noted in his later work: "All the world is not a stage - certainly the theatre isn't entirely. (Whether you organise a theatre or an aircraft factory, you need to find a place for cars to park and coats to be checked, and these better be real places, which, incidentally, had better carry real insurance against theft.)" (1974: 1).
how officers interact with people during an encounter, and not just whether contact is
initiated. In his observational study of patrol officers in Canada, Ericson found that: “[many]
encounters involve a ‘negotiation of status claims’… – officers look for and employ status
‘cues’ to determine what action they should take” (1982: 17). He argued that where
information was lacking, the more likely the police were to use stereotypes in determining
how to proceed. Ericson argued that police suspicions were largely formed around four main
groups of signals.

In general, patrol officers develop and use cues concerning 1) individuals ‘out of place’, 2)
individuals in particular places, 3) individuals of particular types regardless of place, and 4)
unusual circumstances regarding property. (1982: 86)

The emphasis on place serves to remind us that signalling is an inherently contextualised
process. Rubinstein’s (1973) study of patrol in Philadelphia highlighted that the development
of suspicions was a hermeneutic process which involved officers picking up on cues, and
then judging that information against their expectations and knowledge. As Bittner noted, the
ability of officers to have recourse to detailed local knowledge was important as it meant
“they can recognize at a glance whether what is going on… is within the range of normalcy”
(1980: 90). Rubinstein found that officers would specifically look for “deviations from the
standard pattern” (1973: 259), based on their cognitive map of places and people they
policed. The meaning given to these signals was contingent and context-dependent.

The cues the patrolman seeks differ from place to place, from neighbourhood to
neighbourhood… The things a man looks for are greatly influenced by what he thinks goes
on among the people he polices. But even in the neighbourhoods where the patrolman is
constantly looking, the cues and tips he looks for change imperceptibly but steadily.
(Rubinstein 1973: 249-250)

The focus of the police on signals that marked a person as being ‘out of place’ when assessed
against the prevailing context was almost universal in the criminological literature (e.g. Black
1980; Ericson 1982; McConville et al. 1991). It has been argued that the ‘incongruity
procedure’ is the historically embedded form of suspicion in police work (Dixon et al. 1989).
As Bayley and Mendelsohn stated: “Incongruity is the ground for a policeman’s suspicions”

Judging whether someone or something is incongruent is not just a question of assessing
signals against the background noise. In Rubinstein’s ethnographic account, there was a
strong sense in which the use of public space, and the way people behaved, was interpreted
by the police in terms of their perceived legitimacy. People did not just have to look right,
they also had to have the right to be there. Such assessments were made in terms of what was
tolerated locally (to which an officer might turn a blind eye), and the officers’ own normative
expectations.

Many view his actions as punitive, but even a patrolman who admits to being prejudiced
denies that he stops people simply because he dislikes ‘their kind’. He may stop only people
he dislikes, but then he usually stops only those people who give him cause, by their
behaviour or the state of their car, to question their ‘legitimacy’. (1973: 259)

Police suspicions are thus grounded in interaction. They involve an interplay between, on the
one hand, a series of physical and social cues that signal something is not right and requires
intervention and, on the other hand, an ability to judge those signals against expectations and
knowledge. Importantly, such an approach means that no behaviour or situation is inherently
suspicious, and must be defined as such.
It is almost impossible to obtain a definitive list of cues which alert police officers to criminal activity. There are as many cues as there are crimes. It is apparent also that cues vary by location and situation. Circumstances that arouse suspicion in one place and one social context do not do so in another. (Bayley and Mendelsohn 1968: 92)

It is clear that such police suspicions are context-dependent and can be expected to vary significantly over time and between places.

**Working rules, agency and culture**

Despite recognising the importance of context, with some of the earlier observational accounts of policing – such as Rubinstein’s – there is a sense in which the richness and depth of the description did not fully convey the patrol officer as a fully active agent. The commitment to offer an authentic version of events and to ‘tell things like they really were’ inadvertently gave the impression that the individual examples and illustrations represented the sum total of policing. Despite the suggestion that practices might vary, policing was an activity that was performed along the lines described by the authors, in a relatively fixed way, and often grounded in culture. Grimshaw and Jefferson (1987) were critical of such approaches which, in their view, provided empirical catalogues of ‘happenings’ without an explanation for why they occurred. Similarly, Dixon (1997) argued that those adopting a culturalist perspective not only suppressed agency, but also did not recognise the extent to which the law provided context and setting for police action, beyond its use as a resource. These criticisms, however, failed to acknowledge that the ethnographic studies in the 1960s had, in effect, ‘discovered’ discretion and were some of the first to challenge the, then accepted, wisdom that the police simply applied the law as it appeared in books. Perhaps, seduced by their groundbreaking material, these early authors underplayed the role of experiential knowledge and the importance of improvisation within policing. Moreover, pushing against the positivist and structuralist orthodoxy within sociology at the time, the ethnographers would have had a commitment to naturalism and eschewed the idea of phenomenon beyond empirical reach (Rock 1979). Dixon’s critique does point, however, to the need for a more systemic perspective to be adopted in understanding police practices which recognises wider influences, and not to see police practice as being bound by a culturally determined set of rules (Fielding 1984).

Grounded in the occupational culture, police practice has often been described as following a series of working rules, those rules that are internalised by the police and become guiding principles for action. Smith and Gray (1985), for example, in their study of policing in London in the early 1980s argued that the legal thresholds around stop and search had a limited inhibitory role. Their value to officers was as a presentational rule – deployed to account for, or justify, a course of action in terms of rule-following – and to inform actions (although this was not to suggest that the police working rules, in this respect, were grounded in the law). Thus, a series of factors were identified that were found to have given rise to police suspicions and which prompted officers to initiate a stop.

1. Odd driving, for example, quick acceleration away from traffic lights, or unusually slow driving (where no traffic offence is involved).
2. Running or moving quickly.
3. Behaving aimlessly (‘hanging about’), moving very slowly, especially at night.
4. Specific odd circumstances, for example a man following a woman 20 yards behind at 3am.
5. Carrying valuable property by hand or in a vehicle (it is often possible to see, say, a television set in the back of a car).
6. Being out on foot in the small hours of the morning (this is, of course, a very weak reason
for suspicion on its own, but we have counted it in some cases).

7. Having something in common with the description of suspects in a recently reported crime in the area. (Smith and Gray 1985: 495)

While the types of behaviours identified by Smith and Gray may not have been exhaustive, police practice was seen as being intrinsically rule-bound. McConville et al. followed a similar approach. They argued that police discretion was structured “according to working rules developed by policing on the ground” (1991: 22-23) and that these rules were universal: “The police have the same working rules everywhere” (1991: 25). Six general working rules were identified in the primary literature that helped the police construct the suspect population:

- ‘Having previous’ or being known to the police.
- Acts of disorder that represent a challenge to police authority.
- General suspiciousness, including stereotypical cues and incongruence.
- ‘Information received’ from a wide range of sources.
- Pressure on officers to perform.
- The influence of the victims.

More recent research from the US by Stroshine et al. (2008) claimed to have found empirical evidence for 12 substantive rule categories and 82 working rules, based on what officers said informed their suspicions. The study did not, however, explore whether or how these rules shaped police practice.

The notion of rule-following behaviour is problematic because of its potential suppression of agency and its implication of predictability and certainty. As Ericson (2007) recently noted, the suggestion that the police follow a series of working rules suffers from three conceptual problems. First, rules are usually inferred by researchers from their observation and may, therefore, be an invention. Second, given that these rules are usually inferred from police actions, it is tautological to suggest that police actions are rule-based. Third, social action is not simply based on an invisible rule book, but is infused with tacit knowledge, embodied routines and predispositions (Bourdieu 1977; 1992).

Ericson’s analysis can be seen as a slight revision to his earlier work (1982) in which he talked about the police using ‘recipe rules’ to decide when to stop someone, how to take action, and what to record. The rules have been described as ‘those ‘rules of thumb’ that mediate between departmental regulations, legal codes, and the actual events he witnesses on the street” (Manning 1977: 162). The notion of recipe rules need not be constraining in the way other definitions of working rules might be. Ericson was not implying that officers followed a recipe book, where all the necessary ingredients were listed and each step to a successful result clearly set out. Instead, the rules were likened more with a family recipe handed down by the elders, who ‘showed the ropes’ to the next generation via familiarisation (rather than direct instruction). Wilson, similarly, highlighted the importance of socialisation when he talked about policing being a ‘craft’.

The patrolman is neither a bureaucrat nor a professional, but a member of a craft. As with most crafts, his has no body of generalized, written knowledge nor a set of detailed prescriptions as to how to behave – it has, in short, neither a theory nor rules. Learning in the craft is by apprenticeship, but on the job and not in the academy. (1968: 283).

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7 The authors also claimed theirs was the first empirical study to document the rules influencing the formation of suspicions.
Such recipes, which are almost followed as routines, have the capacity to be enabling in that they are dynamic (evolving over time) and can be adapted (according to taste, the situation, the available resources, and so on). Thus, rules should be seen more as “a set of implicit and unexplicated understandings that might be called the ‘commonsense reality of policing’ — what everyone knows and takes for granted” (Manning 1978:73). In order to gain competence and know how to proceed, police must have access to these tacit understandings. Manning went so far as to suggest that these ‘rules of thumb’ were used by officers to believe that policing cannot be achieved by abstract theories and formal rules. Rubinstein noted previously that, in order to be able to use suspicion effectively, officers needed to learn the private ‘street wisdom’ through experience. The qualities of police work learnt though experience find resonance in other research (see: Manning 1977; Fielding 1988).

The policeman knows that he does not go out and stop just anyone he sees. He assimilates his experience, files away advice given and tested, accumulates information about people and places, and develops cues that suggest that one person in this place or another person elsewhere is a ‘good stop’, and ‘quality’ stop, as the contemporary police-training literature says. (Rubinstein 1973: 263)

Drawing on Bourdieu’s notion of habitus, Ericson saw rules as being in the background of behaviour, and being used as a resource. Increasingly for him, decision-making was grounded in a web of predispositions, tacit understandings, and experiential knowledge that “provides capacity to act improvisationally across a range of contexts” (Ericson 2007: 378). Thus, because “actions fulfil the rules rather than simply follow them” (2007: 394), it is the researcher’s role to understand police practice, and people’s capacity to make sense of their environment and ‘go on’. Parallels can be drawn between the work of Ericson and that of Erving Goffman. In his later writing, Goffman talked about the process of framing. This process involved people using interpretative frames — or schema — that draw on previous experience to enable them not only to make sense of their immediate social environment, but also to determine their next course of action. Such a process was echoed in the classic patrol study carried out by Bayley and Mendelsohn in the 1960s.

The act of belonging to an occupation, then, serves to impose meaning upon the myriad impressions of the everyday world... the interpretive rules which are the inherited wisdom of his particular occupation. (1968: 88)

In socio-legal studies, Keith Hawkins has developed the idea of framing, and argued that a more holistic and systemic approach is required to understand the exercise of legal decision-making as well as the influences upon it (Hawkins 1992; 2003; Manning and Hawkins 1989). He rejected the idea that legal decision-makers made individual and isolatable ‘decisions’ based on a series of ‘criteria’ and ‘factors’. Such an idea ignored the extent to which a single decision was negotiated and grounded in a nexus of other decisions, as well as “the broad environment, particular context, and interpretative practices” in which it took place (2003: 189). Thus discretion was not about whether a decision-maker was bound by legal rules, but about how the law was ‘translated into action’ (Hawkins 1992). In this context, these interpretative practices were never entirely free or flexible, but were seen as being guided and influenced by a range of social, organisational and legal ‘rules’.

Like a Russian doll, frames or the “structure of knowledge, experience, value and meanings which a decision-maker uses to make sense of the decision problem and the available information” acted as a bridge between the micro and macro levels, and were situated within increasingly broader spheres of influence (Hawkins, 1992: 24). Echoing Bourdieu’s distinction between field and habitus (1977; 1992), interpretative frames were seen as being
nested within the ‘decision field’. The field was regarded as the legally and organisationally defined setting in which decisions were made, and which provided the immediate features in the foreground and background of any decision (Hawkins 2003). Organisational values were thought to play a particularly important role within the field and could be understood, in the context of the police, in terms of mission statements, intelligence briefings, force orders and policies, performance measures, policing styles, the pressure of emergency calls, and the cultural values held by occupational subgroups. Decision-makers were also seen to act in an even broader social setting. The ‘surround’ consisted of the political, social and economic conditions that provided a wider context for decisions (e.g. resource levels, legal changes, national policy directives, crime levels, and patterns of deprivation).

Arguing from a naturalistic perspective, Hawkins emphasised the connectedness and processual nature of legal decision-making on a collective level. Thus, the inter-relationships between frame, field and surround were seen to form a system where decisions were embedded, and which concurrently constrained and enabled those decisions. Adjustments in one sphere could, in theory, affect change directly or indirectly in another sphere in a dialectical process. From this perspective, amendments to the regulatory framework may influence police search practices, although its effect is not given, nor unlikely to be unmediated.

Across the policing literature, there was a clear sense in which the decisions of patrol officers were directly or indirectly shaped by influences outside their immediate situation. Previous research on stop and search practices has variously pointed to the importance of force objectives and policing priorities, intelligence processes, the role of victims in suspect identification, and the availability of people on the streets (FitzGerald and Sibbitt 1997), as well as performance indicators and directives given by patrol sergeants (Ericson 1982). Others have commented that frontline policing is also not immune from official rules, whether set out by the organisation or in law (Chan 1996; Dixon 1997). For Ericson, it was crucial to understand how legal rules were contextualised within organisational rules because they helped officers define situations: “[The] patrol officer’s sense of order in the community is inextricably bound up with his sense of legal order and police organizational order...” (1982: 21). Indeed, even Wilson (1968) who strongly argued that the function of the police meant there were limits on the extent to which police work could be modified, demonstrated that differing organisational contexts nurtured different policing styles.

Studies often pointed to the importance of the police occupational culture in shaping the actions of officers. It is beyond the scope of this brief summary about suspiciousness and patrol decision-making to cover the extensive literature on police culture(s) in any depth, particularly when thorough reviews have already been conducted (e.g. Foster 2003). While the dominant police culture may have some generalised characteristics, there are local variations and differences between officers (Fielding 1989; Reiner 1992). While the norms and attitudes on display in police culture have sometimes been seen to determine police practice and construed wholly in negative terms (Waddington 1999b), there have been recent attempts to reinvigorate the notion of agency. Continuing his idea that police practice is embedded with experiential knowledge, Richard Ericson and his colleague Clifford Shearing have suggested culture is a form of figurative action. The stories that officers tell in the canteen are not necessarily ‘real’, or in direct accord with police practice (see also Smith and Gray 1985), but enable knowledge about policing to be shared, which officers can draw upon when encountering new and unfamiliar situations. While such an approach is not without its critics (see Waddington 1999a), it supports the idea that suspicions are grounded in common-
sense and shared frames of understanding, and not in culturally determined rules of actions (Fielding 1984).

Maintaining and reproducing the social order

One of the key findings from across the literature was that police suspicions tend to fall on socially marginalised groups. Several reasons for these patterns were described, but there was a clear sense in which patrol work was a method of ‘cleaning the streets’ and maintaining the social order (Ericson 1982).

Matza did not see either incidental suspicion or the failed management of a deviant identity as the main forms of suspicion in police work. For him, the ordinary mode of suspicion involved the police ‘rounding up the usual suspects’. Methodical suspicion resulted in a core group of deviants being subject to surveillance and entering an ongoing bond with the police insofar as they were repeatedly identified as suspects: “Legally harassed or not, the subject is regularly employed as a suspect; effaced by imposed order, he becomes the focused object of police penetration” (1969: 194). This form of suspicion was described as being essential to the management of police work as well as having an important presentational role in terms of “pursuing evil and producing the appearance of good” (1969: 197). In effect, methodical suspicion was an ‘efficient’ working method because it enabled the police to deal with the bulk of the crime problem by focusing on only a small number of criminals (i.e. ‘regulars’), and to show they were on top of the problem. Moreover, such a method precluded ‘law-abiding’ members of the public from being routinely apprehended, thereby preventing a challenge to the police’s legitimacy. Within intelligence-led policing, individual criminals are marked out as ‘prominent nominals’ or ‘priority offenders’ and, as such, are the focus of police targeting (Tilley 2003). It will be seen in the main empirical chapters that methodical suspicion also featured in police stop and search practices used by patrol officers.

While Matza only distinguished between two primary modes of suspicion, his discussion of how methodical suspicion was applied in practice revealed a third (but not completely separate) form. In order to proceed, an officer effectively had to “assess the nature and character of the person standing before him”, and ask: “Is what stands before him essentially a good citizen or a suspect?” (1969: 191). Methodical suspicion would suggest that police would answer this question based on their prior knowledge. Indeed, Matza noted that “the answer is [often] clear since persons are already known to the police” (1969: 191). However, because officers’ knowledge is partial and people are largely anonymous in modern society, appearance or resemblance (which are not synominous with methodical suspicion) become central to police decision-making. Thus, the police sweep up ‘proper criminals’ as well as those who merely look like criminals in the eyes of the police: “[Those] who resemble bona fide suspects will often see the modulated face of imposed order, those who resemble the good citizen that of legality…” (1969: 192). Confidence tricksters might avoid the police if they looked respectable, whereas juveniles, hippies or those living in a black ghetto might be subjected to undue attention because of their appearance. Gary Marx was later to refer to this mode of surveillance as ‘categorical’ suspicion, whereby everyone in a particular category becomes a reasonable target and in which “everyone is guilty until proven innocent” (1988: 219). For Matza, methodical suspicion and categorical suspicion were expedient tools for the police to demonstrate they were dealing with the ‘crime problem’ which had the effect of being self-justifying.

The conceptual framework presented in Matza’s elegant writing is useful, but his approach is not without problems. First, the relationship between deviant and police was described in
functionalist terms – criminals were ‘employed’ by the state. As such, the decisions made by individual officers appeared abstract and mechanistic, and lacked a sense of agency. Second, Matza’s argument was conspiratorial in that he described the use and institutionalisation of suspicion as an ‘historic choice’, which officers were actively complicit in, but he failed to document these processes. Third, there was no real sense of how suspicion was produced through routine police patrol, and enabled by legislation and public calls for service. Finally, Matza did not provide a theoretical account of why some social groups are taken to resemble the deviant.8

The focus of the police on particular categories of people represented a near universal in the criminological literature on patrol work. As Bittner remarked, “police activity is as much directed to who a person is as to what he does…[and that] the preferred targets of special police concern are some ethnic and racial minorities, the poor living in urban slums, and young people in general” (1980: 10). The overt targeting of these groups was widely recognised (e.g. Bayley and Mendelsohn 1968) and the reason for some of the early ethnographic studies on policing being commissioned (such as Reiss 1971). To some extent, the fact that those at the margins of the society were subjected to police suspicions was both rational and understandable because they were more likely to commit crime and made a disproportionate contribution to the overall crime problem (Wilson 1968; Bittner 1980; Young 1994). Thus, despite searches having a low arrest rate, it has been claimed that, “[in] the lottery of investigative payoffs, officers know on whom to lay their bets” (Ericson 1982: 200). For Bittner (1980), these ‘invidious distinctions’ could be traced back to the creation of the police with its focus on the dangerous classes (see also: Brogden 1982; Fielding 2005). These distinctions have persisted and been reproduced over time, with suspiciousness predominantly falling on those people deemed in need of control, even if they behave in the same way as the respectable classes (e.g. Bittner 1980).

The police officer is more likely to watch closely and stop on suspicion a young man in the ‘shagwagon’ than a granny in her stationwagon, because the former is more likely to have contraband and is deemed more in need of being kept in his proper place. (Ericson 1982: 8)

It was the police’s continuing efforts to produce and reproduce the social order that Richard Ericson (1982) saw as being the main influence on patrol decisions to initiate encounters with the public proactively. He argued that – through established recipe rules and procedures – the police have a sense of the order which they are there to reproduce and, when on patrol, decide not only what is out of order, but also which resources to use to reconstruct order:

in dealing with suspects – especially after proactive stops on suspicion – [the police] base their decisions on the status claims of the suspects and the matter in dispute. They have enabling organizational powers, and substantive and procedural legal powers, to assist them in ordering suspects... [In sum,] the police have considerable power to define what is ‘out of order’ and to reproduce their organizationally filtered sense of ‘order’. (1982: 137)

Working within the labelling tradition, Ericson attempted to produce a synthetic account of policing in as far as he gave consideration to both structural and interactionist influences on police activities, and was engaged in developing an empirical understanding of how police strategies were deployed in the reproduction of social order.

Adopting a more structuralist perspective, McConville et al. (1991) argued that the police play a primary role in the social construction of criminal cases, and that street policing represents the first stage in the prosecution process which results in an officially sanctioned

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8 Sumner (1994) has argued that acts of labelling deviance are a politically prescribed form of social censure.
picture of events. In describing this process, they maintained that “the suspect population is not a subset of the criminal population” (1991: 14). While they acknowledged that criminality is not solely determined by social reaction, deviance is not seen as being an objective characteristic. Thus, the discretion afforded to officers engaged in street policing enables cultural rules to determine who is regarded as a suspect. Moreover, the police’s version of events, documented via official record-keeping, is given a privileged position in the criminal process and regarded as the one legitimate account. Thus, it was argued that case construction, through its reliance on the suspect population, focuses on the powerless and affirms dominant social values as systematically exclusionary discourse. The work of McConville et al. has been subject to much criticism due to its: structural-functionalist leanings; tendency to see culture as deterministic of police practice; lack of primary empirical evidence on policing; and emphasis on crime control within policing (see, for example, Smith 1997). Despite these criticisms, their main arguments remain important because they restated the police’s role in the ‘creation’ of deviancy and the legitimacy conferred to police records.

Structuralist accounts of social control can, however, pose a problem from an analytical perspective. In examining the relationship between the police and the policed, there is often a tendency for the agency of individual officers to be undervalued, and for phenomena beyond immediate empirical reach to be reified. For example, in Choong’s social disciplinary model of policing, the criminal classes are subjected to surveillance “regardless of whether the individuals selected for this treatment are violating the criminal law at any given moment” (1998: 627). In this context, stop and search “is a tool which the police use to impose their control and authority upon those whom they have categorised as criminal or potentially criminal” (1997: 59). Suspicion thus falls on the ‘dross’, such as ethnic minorities who are discriminated against, and the ‘permanently suspect’ who come into regular contact with the police. The lower working classes are also targeted because of their economic circumstances. They may make greater use of public spaces which are subject to policing (MVA and Miller 2000), and live in poor areas which are regarded by the police as lawless. Thus, cultural perceptions about criminality perpetuate longstanding relationships between the police and the policed based on notions of ‘worthlessness’.

Choong (1997), therefore, regarded suspiciousness as a means of censuring particular social groups – the objective of the police thus being to define and exert social control over ‘problem’ communities in line with established economic divisions. Despite claims about the diffuse and relational nature of power, Choong adopted a ‘cultural Marxian’ perspective (Fielding 2002) in which structural relations play-out through police culture, supported by a dominant political discourse. While such an approach supports the continuing idea that police suspicions fall on the socially marginal through to notions of respectability, it is overly deterministic in that police activity is dictated by social structure (Waddington 1999b). The relationship between economic structure and officer practice remained largely unexplained, with little room for officers to act with agency. Moreover, the role of the public in shaping police work, through their calls for service, is not discussed; an important omission given that the disadvantaged and socially excluded are most likely to be victims of crime and require police assistance. With its emphasis on understanding the routinised work of the patrol officer, this thesis rejects the structuralist idea that static economic conditions, or class relations, determine the practical exercise of suspicion. Instead, there is a focus on exploring the interpretive practices of the police, and how these practices are embedded within a wider

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9 The weaknesses in Choong’s (1997) argument are further exposed in his discussion of legal regulation. The legal notion of ‘reasonable suspicion’ was criticised because its vagueness was seen to confer discretion to the police (although officers were accused of wilfully ignoring it). Choong advocated training and cultural change rather than tightening the legal framework, even though it was not clear how these officer-focused interventions would over-ride the prevailing structural and economic conditions.
system. Following Hawkins, it will be argued that organisational and social context both constrain and enable decision-making. Moreover, it does not follow with such an approach that status and power are unimportant within interaction, nor that social relationships and inequalities do not persist over time. Of interest is how these patterns are constituted and reconstituted through social action, and how order is produced and reproduced, via interaction and the use of formal social control.

**Discrimination and racism**

Overall, the policing literature suggested that suspicions usually fall on those who are at the margins of society, whose respectability can be questioned, and who need to be put back in their place. It has already been seen that people from ethnic minorities tend to be subject to police attention because their marginal status which leads to them being disproportionately stopped and searched by the police, but given the claims of Scarman (1981) and Macpherson (1999), to what extent has police practice been found to be racist?

Recent television documentaries using covert recording technique have uncovered evidence of racial bias, particularly in terms of the way individual officers have described their own practices on the streets (see Panorama, 21 October 2003). While talk does constitute a form of social action, it should not be assumed that black and other minority ethnic groups are necessarily treated worse than white people (Smith and Gray 1985; Waddington 1999b). Some commentators have pointed out that comparisons with wider social processes are required to make an assessment about policing. Bittner (1980) argued that, while policing was inherently discriminatory and officers were racist, the police largely reflected the racism of wider society. Yet, he pointed out that the police tended to express their prejudice more emphatically than other people. Studies carried out in the US in the late 1960s, however, have cast some doubt on whether police officers possess ‘authoritarian personalities’ (see: Balch 1972; McNamara 1967; Bayley and Mendelsohn 1968).

The classic criminological texts from the US in the 1960s tended to highlight that the police were sensitised towards those from minority groups. Bayley and Mendelsohn (1968), for example, suggested black people attracted suspicion because they were more likely to be regarded as ‘out of place’ (partly because the police had a low knowledge of minority communities). Minorities were also rendered more ‘visible’ because, as a result of wider processes of social exclusion, they were more likely to occupy public spaces that were subject to policing. There was also seen to be an expected association between those living in black ghettos, and crime. Black (1980) and Reiss (1971) supported this view, finding that black people were targeted by the police because they were thought to be incongruous.

Heightened suspicions of black people have been identified by researchers working in England and Wales almost 30 years after the first observational studies (see: FitzGerald and Sibbitt 1997; Quinton et al. 2000). This view is confirmed by a recent review of the literature on discrimination in stop and search (see Bowling and Phillips 2007). The relationship between ethnicity and police practices, however, remains complex, particularly when the nature of the interaction is examined. For example, while black people may be subject to more speculative encounters, they may not be subject to more harsh treatment once stopped (Norris et al. 1992).

Drawing on the earlier work of Michael Banton (1983), Reiner’s (1992) review of the literature usefully distinguished between five types of discrimination. The evidence for categorical discrimination, the ‘invidious treatment’ of a person because of their membership
of a particular group, was found to be mixed because of the methodological challenge of isolating the effect of ‘pure’ discrimination from other influences. Prejudice, the holding of negative attitudes, was nonetheless found to be prevalent. Research from the US in the 1960s has cast some doubt over whether the holding of prejudiced views was unique to the police. In contrast to the ethnographic studies at the time (Skolnick 1966; Reiss 1971), research using variants of Theodore Adorno’s f-scale to test whether the police had a fascist orientation tended to conclude that officers were no more authoritarian than those in comparison groups (Balch 1972; McNamara 1967; Bayley and Mendelsohn 1968).

Reiner found more evidence in support of statistical discrimination, that some ethnic groups were stopped and searched on the basis the police believed they were more likely to find something on them (see also Waddington 1999c). This practice is better known in the US as ‘racial profiling’. Reiner also highlighted the importance of interactional discrimination, whereby the quality of the interaction between the police and different ethnic groups could lead to differential outcomes. For example, those who failed the ‘attitude test’ and found in ‘contempt of cop’, were more likely to be treated harshly. In his observational work carried out in the 1960s, Reiss (1971) found the police and public were usually civil during interactions, although the police were likely to be uncivil towards suspects. No ethnic differences were identified, although it was clear the police demanded respect for their authority. As such, interactional discrimination does not explain why certain groups were stopped by the police in the first place.

Reiner also discussed the role of institutionalised discrimination, the systematic disadvantage directly or indirectly caused by the ‘normal functioning’ of an institution’s policies and procedures which can compound structural inequalities. Holdaway (1993) has criticised the notion of institutional racism, on the grounds that it cannot be falsified and is ill-defined. Nonetheless, Holdaway has argued that the racialised pattern of policing is rooted in the occupational culture and the practices of routine police work, rather than individual pathology. However, the concept of institutional racism was originally developed in contrast to such individualised notions of racism (Rowe 2004) and deliberately dissociated racist outcomes from racist intent (Mooney and Young 1997) (see also Gaertner and Dovidio 1986 on ‘aversive racism’). Despite their conceptual differences, Holdaway and Reiner both highlighted the need to examine the indirect forms of discrimination that are grounded in the mundane actions of the police. As Bowling and Phillips (2002) pointed out, with indirect discrimination, while different ethnic groups may be treated ‘equally’ in a formal sense, actions may be discriminatory in their actual effect on particular groups.

With stop and search, John Lea (2000; 2003) identified two dimensions to institutional racism. First, Lea pointed to demographic factors, although he recognised these factors did not, in themselves, explain why people were stopped in the first place. Routine police practices compounded wider patterns of discrimination on the basis that black people were more likely to suffer from unemployment and social exclusions (see also: FitzGerald and Sibbitt 1997; Mooney and Young 1997). Empirical research that has used systematic observation to measure the ethnic profile of those who use public spaces where stops and searches are carried out has found that, in the areas studied, the street population contained a higher proportion of people from ethnic minority groups than the resident population (MVA and Miller 2000; Waddington et al. 2004; Hallsworth et al. 2005). While these studies show that the decisions of individual officers may be ‘neutral’ in the sense that they decide to initiate contact with people from different ethnic groups in line with the street population, collectively their actions can lead to racist outcomes. The ‘availability’ of different ethnic
groups to the police is likely to be racialised because of wider structural inequalities that shape people's use of public space. Moreover, there remains an important issue about why the police concentrate their efforts on locations where black people have a greater presence in the street population.\textsuperscript{10} Lea's second dimension to institutional racism in stop and search addressed this point. Like Bittner (1980), Lea argued that police targeted the dangerous classes for historical reasons.

As a result of racial discrimination, young black people are disproportionately concentrated among that population attracting police attention due, not to a concrete suspicion of criminality, but to a more diffuse notion of dangerousness and disorderliness... These signs are reproduced as stereotypes of dangerousness and they are reinforced in the practical street wisdom and occupational culture of police officers. (Lea 2000: 230)

Finally, Reiner (1992) found some evidence in support for the existence of transmitted discrimination, which results from the passive replication of discrimination found in wider society. In relation to stop and search, studies have suggested that police practices are largely informed by the flow of information about crime from the public. Following Matza, Jock Young's (1994) research in North London highlighted that bureaucratic (or methodical) suspicion and stereotypical (or categorical) suspicion were the primary modes of detection. Young, however, sought to examine the origins of these stereotypes and how they were grounded in socially constructed working rules. An attempt was made to integrate the labelling perspective with the idea that police knowledge about crime was principally based on public information and cooperation. After all, Young pointed out that "one of the most important revelations of criminology in the past 20 years has been the realization of the importance of the public in social control" (1994: 23).\textsuperscript{11}

Echoing Reiss's (1971) conceptual distinction, Young argued that stop and search practice was limited in the extent to which it was directly based on public information because its proactive nature, whereas most policing was reactive to public demand. This was not to say that proactive practices were autonomous from public knowledge. Indeed, suspicions were seen to be patterned by the police's partial knowledge about certain crimes. Young argued that police knowledge about crime was inevitably biased because:

- not all crimes were reported by the public;
- the public's own understanding of crime was socially structured, with the socially marginal having the greatest knowledge due to their level of victimisation; and
- specific knowledge about different crime types rested on the level of contact between the offender and victim.

Thus, compared to burglary, police knowledge about those involved in street robbery was thought to be relatively high because of the strength of the victim/offender relationship. However, while the police may have a reasonably accurate profile of the types of people who commit robbery through suspect descriptions provided by the public, the police may not necessarily know the actual offenders. Young argued that the nature of information flows, coupled with differential offending patterns and a police focus on groups that are likely to produce the greatest 'yield', resulted in stereotypical suspicions.

\textsuperscript{10} The notion of availability is predicated on the use of public space by both the police and the public (e.g. Mooney and Young's (1997) demand and supply model). After all, a suspect and officer need to be in the same place and same time if an encounter is to take place.

\textsuperscript{11} This discovery can, in fact, be traced back to the earlier observational work of Reiss in the 1960s: "[Citizens'] discretionary decisions to mobilize the police are the principle source of input into the system, and these decisions profoundly affect the discretion exercised by the police" (1971: 114). Ericson (1982), however, has argued that the simple dichotomy between reactive and proactive policing was problematic on the basis that all decisions are traceable to other decisions.
As street robbery is a crime which typically has a high proportion of black offenders... and is the only crime on which the police will have an adequate profile, there may well be a tendency to generalise from this information to burglary and illicit drug use. (1994: 38)

Such stereotyping was thought to be further exacerbated by ‘supply-side factors’, such as the profile of people in the catchment areas targeted by the police, which were likely to contain higher proportions of young men and people from black and Irish backgrounds.

While notions of institutional and transmitted forms of discrimination do not attempt to explain the role of the officer as an active agent in decision-making, and suggest that stop and search is patterned through structural factors and processes that may not immediately be entirely accessible to the empirical eye, they do illustrate how ordinary police working practices can lead to a disproportionate focus on people from ethnic minority and other social groups.

Implications

In exploring the strengths and weaknesses of different accounts of police patrol work, it is possible to discern a conceptual framework that can used to help examine the operation of suspicions in police patrol.

Suspicions are grounded within the everyday working knowledge of police work, and help officers to deal with uncertainty and new situations. By engaging in patrol work and acquiring an understanding of the area they work, police develop a ‘conceptual shorthand’ for what is ‘normal’ and what is ‘unusual’. In looking for deviance and trying to ‘see round’ people’s concealed identities, officers look for signals to suggest that something is not right and that a performance is discreditable. Police practices seemingly mirror the normal processes that people engage in, when they take part in their everyday lives. The reading given to these signals is highly situated, with judgements often made against what is ‘normal’ in a given context, or against the officer’s own expectations.

To suggest that police follow a series of working rules when they interpret the signals they come across on patrol would be to over-determine police practice, and to underplay the role of the creative agent. If rules inform police decision-making, they are in the form of general rules of thumb which are taken-for-granted, and grounded in tacit predispositions and experiential knowledge. Rather than try to unearth the hidden rule book for policing, research should simply endeavour to understand police practice.

The police are, however, not able to use their will freely, as their decisions are embedded in a wider system. Their actions and interpretative frames will be shaped by immediate situational factors, and influenced by the broader organisational and social context. Police decisions to stop and search will, for example, be partly informed by the historical orientation of policing towards those at the margins of society and the need to maintain order. Thus, some social groups are likely to be subjected to police targeting because they are associated with crime and a lack of orderliness. There is evidence to suggest that people from minority ethnic groups are subject to such targeting, because they tend to occupy the position of a marginal group. The everyday practices of the police are likely to compound this problem even if people are seemingly treated ‘equally’, because they will reinforce wider patterns of disadvantage and draw on biased information flows. To suggest that police practice is only determined by these longstanding structural arrangements is to ignore the active role of officers and the role of routine police work in the process of reproduction.
In conclusion, the literature points to the need for a systemic understanding of police stop and search practices. Such an approach would be cautiously synthetic in that it would seek to examine social interaction at a micro-sociological level, while being sensitive to the situated and contextualised nature of police action that reproduces social order.
Chapter 3 – The legal context

It is difficult to describe what constitutes a ‘suspicious person’ or a ‘suspicious circumstance’, and some things that might have entered into such a description cannot safely be put in writing or made official. (Wilson 1968: 64-65)

This chapter explores the statutory framework that simultaneously permits and regulates the police use of stops and searches. In order to appreciate operational practices, it is first important to map out the legal context in which police decisions are made. A primary aim of Chapter 3, therefore, is to examine the formal definition given to Reasonable Suspicion (RS). Only through describing the legal framework will it be possible to study the extent to which stops and searches are enabled or prohibited by the rules (or carried out in spite of them). Understanding the legal context is also important to the interpretation given to the way the police talk about, and account for, their actions.

To begin, the chapter briefly outlines the police powers for stopping and searching members of the public. A more detailed discussion follows about the importance of PACE in both extending and limiting police powers. The chapter continues with an in-depth analysis of how RS is defined in legislation, case law, and codes of practice. Finally, the chapter examines how the definition of RS and other regulatory devices have changed over time via amendments to the codes.

Police powers to stop and search

The police do not have a general, statutory power to stop members of the public. There is no specific legal provision that authorises officers to detain a person on foot. Thus, all pedestrian stops are consensual in nature and, in theory, citizens remain free to go about their business (although officers may think more in terms of those people who go about their ‘lawful business’). The situation for members of the public in vehicles is slightly different however. Under s163 of the Road Traffic Act 1988, the police have the power to stop any vehicle, and failure to stop would constitute a criminal offence. Importantly, s163 does not require the officer to suspect the vehicle’s occupant(s) of anything.

The police have powers to conduct searches under numerous pieces of legislation. These powers can be used to search for a wide range of specific items, such as firearms, drugs, knives, and stolen property, as well as objects whose intended use must be interpreted by the officer. Everyday things such as pens, chapatti flour, and screwdrivers could potentially be regarded as items to be used, respectively, in the commission of criminal damage, terrorism, or theft. Since the introduction of PACE, there has been an “ever-lengthening list of articles” for which the police may search (Sanders and Young 2007: 74).

Table 2 outlines the main search powers, and how they may be used by the police. Police powers fall into two broad categories:

- Those that require officers to have RS before an individual search can be conducted.
- Those that require an authorisation to be in place which allows officers to conduct individual searches without RS.

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12 That said, Baldwin and Kinsey (1982) have identified a case in which a police officer was found to be acting lawfully when the officer held a person’s shoulder in order to stop him for questioning. The ruling said the officer was obliged to “take all steps which appear to him to be necessary for keeping the peace” (Rice v Connolly, cited in Baldwin and Kinsey 1982: 152).
Table 2 — The main search powers

<table>
<thead>
<tr>
<th>Power</th>
<th>Required legal standard</th>
<th>Objects of search</th>
</tr>
</thead>
<tbody>
<tr>
<td>s1 PACE 1984</td>
<td>Reasonable suspicion</td>
<td>Stolen and prohibited articles for (intended) use in burglary, theft, or vehicle crime</td>
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<tr>
<td></td>
<td></td>
<td>Offensive weapons</td>
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<td></td>
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<td>Items for use in criminal damage</td>
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<tr>
<td></td>
<td></td>
<td>Fireworks</td>
</tr>
<tr>
<td>s23 Misuse of Drugs Act 1971</td>
<td>Reasonable suspicion</td>
<td>Controlled drugs</td>
</tr>
<tr>
<td>s47 Firearms Act 1968</td>
<td>Reasonable suspicion</td>
<td>Firearms</td>
</tr>
<tr>
<td>s60 Criminal Justice and Public Order Act 1994</td>
<td>Authorisation — by an inspector (or above) for a defined area and time period (not exceeding 24 hours)</td>
<td>Offensive weapons and dangerous instruments (where incidents of serious violence are ‘reasonably believed’ to happen)</td>
</tr>
<tr>
<td>s44 Terrorism Act 2000</td>
<td>Authorisation — by an assistant chief constable (or above) and confirmed by the Home Secretary within 48 hours, for a defined area and time period (up to 28 days)</td>
<td>Items for use in acts of terrorism</td>
</tr>
</tbody>
</table>

Note: The power to search for fireworks and items for criminal damage were introduced after the fieldwork for this study was completed. The s44 power has been authorised repeatedly, on a rolling basis, for the whole of London (Metropolitan Police Authority 2005).

Searches based on RS, in theory, place restrictions on police actions because officers are expected to meet a prescribed legal standard, in terms of the level of suspicion they have before they search somebody. In comparison, authorised powers confer much greater latitude to officers to carry out searches. While certain conditions must be met for the power to be permitted in the first instance, the authorisation enables officers to carry out searches without meeting a prescribed legal standard for a given time and locality. Sanders and Young (2007) described the legal rules around these two types of power, respectively, as ‘inhibitory’ and ‘enabling’.

The framework that governs the use of stops and searches is made up of a complex web of legislation, case law, codes of practice, and other regulatory devices (such as performance measures, guidance, policy statements). Each element of the framework carries a different level of legal weight. Assuming the courts would challenge police practice, they are likely to view compliance with a Home Office circular as less important than with primary legislation. Police powers and their regulation do not exist in a vacuum. Other legislation, such as the Race Relations (Amendment) Act 2000 and the Human Rights Act 1998, also place duties on the police that may affect how they exercise their powers (e.g. to act without unlawful discrimination, and proportionately).

PACE – consolidation, extension and regulation

Powers of search have a long history in England and Wales, pre-dating the establishment of the professional police (Brogden 1985). Over that time, and until relatively recently, police search powers emerged in an ad hoc and unsystematic way. Before the introduction of the PACE, search powers were contained in a wide range of local and national acts, such as the Vagrancy Act 1824 and Metropolitan Police Act 1839 (see Willis 1983, on police powers pre-PACE).

Police powers were consolidated and, in some respects, extended as a result of PACE — a
piece of legislation which Reiner described as the "single most significant landmark in the modern development of police powers" (1992: 223). The legislation covered a wide range of police procedures including arrest, search and seizure, and the detention and questioning of suspects. Its introduction in 1984 saw the repeal of many of the earlier and localised search powers, and introduced a national power to search for stolen or prohibited articles that had not existed previously. As such a power had not existed in many parts of the country, PACE resulted in an extension of police powers.

PACE emerged from the Royal Commission on Criminal Procedure (RCCP) (Phillips 1981), which was set up in 1977 in response to conflicting claims about the abuse of powers and rights of suspects 'tying the hands' of the police. The purpose of the RCCP, therefore, was to examine, and strike a balance between, police powers, and the rights and duties of suspects (Reiner 1992). The RCCP viewed the legal framework around stop and search at the time as confused and incoherent (Sanders and Young 2007) and, as a result, recommended the introduction of a standardised power across England and Wales. The Commission also proposed a series of safeguards based around the criteria of fairness, openness, and workability which were thought to be lacking from many areas of criminal law (Brown 1997). Thus, the recommended search power aimed to: be fair to both suspects and officers; make police decisions open and reviewable; and meet the needs of crime control without restricting suspects' rights. While many of the safeguards proposed by the RCCP were enacted by PACE (Sanders and Young 2007), the debates around the introduction of the legislation were highly politicised (Reiner 1992). The nature of these debates was intensified by the publication of the Scarman Report (1981), which identified the Metropolitan Police's extensive use of searches in the Swamp '81 operation as a major cause of the Brixton riots.

Despite the overall effect of the legislation being to extend police powers, it contained three principal measures that, on a presentational level, were designed to protect the rights of the public. First, police actions were to be regulated through bureaucratic rule-tightening. PACE required officers to make a written record of a search, which would be available to the suspect and subject to internal review. Raising the possibility that supervisors, judges and members of the public might examine and question these records, the necessity for record-keeping can be seen as "the partial opening-up of the backstage areas of policing" which previously suffered from low visibility (Reiner 1992: 232).

Second, police actions were to be regulated by legalistic rule-tightening through the establishment of clear legal standards. As recommended by the RCCP, PACE made it a necessity for officers to have 'reasonable grounds for suspicion' before carrying out a search. The legal notion of RS was widely used in the English criminal justice system (Sanders and Young 2007) and is historically grounded in older common law principles (Lustgarten 2002), even though, in practice, the standard was ignored in the use of pre-PACE searches (Dixon et al. 1989).

As a means of regulation, the RCCP acknowledged that RS was difficult to apply in practice because it was poorly defined and could be a 'loosely interpreted' principle (Phillips 1981). This view has been echoed in subsequent academic criticism. Commentators have argued that RS is a 'slippery concept', impossible to define, and that its interpretation is entirely down to the officer (Baldwin and Kinsey 1982; Sanders and Young 2007; Koffman 1985). As Waddington noted: "In law, reasonableness is an enormously elastic category that excludes

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13 Recent debates about the introduction of control orders described RS as being 'on a spectrum' with other evidential standards (i.e. the balance of probability and beyond reasonable doubt). Set against these benchmarks, RS was regarded as a low threshold (see Fielding 2005).
little" (1999b: 197). Moreover, judged against the RCCP's criteria of openness, the standard is seen to be difficult to contest after the event and assessment of 'unreasonableness' is problematic (Sanders 1993; Lustgarten 1986). The RCCP was, however, pessimistic about the prospect of finding an alternative legal standard that could be codified and, instead, relied on more bureaucratic and process-oriented safeguards (e.g. record-keeping, information provision, supervision, and monitoring). Some argued, however, that the reliance on such measures would, counter to expectations, assist the police in gathering intelligence on target groups (Koffman 1985).

Third, police actions were to be regulated by legalistic rule-tightening through the clear interpretation of the law. PACE saw the introduction of codes of practice that explained how the law was to be applied by officers in order to guarantee the protection of the public. Baldwin (1989) argued that this regulatory change was significant and echoed changes to other regulatory systems that were being introduced around that time. The police had, in effect, been deregulated and were not subject to a set of rules grounded in primary legislation. The RCCP, for example, emphasised that the conduct of officers should be regulated in codes of practice via internal disciplinary processes, and not external penalties or criminal proceedings (Lustgarten 1986).

The codes of practice replaced the role played by earlier Judges' Rules which set out how police powers were to be used in practice. Formalised in 1912 and revised through to 1964, Judges' Rules sought to delineate the extent to which police could question a suspect before bringing charges (Dixon 1997). While the rules had no legal force, non-compliance could "render answers and statements liable to be excluded from evidence" (cited in Baldwin and Kinsey 1982: 156). Central to the guidelines was the idea of the 'voluntariness test'. Any evidence from a suspect had to be given voluntarily, and could not be wrongfully obtained or acquired under undue pressure. However, Judges' Rule were often ignored by the police and breaches rarely led to wrongfully obtained evidence being inadmissible in court or to disciplinary proceedings (Baldwin and Kinsey 1982; Jefferson and Grimshaw 1984; Fielding 1991). In his interim assessment of PACE, Reiner (1992) suggested that the codes had had some effect on police practice because they carried more weight in police culture than the less formal Judges' Rules. This view echoed the earlier work of Baldwin, who argued that the codes had become "the internal rules of the organisation... [and were] offered as counterweights to extended powers and discretion" (1989: 163).

A degree of caution is, however, required in assessing the effectiveness of safeguards around PACE. For example, in 1993, the Royal Commission on Criminal Justice noted that there were hardly any disciplinary proceedings as a result of PACE being breached (Dixon 1997). For sanctions to be effective, it is paramount that any breaches of the codes are detectable and that managers are willing to monitor the use of police powers (Fielding 1991). However, police practices on the streets remain largely invisible and unreviewable. Such privacy in legal decision-making can limit accountability of decisions, and the extent to which they can be fully understood (Hawkins 1992). The introduction of PACE also did little to curtail the wide range of existing police practices that had a negotiated character. The police still had considerable latitude when dealing with people who were 'helping with enquiries'. Searches without RS were permissible so long as a person gave consent. Notions of 'consent' and 'voluntariness' are, however, inherently problematic when agents of formal social control are involved, and give scope for manipulation, particularly when the public may be unaware of their rights and when wrongfully obtained evidence is unlikely to be ruled out (Fielding 1991; Dixon et al. 1989; Lustgarten 1986). Ericson also noted that consent searches do not raise the
visibility of police actions to supervisors and that public compliance can be enforced by the
police, because officers have recourse to other legal powers: “While these powers are rarely
spoken of in the encounter, they are always ‘there’ to be called upon if someone calls the
officer’s actions in to question” (1982: 160).

Defining reasonable suspicion

Decisions to carry out most police searches should, in theory, be based on the concept of RS.
In order to understand police practice and assess whether it is consistent with the legal
framework, it is important to examine how RS is defined. As mentioned, RS is a difficult
concept to pin down. Despite recommending its use, the RCCP was doubtful about reaching
“agreed standards to form the grounds of reasonable suspicion… in statute or code of
practice” (Phillips 1981: para 3.25) because of the wide array of circumstances to which they
would have to be applied. While the appeal courts and the legislature have not sought to
provide a concrete definition of the concept (Sanders 1993), attempts to specify what
constitutes RS have mainly been made through legislation and codes of practice (Dixon et al.
1989).

Primary legislation

The items of legislation that empower police to search members of the public do not explain
in detail what is meant by RS, and provide little assistance to officers about when to use their
discretionary powers.

PACE sets out the limits of police powers, describes the actions officers are expected to take
during a search, and establishes the requirement for officers to make a record. Under s1,
officers are conferred a power that enables them to search persons and vehicles for stolen or
prohibited articles, but only in public places. The police have related powers to detain a
person for the purposes of the search, and to seize any articles found during it. Running to
only nine subsections, s1 is largely given over to describing what officers can search for and
where. Intricate clarifications are provided on what is regarded as a private dwelling and
when the definition also includes a garden or yard. In comparison, the inhibitory rule that
officers cannot carry out a search “unless he has reasonable grounds for suspecting that he
will find stolen or prohibited articles” (s1(3)) receives only brief mention. RS is stated rather
than defined. A similar approach is adopted in the Misuse of Drugs Act: “If a constable has
reasonable grounds to suspect that any person is in possession of a controlled drug… the
constable may… search that person, and detain him for the purpose of searching him”
(s23(2)).

Therefore, the legislation leaves RS almost completely open to interpretation by police
officers and the courts. There is an indication, however, that the legal threshold for a search
should be the same as for an arrest – arrests under s24 PACE also require reasonable grounds
for suspicion. Dixon et al. (1989) have argued that the sharing of the same legal standard
leads to a paradox in that, while arrests might be seen as more intrusive than searches, they
offer a significantly greater number of safeguards.

Case law

One might expect case law to have developed over time to clarify, through court rulings, how
primary legislation should be interpreted. The contribution of case law has been limited and it
has been argued that “as long as the police could show some grounds for suspicion, then that
was enough [for the courts]" (Stone, quoted in Dixon et al. 1989: 201). The paucity of case law around the use of police search powers is widely recognised (Lustgarten 2002). Sanders and Young (2007) have pointed out that, of the small number of cases about police searches, few have hinged on the interpretation of RS, and those that have done so, did little to define it. They also noted that cases based on similar material facts resulted in different rulings.

The European Court of Human Rights has done little to shed light on how RS is to be defined. Unlike arrests, police searches have not come before the court (Lustgarten 2002). However, their ruling on the power of arrest, which seemingly shares a similar evidential threshold, held that RS had to be based on facts or information that would satisfy a third party. This judgement points to the need for objectivity, and has been echoed in the PACE codes of practice.

**Codes of practice**

The Home Secretary has the power under s66 PACE to issue, via a statutory instrument, codes of practice that specify how police powers are to be exercised in practice. The codes are intended to supplement the primary legislation, which sets out the extent of police powers. While the codes have a similar standing to legislation, in as far as they should be considered by the courts, their enactment through a statutory instrument makes them easier to amend (Sanders and Young 2007). Failure to comply with the codes can, in theory, lead to disciplinary action as per s67 PACE. Different parts of the codes have different legal standings. While the provisions in the code supposedly 'govern' the exercise of police powers, the notes for guidance merely act as guidelines to the application and interpretation of the main provisions.

Codes of practice have been introduced for the range of police powers enacted by PACE. The Code of Practice for the Exercise by Police Officers of Statutory Powers of Stop and Search (hereafter Code A) applies to all police powers, not just those under PACE. The review of PACE carried out by the Home Office and Cabinet Office in 2002 explained that the codes of practice were intended for day-to-day use by the police, despite their acknowledged lack of clarity and prescription. The review described the purpose of the codes as follows.

> These Codes interpret the provisions of the Act, in somewhat simpler language, and explain how PACE principles should be translated into operational policing. In addition to the requirements listed in the Codes, notes for guidance give examples and raise additional considerations for the police to take account of. (2002: para 3)

Eight versions of Code A have been issued since PACE was first introduced. Each new version has required public consultation on the new draft code, followed by parliamentary consideration through a resolution procedure. Examination of Code A reveals that, in setting out how police powers are to be used in practice, it attempts to define the limits of RS. Analysis over time shows that the definition given to RS has changed, and confirms the view of Sanders and Young that revisions have been made both “with a view to enlarging the concept of reasonable suspicion, and sometimes with a view to restricting it” (2007: 68).

**Changes to the codes of practice**

The purpose of this section is to present a detailed exploration of Code A in terms of how RS has been defined. Taking an historical perspective, it is possible to discern three distinct

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14 This finding was confirmed through searches of legal databases carried out for this thesis.
chronological phases in the way reasonable grounds for suspicion have been described, which broadly correspond with other regulatory changes that *Code A* introduced at the same time.

**The 1980s – suspicion based on ‘facts’**

The first *Code A* (which came into force in 1986) simply repeated the police powers as laid out in PACE. Guidance on what constituted reasonable grounds was provided in an appendix rather than in the main body of text. While the appendix would have had the same legal standing as any other provision, it could be argued that the description of RS was not prominent (at least on a presentational level).

In the code, RS was not regarded as the same thing as proof. An officer did not have to be completely certain that a person was carrying a prohibited item to be suspicious. Reasonable grounds were defined negatively in terms of what they were not, and it was made clear that they did not meet the criminal standard of proof (‘beyond reasonable doubt’). In practice, the threshold was also probably lower than civil standard (‘the balance of probabilities’). Sanders (1993), for example, pointed out that RS did not satisfy the evidential standards of a court and that evidence from searches needed to be supplemented before a prosecution could be initiated. Despite its relatively low evidential standard, RS had to meet a ‘likelihood test’ because the purpose of the power was to find prohibited items. Thus, *Code A* only permitted officers to carry out a search when the evidence suggested “the likelihood that an article of a certain kind will be found” (1986: annex B, para 2). The ‘likelihood test’ suggested that officers should expect to find something when they conducted a search, thus, implying an arrest was the probable outcome. The police, however, have since contested the use of arrest rates as a measure of police effectiveness. Unlike subsequent versions, the first *Code A* emphasised that searches and arrests had a similar evidential footing.

The degree or level of suspicion required to establish the reasonable grounds justifying the exercise of powers of stop and search is no less than the degree or level of suspicion required to effect arrest without warrant for any of the offences to which these powers relate. (1986: annex B, para 4)

It can be argued that *Code A* suggested that searches were a means of preventing unnecessary arrests. In other words, rather than depriving a person of their liberty by making an arrest, officers could carry out – with the same standard of evidence – a search which might be a more proportionate response. However, previous research has indicated that officers view searches as requiring a lower level of suspicion (Dixon *et al.* 1989).

Even though RS did not require officers to have certainty, there was a sense in which their decisions had to have a factual basis – they must be grounded in some evidential core – and were individualised. It was made clear that suspicions had to be specific to an individual, and their factual basis had to be related to that person. The 1986 *Code A* continued to say that suspicion could not be supported by a person’s general propensity to offend. Dixon *et al.* have argued that the individualised notion of suspicion, in which the “the relevant issue is not how a person fits… but how s/he looks and acts” (1989: 191), was at odds with operational practice in which suspicions were largely based on incongruence.

Context was not entirely ignored in *Code A*. Officers were given some latitude for their suspicions to be based on contextual factors present when an individual was found. Specific

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15 Case law echoes this point. *Shaaban Bin Hasrien v Chong Foo* suggested that ‘reasonable cause’ is a lower standard than that needed to prove a *prima facie* case (Sanders and Young 2000).
reference was made, for example, to time and place. A person seen carrying something at a particular time or place could have legitimately made an officer suspicious, as could (rather tautologically) “the suspicious behaviour of the person... or those with him” (1986: annex B, para 2). While the discussion of suspicion’s contextualised nature qualified its primarily individualised character, an important contradiction had been introduced in Code A. Suspicion could lawfully fall on the public, not because of what they were doing, but by virtue of where they were, when, or with whom.

Some protection was offered by stating that individualised suspicions could not be grounded in personal characteristics. Code A made explicit that reasonable grounds could not be based on a person’s ‘colour’ or any other characteristic (e.g. previous convictions). Sanders and Young have argued that the inclusion of this safeguard was remarkable because it was a “rare attempt to take into account the social reality of policing” (2000: 88). However, while Code A said personal characteristics could not constitute RS on their own, in combination with other factors, they could have made sufficient grounds.

The individualised evidential core at the heart of RS was presented as being more than just ‘mere suspicion’. Code A made a critical reference to the grounds of suspicion being describable to another person: “Mere suspicion, in contrast, is a hunch or instinct which cannot be explained or justified to an objective observer” (1986: Annex B, para 1 emphasis added). The importance placed on describability was important because, while it emphasised the need for police to be able to account for their actions, the main analytical chapters in this thesis will show that officers often found it difficult to put into words what made them suspicious, because their decision-making drew on tacit, taken-for-granted assumptions. Furthermore, Dixon et al. (1989) have argued that the distinction made in Code A, between different levels of suspicion, validated mere suspicion as a key policing skill and supported the pervasiveness of suspiciousness in that it gave legal justification for police to ‘keep an eye on’, and initiate contact with, people.

In placing emphasis on officers’ ability to account for their decisions, there was a sense that Code A saw RS as being reviewable. It should, therefore, have been possible for an independent third party to reach an objective assessment, and confirm whether an officer’s grounds were reasonable. This notion of reviewability reproduced the ‘reasonable person test’ found in common law and the law of tort. The idea was that reference should be made to how a reasonable and honest person might, in theory, judge the situation – the so-called ‘man on the Clapham omnibus’ (Hall v Brooklands Auto Racing Club 1933). Dixon et al. (1989) and Stone (1986) criticised this principle on the basis that it was unrealistic to apply in the context of operational policing as it required officers, simultaneously, to comprehend and weigh up their own perceptions, those of the suspect, as well as the objective view of a third person. This criticism gains further weight when the second way in which suspicion was thought to be individualised is considered. In the same way suspicions had to be based on an individual suspect, Code A highlighted that they too might be specific to an individual officer. Because particular officers may have been party to privileged information (e.g. a suspect description) or had prior knowledge, seemingly identical situations could have resulted in one officer having reasonable grounds, but not another officer.

In addition to articulating the limits of RS, the 1986 Code A also tried to place restrictions on police actions by use of four regulatory devices.

First, Code A emphasised the potentially damaging effect of searches as a way of underlining the responsibility of officers to use their intrusive powers with a degree of care. The code
acknowledged some the problems caused by searches identified by the Scarman Report (1981), and stated that excessive use of police powers could be detrimental to police-community relations. Given this emphasis in the code, it is notable how permissible it was in other respects and in ways that could have had an adverse effect on community trust in the police. The code, for example, made no reference to so-called voluntary searches where reasonable grounds did not exist, but the suspect supposedly gave their consent to be searched. In effect, a particular kind of intrusive police-initiated encounter remained unregulated.

Second, the newly established code detailed the actions officers were expected to carry out before a search was conducted. Suspects were to be told the name of the officer (and shown a warrant card if not in uniform), the object of the search, the officer’s grounds for suspicion, and they were entitled to a record of the search within a year. The code also stated that the police did not have the power to stop or detain a person in order to find grounds. It was, however, permissible for officers to detain and question a suspect prior to a search, in order to confirm or allay their suspicions. Research has shown that these intricacies confused officers and led to variable police practices (Quinton et al. 2000).

Third, the code described what officers were expected to do while conducting a search. Officers were required to minimise the embarrassment of the person who was being searched. Force, however, could be used by police, but only as a last resort. Much of a search’s conduct was guided by the notion of reasonableness. The duration and extent of a search were, for example, dependent on the circumstances and what was being looked for. Searches that were carried out in a public place were, however, restricted to a superficial examination of outer clothing. Moreover, superficial searches were expected to be completed “within a minute or so” (1986: note 3B). Officers could gain the consent of a suspect to remove outer clothing as no power existed, but had to conduct more thorough searches out of public view (e.g. in a police van or station).

Finally, the 1986 code placed considerable emphasis on the bureaucratic processes that had to be completed by officers after a search as a means of regulation. In line with the principles of describability and reviewability, officers had to make a written record of the search, which the suspect could later access. A ‘national form’ had to completed by the officer on the spot, unless it was impracticable to do so. Some situations, such as bank holiday disorder at seaside resorts and football matches, were excluded. Officers, in completing the form, were expected to ask for the person’s name, address, and date of birth (there was no formal obligation to provide this information). In line with the legislation, the code also specified the details to be recorded on the form, including the following information:

- The date, time and place of the search.
- The person’s name (or a description).
- Whether the person was white, Afro-Caribbean or Asian.
- The object of the search and its result.
- The officers’ grounds, which should “briefly but informatively explain the reason for suspecting the person concerned, whether by reference to his behaviour or other circumstances” (1986: para 4.7).
- The officer’s identity.
The 1990s—suspicion based on impartiality

Between 1991 and 1999, Code A was revised four times primarily to keep up-to-date with legislative developments. During this time, police search powers were significantly extended by the introduction of the Criminal Justice and Police Order Act 1994 and temporary anti-terrorism legislation—both of which enabled searches to be performed on an authorised basis without RS. In this context, it was notable that the inhibitory rule about the ‘sparing’ use of searches, previously contained in Code A’s notes for guidance, was dropped in the 1990s. RS was also conceived of differently and led to the concept being ‘stretched’, thereby increasing officer latitude to regard some social groups as suspicious (Sanders and Young 2000). The way suspicion was framed in the 1990s marked a move away from the factual and individualised definition adopted in the 1986 code.

The most significant change during this period took place in the 1991 code. The description of RS took a much more prominent role in the code, having been included in the main body of the text rather than annexed. More importantly, much greater emphasis was placed on grounds for a search being based on an ‘objective assessment’. The revised Code A avoided discussion of the evidential basis for searches. There were, for example, no longer any references to levels of certainty or standards of proof. The role of the ‘reasonable person test’ was also diminished. RS was not described in terms of whether grounds could be justified to an imaginary and objective third party (Dixon et al. 1989). The only mention of the reviewability of officers’ decisions was made in the notes for guidance (which lack regulatory bite), where officers were reminded they might have to “justify the use of powers to a senior officer and in court” (1991: note 1a).

The revised code placed much greater emphasis on decision-making being objective, and on the need for reasonable grounds to be case-specific: “Whether reasonable grounds for suspicion exist will depend on the circumstances in each case, but there must be some objective basis for it” (1991: para 1.6). There was evidence of an crucial, albeit subtle, shift in the way objectivity was understood. Objectivity was not a question of weighing-up whether an officer’s grounds were reasonable against an objective and fictional yardstick. Importance was placed, instead, on the ability of the officer to be an impartial and detached decision-maker who was able to evaluate the evidence objectively.

There was also a shift away from an individualised definition of RS. As before, the 1991 Code A stated that contextual factors—such as time, place and behaviour—could be relevant to the formation of suspicions. In addition, examples were provided to clarify this point and to make explicit what had been implicit previously. The particular reference that was made to grounds existing if a person was seen carrying an item “in a place where a number of burglaries or thefts are known to have taken place” (1991: para 1.6), however, changed the nature of RS. Thus, the revised code gave greater scope for searches to be based on situational and contextual reasons, thereby legitimating an existing operational practice (see Dixon et al. 1989). The enhanced role given to context in Code A also meant suspicions could be based on social reactions to the police, regardless of any individualised factors. Furtiveness became an overt source of suspicion, meaning a person could be ‘fair game’ if they were seen “acting covertly or warily or attempting to hide something” (1991: para 1.6). In addition to permitting existing police practices, the introduction of a more interactionist notion of RS gave greater leeway to officers. It was now legitimate, for example, for officers to encourage a particular social reaction from people or to discredit any attempts of

16 The codes issued in 1995, 1997 and 1999 contained only minor amendments.
maintaining a front (see Goffman 1971).

The definition given to RS remained the same in the versions of Code A issued during the 1990s, with one important exception. On the back of continuing political concerns about the use of knives amongst gangs (partly prompted by the fatal stabbing of the school headmaster, Philip Lawrence), the 1997 code was amended to include specific reference to the formation of suspicions about gang members. While the code gave the overall impression that grounds had to have an objective basis, a specific amendment enabled officers to act on generalised suspicions about a group of people and their typical behaviour, rather than on individualised suspicions derived from specific behaviour and circumstance. RS was said to exist when “reliable information or intelligence... indicates that members of a particular group or gang, or their associates, habitually carry knives unlawfully or weapons or controlled drugs” (1997: 1.6A emphasis added). The prohibition around the use of personal characteristics was also relaxed. Officers were now able to draw on these characteristics when there was “supporting intelligence or information” (1997: para 1.7), and could identify gang members by distinctive clothing such as “jewellery, insignia, tattoos or other features” (1997: note IH).

Some protections were offered by the codes during this period, and an attempt was made to balance the extended definition of RS. Building on the stronger statement made in the 1991 code that personal factors alone and stereotyped images were insufficient to justify a search, the 1995 version included, in the notes for guidance, an explicit safeguard against direct discrimination: “Regardless of the power exercised, all police officers should be careful to ensure that selection and treatment of those questioned or searched is based upon objective factors and not upon personal prejudice” (1995: note 1A). It is likely this safeguard largely had presentational value given its reliance on self-regulation. To address this issue, the 1999 Code A required supervisors to check search records for any evidence that officers were “exercising their discretion on the basis of stereotyped images” (1999: note 4DA), although no indication was given as to what evidence supervisors should look for.

The codes placed greater emphasis than before on the nature of the police-public interaction. There was, for example, increased need for officers to secure the cooperation of the suspect, in order to “reduce any tension there might be surrounding the stop/search” (1999: note 2A). There was also some evidence of legalistic rule-tightening around the use of consent searches. The codes still permitted officers to conduct searches on a voluntary basis without a police power, but only if the person cooperated and was thought capable of giving consent. Voluntary searches would, however, be invalidated if officers acted ‘improperly’ (although this was not explained). By 1995, the code required officers to tell the person they were seeking consent for a search and that, without consent, the search would not take place.

In general, the revised codes covered the same points as the 1986 code in terms of the requirements before, during, and after a search. There were some minor amendments:

- Intimate searches could no longer take place in police vans.
- No time estimates were given for a reasonable duration of a search.
- Officers had to record the ‘ethnic origin’ of suspect (rather than whether they were white, Afro-Caribbean or Asian).

**The 2000s – suspicion after the Stephen Lawrence Inquiry**

While there was considerable continuity with the codes that preceded it, the 2003 Code A saw major changes in the formation of RS, and how the code was presented. These changes were
introduced in the wake of the publication of the SLI (Macpherson 1999) and subsequent Home Office research programme, under the stewardship of the Lawrence Steering Group. Three further editions of the code were published (in 2004, 2005 and 2009). While RS remained largely the same in these newer versions, recent changes around record-keeping signal an important departure from the established regulatory approach.

To some extent, the 2003 code reworked the way RS was defined. As before, grounds were seen to be dependent on the circumstances of each case, and required officers to make an objective assessment of the evidence. A qualification was added, however, that specified how officers were to make such an assessment. The code stated that RS must be based on the “facts, information and/or intelligence which are relevant to the likelihood of finding an article of a certain kind” (2003: para 2.2). The emphasis placed on suspicion needing to have some factual basis marked a return to the ideas of the 1986 code, and was repeated throughout the code. The 1986 code was also evoked when Code A stated the main purpose of a search was to confirm or allay suspicions without the need to use the power of arrest (although no parallels were drawn between the standards of evidence required). Unlike earlier versions, the 2003 code sought to clear-up some ambiguities around the ‘building’ of grounds that had led to differential officer practices (Quinton et al. 2000). The revised code recognised that RS could emerge during an interaction, but stated a person could not be detained in order to find grounds. To this end, citizens were “free to leave at will and must be so informed” (2003: para 2.8).

In making an objective assessment of the evidence, officers were incentivised to draw on a diversity of sources, and not just ‘the facts’ as presented to them: “Searches are more likely to be effective, legitimate, and secure public confidence when reasonable suspicion is based on a range of factors” (2003: para 2.5). The code even suggested it should be the norm for grounds to be based on external information, and that an intelligence-led approach would be more successful.

However, reasonable suspicion should normally be linked to accurate and current intelligence or information... Searches based on accurate and current intelligence or information are more likely to be effective. (2003: para 2.4)

The discussion of effectiveness, and the importance placed on intelligence-led policing – which can be directly attributed to the findings of the Home Office research programme (see Miller et al. 2000) – represented a significant break from the earlier versions of the code. In addition to trying to clarify the boundaries of police powers, the code used police effectiveness as a ‘carrot’, as a means of leverage, to persuade officers to act in a particular way. While not explicitly promoted by ministers, the focus on effectiveness was closely aligned with the Home Office’s focus on improved targeting as part of the Crime Reduction Programme. This change could be regarded as symbolic of a wider shift under the Government’s modernisation agenda, away from a legalistic mode of governance towards other regulatory techniques (e.g. performance measurement). The extensive Police Performance Assessment Framework, introduced in 2004/05, included performance measures on ‘fairness and equality’, which sought to balance effectiveness and disproportionality (i.e. ethnic disparities in arrests from searches).

Commentators have argued that the use of intelligence might ameliorate the problems associated with RS in as far as accurate and up-to-date information should be more specific about a person or what they are carrying (Lustgarten 2002; Quinton et al. 2000). However, from an entirely legal perspective, it should not matter whether a search is effective or based
on intelligence, as long as it was conducted within ‘the law’ (however vaguely defined or poorly policed). Indeed, the code stated it did not prevent officers conducting searches that were based on RS, but which were not intelligence-led or targeted.

In response to the work of Young (1994) and Quinton et al. (2000), the 2003 Code A tried to clarify the status of generalised suspicions. A distinction was made between generalisations about people, and about their behaviour.

Generalisations about the involvement of different groups in crime were not seen as a sufficient basis for a search (like ‘stereotypical images’ in earlier versions of the code). The term was used to describe a process of simplification, through which knowledge about a small group of people was extended to a wider population simply because they shared similar characteristics. The code, therefore, questioned the role of professional knowledge and experience as being, on their own, sufficient for RS. However, generalisations were still permissible in combination with other factors and the repeated reference to the ‘habitual behaviour’ of gang members pointed to an internal inconsistency. An amendment in the 2005 code in relation to s44 terrorism searches compounded this issue by illustrating that generalisations about ethnicity could be satisfactory as long as officers did not discriminate (although no explanation is provided on how these two perspectives could be reconciled).

The selection of persons stopped... should reflect an objective assessment of the threat posed by the various terrorist groups active in Great Britain... There may be circumstances, however, where it is appropriate for officers to take account of a person’s ethnic origin in selecting persons to be stopped in response to a specific terrorist threat (for example, some international terrorist groups are associated with particular ethnic identities). (2005: para 2.25)

Generalisations were, however, acceptable when “stemming from the behaviour of a person” (2003: para 2.2) and when considering the context of that behaviour. To illustrate this point, the code stated that seeing someone trying to hide something late at night would be consistent with how a person might behave if they were carrying stolen goods. To some extent, the focus on behaviour-based generalisations can be seen as an alternative way of articulating the level of certainty required to carry out a search, and one that reflects officers’ practical forms of reasoning (see Shank 2001 and 2006).

The codes in the 2000s attempted to clarify the exercise of suspicion in relation to search powers authorised under s60. Previous versions simply stated that authorising officers should have a ‘reasonable belief’ that incidents of serious violence may occur, and detailed how the authorisation was to be granted. The 2003 Code A reiterated the evidential standard upon which authorisations had to be based and, in addition, explained how such a belief could be reached. As before, intelligence and external information was referred to as a more impartial pointer.

[A reasonable belief] must have an objective basis, for example: intelligence or relevant information such as a history of antagonism and violence between particular groups; previous incidents of violence at, or connected with, particular events or locations; a significant increase in knife-point robberies in a limited area; reports that individuals are regularly carrying weapons in a particular locality; or... previous incidents of crimes being committed while wearing face coverings to conceal identity. (2005: note 11)

The code also tried to highlight that s60 powers needed to be used by the police in a legally

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17 Responding to concerns about how counter-terrorism legislation might be used, the 2005 code also stated that, like any other personal characteristic, a person’s religion was not considered reasonable grounds.
proportionate manner. Before officers granted an authorisation, for example, they were supposed to give careful consideration to where the anticipated incident was to take place, and the level of violence expected. Indicating that abuses of power were possible, Code A stated that the *laissez-faire* s60 power should not be used “to replace or circumvent the normal powers for dealing with routine crime problems” (2003: note 10). No reference was made to how decisions would be checked, or what would have been regarded as a breach of the code.

In addition to restricting the scope of RS, the 2003 code also introduced a series of principles that were intended to govern the use of stop and search. The revised Code A stated that police needed to use their powers fairly, responsibly, and to treat people with respect. In declaring that the police should act without unlawful discrimination, the code also made a direct association with the *Race Relations (Amendment) Act* 2000. To this end, there was a new requirement for wider search patterns and activities to be justified because of concerns highlighted in the SLI about institutional racism (Macpherson 1999). Incentives were also given to officers in the form of a ‘stick’, again, to encourage particular behaviour. The inhibitory rule that the misuse of search powers could lead to disciplinary action, which was previously implicit, was given a more formal footing within the code. To Lustgarten, the role of sanctions was important. Responding to the public consultation on the changes, he argued it must be clear in the code that searches without RS were illegal, and if no disciplinary action was taken, the “running sore will remain, bandaged but unhealed” (2002: 618).

Further safeguards were introduced in the 2003 Code A. The most significant change was the banning of voluntary searches, where consent for the search was negotiated. Officers now needed to invoke a power if they were to search somebody, and had to tell that person when and under which power they were detained. Limits were also placed around the use of intimate searches, preventing them from being used as routine extensions of less intrusive searches where nothing was found. In terms of what officers were required to do before, after, and during a search, there was much continuity with earlier versions of the code. Further emphasis was placed on the fair treatment of the public, insisting suspects are handled with “courtesy, consideration and respect” (2003: para 3.1).

A much bigger role was given in the code to supervision and monitoring. Supervisors were expected to check whether individual searches were based on stereotypes or inappropriate generalisation, and to identify any worrying trends or patterns in search activity. They also had to satisfy themselves that officers were compliant with the code. At a more strategic level, senior officers were given the responsibility for analysing the data generated from searches for evidence of disproportionality, and for facilitating public scrutiny of police records. No guidance, however, was provided on how such supervision and monitoring was to be conducted.

The most high profile and controversial change in the early 2000s was the extension of the inhibitory rules around record-keeping. In line with the SLI’s recommendations, the code sought to regulate police practice through further bureaucratic rule-tightening. Official search records, where practicable, had to be completed at the time of the encounter, and a copy given to the person (rather than being made available to them for collection from a police station). To assist ethnic monitoring, the record was to contain the self-defined ethnicity of the suspect using the 2001 Census categories, rather than relying on the officer’s perception.

Following a Home Office evaluation (see Chapter 4), the 2004 Code A also saw the addition of a provision that required officers to record ‘non-statutory encounters’. The introduction of
the new recording requirement was in direct response to concerns raised in the SLI that disproportionality in searches was ‘just the tip of the iceberg’, and that there existed a wide range of other encounters for which the police were not answerable (Macpherson 1999). Rather than pin the threshold on a lower level of suspicion (ironically because it was thought to be too subjective), the recording requirement was to be triggered by the nature of the interaction. Officers had to complete a form for a stop whenever they held members of the public “to account for themselves, i.e. their actions, behaviour, presence in an area or possession of anything” (2004: para 4.12). The stop record had to be completed at the time, given to the suspect, and include the following information:

- The date, time and location of the encounter.
- A brief reason for the stop.
- The person’s self-defined ethnicity.
- The outcome of the encounter.

There have been major changes to the provision for the recording of stops since its introduction as a result of two external pressures. First, the emergence of mobile technology (e.g. handheld computers) meant it was feasible for officers to record encounters electronically. In 2005, the code was amended to reflect this development. In so doing, the code stepped back from the principle of ‘on-the-spot accountability’ within the SLI. Because it was not always possible for a printed copy of the record to be provided at the time, the code returned to the earlier position of making the form available after the event (although officers had to provide a shortened receipt).

The second pressure took the form of a highly politicised debate about police ‘red tape’, and the new role of central government to give greater autonomy to frontline practitioners to allow them to exercise their ‘professional judgement’. Much of these debates centred around exaggerated claims in the media about how much time was ‘wasted’ on form-filling and how it ‘tied the hands’ of operational police: “Police spend ‘25 years’ filling in stop and search forms” (Daily Telegraph, 8 July 2008). In response to these debates, the Flanagan Review of Policing argued that, in relation to the recording of stops and because of ‘risk aversion’, the “police had gone further bureaucratically than was intended” (2008: 62). Flanagan also said that record-keeping did not guarantee police-public interactions were positive. In light of the Flanagan recommendations, the 2009 Code A was revised to reduce the recording requirements for stops. Officers only had to note the person’s self-defined ethnicity (electronically or on a shortened form) and to give them a pre-printed receipt in the form a business card. In changing the recording process, the amendment shifted the way police practices were to be regulated. The focus became less about providing direct accountability to the person who had been stopped, and more about an actuarial approach based on statistical monitoring (albeit one in which the precise activities to be conducted were not described).

Summary and implications

This chapter has examined the legal setting for police decisions to stop and search or, in other words, the ‘law in books’. Notions of suspicion have largely be used within the law as a means of inhibiting police action by setting an evidential standard. Other police powers, which have an enabling quality, tended not to draw on such concepts and certainly not in

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18 The Government’s own claims were equally unfounded. The most robust observational evidence available at the time, estimated most stops were recorded in five minutes or less (Quinton and Olagundoye 2004). A later Home Office press release (16 February 2009), however, gave the impression it took about 23 minutes to complete a stop record, by asserting that 650,000 hours of police time could be “saved” each year if the 1.8 million stops carried out in 2006/07 were not recorded.
relation to individual decisions to search.

The analysis presented in the chapter confirms the established view that RS is a highly elastic idea that is difficult to pin down in positive terms. The law contains relatively limited information on what constitutes RS, leaving its application and enforcement open to interpretation. This finding supports Fielding’s (2005) argument that regulation has been inclined to focus on how officers account for themselves, not what they do. As Wilson noted: “...[T]he patrolman can be given a clear statement on how to intervene even if not about whether to intervene” (1968: 65). Code A has attempted to provide some clarity around RS’s meaning and sets out guidelines for the exercise of police powers. Changes in the codes over time reveal, however, that regulation has oscillated between more expansive and more restrictive positions, and has been highly responsive to political events.

From an entirely legal perspective, what assessment can be made of the ‘law in books’ as an effective form of regulation? While Reiner (1992) was cautiously optimistic, citing how the codes have struck a chord with police culture compared to earlier forms of regulation, Sanders and Young (2007) were less positive. They argued that the law does not have a great inhibitory effect, and that the powers introduced since PACE have not even notionally required officers to have RS. They also claimed the legal standards are too vaguely defined to assess police decision-making and do not chime with operational policing practice. Moreover, they maintained that the legal provisions are difficult to enforce, and the sanctions for the misuse of powers are unclear and inadequate. What is also apparent is that, despite the best of intentions, the codes of practice attempt to control police actions which have low visibility, and which largely affect people who are unlikely to succeed in challenging police decisions. On paper, at least, it would seem that the law has more of a presentational value to the police.

In the main empirical chapters, the ‘law in action’ will be explored in detail. This in-depth examination of police practices, in part, aims to develop insights about how important the legal context is to officers working the streets compared to other situated influences.
Chapter 4 – Research methods

The thesis started life as two Home Office evaluations, both employing a mixed-method design. This chapter initially outlines the purpose and scope of those original studies, and explains their relationship with the research presented here. The methods that were used are then described, with a particular focus on the practical and methodological issues faced during the fieldwork. The chapter concludes with a detailed discussion, from methodological and epistemological points of view, of how the different methods are combined in this thesis and what they are able to tell us about police practices.

Revisiting Home Office research on stops and searches

The background to the Home Office research

The arguments set out in the thesis are based on secondary analysis carried out of data gathered for two related pieces of work for the Home Office (see: Bland et al. 2000; Quinton and Olagundoye 2004). This thesis, however, addresses different questions, and examines them in greater depth and with more attention to theoretical traditions.

To appreciate the design of the research, it is necessary to understand the context in which the empirical work was conducted. The policy-oriented nature of the research, and the specific need for it to produce results that were relevant to policymakers and practitioners, had a significant influence on its overall design and how data were collected. The policy agenda was not, however, the sole consideration, and the studies were designed to address issues of wider sociological interest and with a view to their subsequent use in academic research. Indeed, many of the research instruments were deliberately based on those used in earlier academic studies (most notably those of Albert Reiss (1971)).

The Home Office studies were commissioned to evaluate pilots that introduced a new requirement for the police to record all stops with the public (SLI recommendation 61). Both used a simple post-test design without control sites. The work was commissioned because ministers were concerned about the potential detrimental effects of service-wide implementation in terms of increased ‘red tape’, the withdrawal of officers from public contact, and on crime levels. Thus, the policy focus was initially narrow, and did not touch on issues of the reform and regulation of policing practices.

The first piece of research (hereafter ‘the national pilot’) was carried out in five Basic Command Units (BCUs) in four forces between October/November 1999 and the end of May 2000. Its purpose was to inform the Home Secretary’s decision on whether to accept recommendation 61 of the SLI. During the pilot, and as police practices came under scrutiny, additional questions were raised by policymakers and practitioners that were less evaluative in nature. Their questions were not related to the piloting of recommendation 61, but to broader concerns about the impact of stops and searches on crime, the perception and experiences of the public, the measurement of disproportionality, officer decision-making and discretion, and local management interventions. These wider issues were reflected in the design of the study, as part of a larger programme of research carried out in the five pilot sites (summarised in: Miller et al. 2000).

Following the national pilot, recommendation 61 was accepted in principle by the Home Secretary, and the Home Office drew up plans to implement the new recording requirement across England and Wales. These plans were postponed, however, because the police staff
associations raised concerns, during the formal consultation process, about the practicality of national implementation. Careful not to lose the support of the police service, the Home Secretary (2002) announced the recording of stops would be introduced via a process of ‘phased implementation’. The idea was to conduct a second pilot in a small number of sites, and then proceed with national roll out once ‘best practice’ had been identified. Phased implementation began in a further five BCUs from April/May 2003. The Home Office research was tightly focused on evaluating the pilot, and did not support a broader research programme. However, a proposal for this thesis had been submitted by the author prior to the start of evaluation with a view to using data gathered from it.

The questions examined in this thesis emerged during analysis carried out by the author for the wider programme of research during the national pilot. In looking at police decision-making, Quinton et al. (2000) identified a series of factors that aroused police suspicions and prompted officers to carry out stops or searches. That study was informed by previous empirical and theoretical research, but the empirical and policy realities precluded a more sociologically informed analysis. The work presented here is, therefore, an expansion and re-analysis of existing Home Office research. It positions itself within particular theoretical traditions, and primarily addresses sociological concerns within a legal and policy context.

The study sites

A mix of practical, political and methodological concerns informed the selection of suitable sites for the two pilots. Sites were largely selected because, as a group, they represented a diverse range of policing environments, particularly in terms of geography, socio-demographic profile, policing style, and local crime problems. Tables 3 (below) summarises the main characteristics of the study sites. The selection enabled comparisons to be made between sites and enhanced the studies’ reliability when consistent results were found, by taking into account local context (Patton 1990; Pawson and Tilley 1997).

The pilots

The details of the two pilots are described in the Home Office evaluation reports (see: Bland et al. 2000; Quinton and Olagundoye 2004). In summary, the pilots extended the requirement for police officers to complete a written record of a search to other forms of police-initiated encounters not previously subject to regulation. Officers in the participating site pilots were therefore expected to record stops, as well as searches, in line with the SLI recommendation.

Because there was no police power to stop members of public (unless they were in a vehicle or detained for the search), piloting required a clear recording threshold to be developed that defined those encounters to be recorded. Like the changes to Code A that were subsequently introduced, the definition of a stop was based on the notion of answerability. Thus, whenever an officer in one of the study sites asked a member of the public to account for themselves (e.g. what they were doing, who they were, where they were going, what they were carrying) a written record was required.19

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19 There were a few minor amendments to the definition between the two pilots, largely around those encounters exempt from recording.
<table>
<thead>
<tr>
<th>Force</th>
<th>Site</th>
<th>Pilot period</th>
<th>Area profile</th>
<th>Ethnic profile</th>
</tr>
</thead>
<tbody>
<tr>
<td>National pilot</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Leicestershire</td>
<td>Leicester Central</td>
<td>Nov 1999 - May 2000</td>
<td>The city centre, two residential areas, and the university</td>
<td>Mainly white, but a significant Asian population</td>
</tr>
<tr>
<td>West Yorkshire</td>
<td>Chapeltown</td>
<td>Nov 1999 - May 2000</td>
<td>A deprived inner city area of north-east Leeds (Chapeltown), and the affluent rural area around Wetherby</td>
<td>A significant black and minority ethnic population in Chapeltown, but a predominantly white population in Wetherby</td>
</tr>
<tr>
<td>Metropolitan</td>
<td>Greenwich</td>
<td>Dec 1999 - May 2000</td>
<td>The urban areas of Greenwich, Eltham and Plumstead</td>
<td>Mixed</td>
</tr>
<tr>
<td>Metropolitan</td>
<td>Hounslow</td>
<td>Jul 1999 - Mar 2000</td>
<td>The urban areas of Hounslow, Feltham Isleworth, Brentford and Chiswick</td>
<td>Mainly white, but a significant Asian population</td>
</tr>
<tr>
<td>Suffolk</td>
<td>Southern (hereafter ‘Ipswich’)</td>
<td>Nov 1999 - May 2000</td>
<td>Ipswich town and rural areas of south Suffolk</td>
<td>Predominantly white</td>
</tr>
<tr>
<td>Phased implementation</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>West Midlands</td>
<td>Bournville</td>
<td>Apr - Nov 2003</td>
<td>The residential areas of Longbridge, Bartley Green, Selly Oak and Bournville in southwest Birmingham</td>
<td>Mainly white, but with a small minority ethnic population</td>
</tr>
<tr>
<td>North Wales</td>
<td>Eastern (hereafter ‘Wrexham’)</td>
<td>Apr - Dec 2003</td>
<td>Wrexham town and surrounding rural areas</td>
<td>Predominantly white</td>
</tr>
<tr>
<td>Metropolitan</td>
<td>Hackney</td>
<td>Apr - Dec 2003</td>
<td>The urban areas of Hackney, Shoreditch, Stoke Newington and Dalston</td>
<td>Mixed, with a significant black population</td>
</tr>
<tr>
<td>Merseyside</td>
<td>Sefton</td>
<td>May - Dec 2003</td>
<td>A deprived inner city area of northern Liverpool (Bootle) and the more affluent, semi-rural area around Southport</td>
<td>Predominantly white</td>
</tr>
<tr>
<td>Nottinghamshire</td>
<td>South Notts</td>
<td>Apr - Dec 2003</td>
<td>Includes the residential areas surrounding the Nottingham city centre</td>
<td>Predominantly white</td>
</tr>
</tbody>
</table>

Note: Only 30 officers participated in the pilot in Wrexham.
All pilot sites introduced new methods of recording stops. Most redesigned the paper forms officers already used to record searches (and, in some sites, other encounters) to accommodate the new requirements. The sites also provided training to the officers, which tended to explain the SLI recommendation, the definition of a stop, and how they should be recorded.

The process and context of data collection

Stewart (1984) has pointed out that, when conducting secondary analysis, there is a need to understand the context in which data were originally gathered and the data collection process. In addition to assessing data quality, it is also essential to review the competence of the researchers involved in data collection. While this may be an important issue when secondary analysis is carried out by different researchers, the author played a central role in all stages of both Home Office studies (including design, data collection, analysis, and writing-up).

The team for the research programme based around the national pilot was made up of three core researchers. While responsibility for the design of the study and data collection instruments sat with the project manager (Nick Bland), the other core members made a significant contribution to their development. The study was carried out collaboratively, although individual researchers 'took the lead' in specific BCUs in order to share the workload and act as a main point of contact. Lead researchers also ensured they participated in all aspects of data collection in their sites (with support from others) to help develop in-depth understanding across methods. Each team member also helped with data collection in the other BCUs, and took responsibility for a particular aspect of the analysis in order to guard against researchers 'going native' and to develop in-depth understanding across sites. The size of the core team, the involvement of additional research assistants, and the number of study sites, required data collection to be conducted systematically. The design of the data collection instruments was informed by the need to ensure different researchers focused on the main research questions and gathered similar data. Sessions before and after periods of data collection were also held with the researchers to brief them and gather feedback.

The team for the phased implementation evaluation consisted of two core researchers – only one of whom had been involved in the earlier research. The author acted as project manager and was responsible for the design of the study and the data collection instruments (which were adapted from the national pilot). Similar processes were adopted to ensure consistency of approach, and to facilitate understanding across methods and sites.

The context in which the two Home Office studies were carried out must also be examined, particularly in terms of how their situated nature were likely to have shaped the findings presented in this thesis.

First, the participation of the sites in a pilot was likely to have affected officer practice and the nature of the data gathered about those practices. While the impact would have been unavoidable for police stops, rule-tightening may have also shaped how officers initiated other forms of contact with the public.

Second, piloting may have influenced the relationship between the researchers, the pilot sites, and the respondents. The researchers were, to varying degrees, involved in, and responsible

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20 The author was lead researcher in Chapeltown and Leicester, helped with data collection in all sites (except Ipswich), and was responsible for analysis into police decision-making.

21 While site responsibility was shared, the author carried out fieldwork in four of the five pilot sites.
for, the planning, design and management of the pilots. For example, they developed
guidance for forces, advised the pilot sites on implementation, monitored progress, and acted
as a conduit to Home Office policymakers. The fact that the research teams were not
completely detached from the piloting process may have affected the researcher-respondent
relationship. Assuming the respondents were aware of the role of the researchers in setting up
the pilots, some may have seen them as imposing an additional burden on the police, whereas
others may have appreciated their implementation support.

Finally, and most importantly, officer behaviour was likely to have been affected by the
presence of researchers, and potentially more so, given that the research was carried out by
the Home Office in the aftermath of the SLI. While observer effects have been described as
“common but far from universal” (Lee 2000: 47), any indication that data have been affected
in anyway are discussed in detail in the main analytical chapters.

Data sources

The Home Office studies used similar approaches to data collection, and drew on three main
data sources. In analysing these data sources, the primary focus has been to understand the
formation of police suspicions and their role in initiating contact with the public.

1. Interviews with operational police officers

The general approach taken during the interviews was consistent with the symbolic
interactionist tradition, which was in keeping with the need to explore officer decision-
making and the nature of police-public encounters. The interviews, therefore, sought to
develop a mutual understanding between researcher and respondent, based on shared inter-
subjective meaning formed during the interview (Fielding 1993a).

Development work

Prior to the main period of fieldwork (in September 1999), a small number of semi-structured
interviews were carried out with officers in Hounslow. The purpose of these preliminary
interviews was to understand how officers talked about their practices, and to develop
questions so that their meaning was shared between interviewer and respondent. Interview
notes were made, but were used to inform the design of the main data collection tools rather
than for inclusion in subsequent analysis.

Sampling

There were three discrete periods of data collection. Officers were interviewed twice during
the national pilot, and once during phased implementation. Most of the interviews were
carried out relatively soon after implementation was underway (starting about a month
afterwards). In the national pilot, the same officers were also re-interviewed during the final
month of the pilot. The panel design enabled respondents to reflect on whether, and how,
their views and experiences changed over time as the new recording requirement became
more established.

The approach to sampling was similar during the two studies, with samples drawn up in
discussion with the pilot sites. The aim was to interview equivalent numbers of officers
(about 25) in each study area so that similarities and differences could be identified across
sites. Criteria were drawn up by the research team in accordance with Patton’s (1990)
recommendations for systematic or purposeful qualitative sampling, because it was important the sample reflected a broad range of experiences amongst respondents. The criteria consisted of a series of quotas around the following characteristics: officer role (response or community); length of service; rank (constable or sergeant); gender; and ethnic background.

The research team sent the quota to police contacts in each of the pilot sites, who were responsible for drawing up a list of potential respondents. The contacts were asked to oversample officers, and to identify people likely to be on duty during the planned fieldwork period so as to minimise any recruitment and response problems.

For some sites, the sampling process was a challenge. The sites found it difficult to achieve all the quotas because of the profile of the officers who worked in the area. The non-availability of individual officers who matched specific criteria was also a problem. Despite these practical difficulties, 90 officers eventually took part in the first round of interviews during the national pilot, and 108 during phased implementation (see Table 4). A total of 46 respondents were interviewed for a second time during the national pilot (plus an additional 17 inspectors, or more senior supervisors). Attrition largely resulted from officers being unavailable for interview (e.g. they were off duty, had changed posts, or moved from the pilot site).

Table 4 - The sample of interviewed officers

<table>
<thead>
<tr>
<th></th>
<th>Constables</th>
<th>Sergeants</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>National pilot</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chapeltown</td>
<td>15</td>
<td>4</td>
<td>19</td>
</tr>
<tr>
<td>Greenwich</td>
<td>17</td>
<td>4</td>
<td>21</td>
</tr>
<tr>
<td>Hounslow</td>
<td>11</td>
<td>2</td>
<td>13</td>
</tr>
<tr>
<td>Ipswich</td>
<td>14</td>
<td>3</td>
<td>17</td>
</tr>
<tr>
<td>Leicester</td>
<td>15</td>
<td>5</td>
<td>20</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>72</strong></td>
<td><strong>18</strong></td>
<td><strong>90</strong></td>
</tr>
<tr>
<td>Phased implementation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bournville</td>
<td>17</td>
<td>4</td>
<td>21</td>
</tr>
<tr>
<td>Hackney</td>
<td>24</td>
<td>4</td>
<td>28</td>
</tr>
<tr>
<td>Sefton</td>
<td>14</td>
<td>6</td>
<td>20</td>
</tr>
<tr>
<td>South Notts</td>
<td>18</td>
<td>5</td>
<td>23</td>
</tr>
<tr>
<td>Wrexham</td>
<td>16</td>
<td>0</td>
<td>16</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>89</strong></td>
<td><strong>19</strong></td>
<td><strong>108</strong></td>
</tr>
</tbody>
</table>

Arranging and conducting the interviews

Setting up and carrying out the interviews were not plain-sailing, and a number of practical obstacles had to be overcome. The interviews were usually carried out over a three day period in each site. The police contacts drew up a timetable for each day, with named officers allocated to hourly interview slots. Each interview was expected to last 45 minutes, with a 15 minute contingency (in theory) to allow the researchers to rest between interviews and deal with any over-running interviews. The added time also gave an opportunity for the
researchers to discuss any immediate thoughts emerging from the interviews, and to refine questions and follow-up probes. Keeping to such a strict timetable could, however, be problematic. Some interviews over-ran to such an extent that subsequent interviews were delayed. The operational demands faced by officers also meant some were late for appointments or unable to show up at all. On a small number of occasions, interviews had to be cut short because the officer had to attend an emergency call for service.

Where possible, appointments were moved to accommodate officers' work commitments. If they could not attend at all (e.g. because they were absent from work), other respondents were identified instead. In practice, the research team had to be flexible about who they interviewed. The sampling criteria also had to be relaxed, although every attempt was made, where possible, to ensure replacements fitted the interview quotas. Replacements tended not to be volunteers, but were often interviewed because they happened to be the only officers available or were hand-picked by the police contact (a possible source of bias).

**Interview schedules**

The focus of the interviews in both evaluations was on how respondents carried out stops and searches, the influences on their behaviour, and the impact of the pilot on their work practices. The interviews followed a standard semi-structured format, and adopted a broadly linear structure. Interview schedules were used that set out a series of carefully worded, open questions clustered around the key research issues (see Appendix A). Some clusters were included in each period of data collection, although numerous changes and refinements were made to the interview schedules in the latter stages to take account of new issues and fieldwork experiences.

While many clusters were designed to focus on issues relevant to the Home Office evaluations (e.g. recording practices), the interview schedules contained numerous questions related to police decision-making. The analysis conducted for this thesis tended to rely on the following question clusters, but not exclusively:

- The perceived impact of the pilot on police practices – national pilot (rounds one and two) and phased implementation,
- Detailed examples of recent stops and searches – national pilot (round one only) and phased implementation.
- The perceived triggers of police suspicions, and the reasons for conducting stops and searches – national pilot (round one only).
- The perceived involvement of different ethnic groups in crime – national pilot (round two only).
- The perceived influence of information and intelligence on police practice – national pilot (round two only).\(^{22}\)

While the interviewers were careful to ensure all the topics had been adequately covered, they were flexible in their approach. The schedule was tailored for each respondent, and a series of prompts and follow-up probes were used for clarification and to elicit fuller accounts (Fielding 1993a; May 1993). The officers were also encouraged to use vignettes and examples to enrich their answers.

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\(^{22}\) These questions were specifically included to test, empirically, Jock Young's (1994) theoretical arguments (see Chapter 2).
Recording

Different approaches were taken during the two studies to recording the interviews. In phased implementation, tape-recorders were used to record what was said during the interviews, alongside any brief notes jotted down by the interviewer. More complete notes had to be written during four interviews because officers refused to give consent for use of a tape-recorder. Despite assurances being given, they were concerned that the recordings might be used against them in disciplinary proceedings, were they to reveal they had done something ‘wrong’. All tape-recordings were transcribed in full by professional legal transcribers.

Tape-recorders were not used during the national pilot. Instead, each interviewer was accompanied by a second researcher whose role it was to take contemporaneous notes. The decision not to tape-record the interviews was a practical one. The research team did not feel the timescales for the evaluation afforded sufficient time to transcribe and analyse tape-recorded interviews (which would have amounted to over 60 hours of tape). The team decided that a separate note-taker would be able to take more complete notes than an interviewer acting alone, and prevent the interviewer from “spending time looking down at his or her notes and writing what is said” (May 1993: 105). It would also allow that person to concentrate more on showing interest in, and building rapport with the respondent (Miller and Glassner 1997). To some extent, the interviewer was also able to invest more in building up trust because they did not have to negotiate the use of a tape-recorder with the police officer.

While the decision to use contemporaneous notes was pragmatic, there were two potential drawbacks. First, the need for the note-taker to be selective inevitably meant the notes were not as comprehensive as if the interviews had been tape-recorded. Note-takers were able, in some cases, to take down several sentences ‘word-for-word’ for quotation, but found it difficult to write down longer segments of the interview without paraphrasing. To give an added sense of purpose and direction, note-taking was regarded as the first stage of the analytical process, which resulted in the note-takers focusing their activities on those parts of respondents’ talk that were marked out as important. Second, the presence of a third person during the interview may have intimidated the respondent and encouraged them to give socially desirable answers. In order to minimise this effect, the note-takers were introduced at the start of every interview, and sat slightly away from the interviewer and respondent, so as to not interrupt their focused interaction.

Data analysis

The interviews were analysed for this thesis by the author using a standard qualitative approach. The approach broadly conformed with the one outlined by Boyatzis (1989). Analysis was a dialectical process which involved thematic categories being created and applied to the data, and then rejecting, refining or developing new categories. Overall, the purpose of the analysis was to develop, through induction, a detailed understanding of police perceptions.

The analysis was carried on data that was stored in two different format. Some data were only in hard copy (handwritten contemporaneous notes), while others were stored electronically (typed up interview notes or transcripts). It was not possible to use standard analytical software packages to analyse both types of data, as they would not have allowed movement and cross-referencing between the hard and electronic sources. Instead, an approach had to be developed that was flexible and enabled the data to be manipulated with ease.
The text available electronically was deposited into an Excel data file as a straightforward and visual means of managing the large volume of interview data. Unlike ‘code and retrieve’ software, where the raw data would have been ‘hidden’ from the user, Excel enabled greater transparency as all the text could be displayed. Each row of the dataset contained a separate interview. Text from each interview was then coded, copied and pasted into different columns in the dataset, with each column representing a broad question cluster. As the contemporaneous notes had usually been written up on pro-forma, based around the same question clusters, it was possible to carry out analysis consistently across the two data types.

The analysis tended to focus on the question clusters in the interviews that were directly related to the main research questions for this thesis (see above). Codes were derived from the raw information following a largely inductive process, in order to develop a greater appreciation for the data. Such a method was important because the author had not been present in all interviews. For each analytical theme, a series of preliminary codes were developed based on: an introductory reading of all the interviews; an initial interpretation of the data’s contents; and previous research findings. The codes were then applied across the interview data. For the electronic data, this involved copying and pasting data strips into additional columns under a coded heading. For the hard copy data, the text was marked up to identify the coded data strips (i.e. using highlighters and different forms of notation). For greater comparability, the Excel datasheet was often printed off, and the same marking applied to both the printed and handwritten data. The compatibility of the codes with the data was assessed as the codes were being applied, and was reviewed afterwards. This process involved some codes being rejected or refined (i.e. split, spliced or reframed), and new analytical categories being constructed in light of their fit with the empirical material. A code book was also kept containing all the categories and notations used, along with comments and thoughts on the codes and their meaning. At various stages, the interviews were re-read in order to retain an overall sense of the data, and consider whether the emerging coding framework was rendering police talk meaningful.

Analysis of the interview data was not a one-off process carried out in isolation. New concepts and themes emerged as the analysis of the observations was carried out, new literature was read, and the thesis was being drafted. The ideas and hypotheses that emerged from these other sources were sometimes tested against the interview data, which involved developing and applying more theory-driven codes which also facilitated ‘data triangulation’ (see below).

2. Observations of police patrol

Observations of police patrols were carried out for both the national pilot and phased implementation (in March 2000 and June/July 2003 respectively). The purpose of the observations was to overcome the shortcomings of the interviews. The aim was for the research team to become immersed in the working life of the officers, albeit on a fairly limited basis. The researchers sought to gain firsthand experience of police decision-making in its ‘natural state’ (Hammersley and Atkinson 1983; Fielding 1993b). They also wanted to see the back-region of police patrol where the ‘dirty work’ was done and which might not have been presented in interview (Goffman 1971).

The role of the observer

The observations were carried out overtly with researchers adopting a ‘participant-as-observer’ role in order to learn from the officers they accompanied (Gold 1969). During the
patrols, and whenever operational demands allowed, the observers also had opportunities to conduct a series of unstructured interviews or ‘interviews-as-conversations’ (Burgess 1984). Care was taken to ensure the interviews were not intrusive and did not upset how the patrol work ‘played out’. Forming a crucial part of the participant role, these ‘directed conversations’ enabled observers to explore emergent issues and ideas relevant to the study (although Bryman (1988) has cautioned about the generality of such ‘snippets’). In some cases, observers managed to become confidantes, who Goffman described as “persons to whom the performer confesses his sins, freely detailing the sense in which the impression given during a performance was merely an impression” (1971: 158).

Sampling

Like the interviews, the observations were arranged by contacts in the pilot sites. A two-stage sampling process was used. First, a sample of shifts was selected for observation. Their selection was purposive in order to increase the chance of observing stops and searches in action. There was a focus on the days of the week, and times of the day, when police activity was reported to be greatest (hence no morning shifts were observed). Second, a single researcher was to be paired with an officer selected at random by the shift supervisor on the first day of observation. The plan was for that officer to be observed for the duration of a shift, and over multiple days, to allow them to become more relaxed in the presence of an observer.

Despite being asked to do so, it was evident the shift supervisor did not always pick officers at random. Some officers were chosen because they supposedly carried out a large number of stops and searches, ‘did them properly’ or, conversely, because they would ‘show things like they were’. While these choices will have influenced what was observed, the spread of officers accompanied on patrol meant selection bias should not be overstated. In practice, it was also difficult to accommodate other research requests. Officers were rarely observed over multiple days because of their duty rosters. Also, when observed officers were required to spend long periods off the streets (e.g. due to an arrest), it was not always possible for the police to accommodate the request of the researcher for him or her to observe another officer who was on patrol.

During the fieldwork, time was mainly spent with response officers on vehicle patrols, although some limited observations were carried out with officers on foot patrol and engaged in neighbourhood policing duties. In total, the observations represented over 565 hours of police patrol (see Table 5 below). During the national pilot, 138 encounters were observed where a person was either stopped and held to account or searched (plus a further 11 traffic encounters that were exempt from recording). During phased implementation, 111 encounters were observed (plus an additional exempt 18 traffic stops).23

Negotiating access

There were legal and physical barriers to conducting the observations, emphasising that research access was not negotiated as a single event, but was a continuing process throughout fieldwork (Van Maanen 1978a and 1982; Reiner 2000).

23 These figures are not definitive. The researchers subjectively categorised the interactions they observed using the legal definitions (that were often open to interpretation). There were a small number of encounters “at the margins” that could have been classified either way.
Table 5 — The sample of observed shifts

<table>
<thead>
<tr>
<th>Type of shifts observed</th>
<th>No. of days</th>
<th>Period covered</th>
</tr>
</thead>
<tbody>
<tr>
<td>National pilot</td>
<td>4</td>
<td>Wednesday to Saturday</td>
</tr>
<tr>
<td>Phase of implementation</td>
<td>3</td>
<td>Wednesday to Friday</td>
</tr>
</tbody>
</table>

Note: The author observed 12 shifts during the national pilot and nine during phased implementation (more than any other researcher).

While general research access had been formally granted by senior officers in all the study sites, gaining permission to carry out observations at a local level was not always straightforward. Several sites required researchers to sign ‘liability waivers’ so the police could not be held responsible were an accident to happen during the patrols. Such waivers may have had more presentational than legal value. Legal advice suggested they ‘weren’t worth the paper they were written on’ because the police would remain liable if they acted in a negligent way. One site was so concerned about liability matters as a result of the chief constable having been prosecuted under health and safety legislation, that they initially would not allow officers to be accompanied on patrol. An agreement was eventually brokered after a lengthy risk assessment was completed, and clarifications about insurance sought.

A more significant and day-to-day problem for the researchers was the physical access to police stations at the start of shifts. Often front counters were closed (particularly in the evening), sometimes there was no obvious alternative public entrance, and, occasionally, the duty officer did not know about the observations. These difficulties were usually overcome after a couple of telephone calls, waiting for officers to turn up to work at the back gate, or explaining the purpose of the research to the shift supervisor.

Observations and observer effects

Once the researchers had successfully gained access to the station and been paired with an officer, their role was to observe policing in action. Undoubtedly, there was an observer effect as some encounters were seemingly done ‘for show’ or deliberately ‘by the book’. The effect was far from universal, and there were plenty of encounters that were observed during the fieldwork unrecorded, poorly handled, and/or unlawful.

To minimise potential observer effects, the researchers planned to explain at the start of the shift that they were just there to see what the police did on patrol (with no reference to stop and search). In practice, many officers were aware of the evaluation or had been specifically told about the research by their supervisor. The problem was often compounded by the researchers’ status as representatives of the Home Office. There was a perception the researchers were there to ‘inspect’ the police. For example, officers deliberately did things out of sight or earshot, and joked that we would report back to the Home Secretary on things they had said. As a result, a considerable amount of time was invested in building up a rapport with the officers and making them feel comfortable about being observed. The researchers were dressed fairly casually, and reassured officers that they were not being scrutinised. They were also encouraged to act as normal, which was particularly important given some officers wanted to stop members of the public for no other reason than to show the observer an encounter. Directed conversations tended not to be used until some rapport had been established. By and large, the officers seemed fairly at ease in the presence of the
researchers and, in some cases, welcomed the opportunity to talk to someone from the Home Office.

The police officers accompanied on patrol were not the only people subject to the researchers' watchful eyes. The focus of the research on police-public interactions meant that, suspects, victims, witnesses, bystanders, and other people were also observed at various times, which raised important ethical considerations. Unlike the officers, who had agreed to participate in the research, the public's consent often had to be assumed which, at times, proved a challenge because their contact with the police could be distressing, embarrassing, or as a result of a difficult situation. A number of steps were taken to overcome this ethical dilemma. The observers worked on the assumption that members of the public would think they were detectives working in plain clothes. People rarely asked who the person accompanying the officer was (perhaps once every two or three shifts). When asked, however, the researcher explained they were not police, but they were just shadowing the officer. If pressed, they explained they were researchers and handed the person a letter briefly outlining the Home Office study. A number of officers showed considerable sensitivity to these issues. For example, after a brief explanation, they routinely asked people's permission for the observer to enter their homes. Conversely, a few officers jokingly described the observer as a detective or their boss, usually as part of a good-humoured conversation. The observer usually clarified matters afterwards.

Observations and ethics

While the participant-as-observer model was easy to adopt in theory, researchers found the role more challenging in practice in two important respects.

There were several occasions where researchers were invited by the police to participate more fully, effectively asking them how 'native' they were prepared to turn. One researcher, for example, was asked to question a suspect while the officer dealt with another person. Another was asked to guard a potential escape route while the officers were on the lookout for a suspect. Where possible, the observers gently tried to remind the police about their role, but without upsetting the rapport that had developed.

There was also scope during the patrol work for the researchers to come across instances of police misconduct. A careful balance needed to be struck between reporting such incidents and maintaining research access. Before fieldwork began, the research team agreed they would discuss cases amongst themselves and reach a consensus on whether to report them. Individual observers, however, had the discretion to report misconduct directly to the shift inspector and were expected to do so if unwarranted violence or serious corruption was uncovered. While no such situations were observed, there were examples where police actions were probably heavy-handed or unlawful. Decisions were taken by the researchers, however, not to report these less clear-cut examples because it was unlikely to lead to disciplinary action, but would have curtailed the ongoing research (see also Fielding 2006). Where relevant to the main discussion, dubious police practices have been highlighted in the main analytical chapters.

Recording

The decision on how to record the observations was a difficult one. While there was a need for the researchers to capture specific details about individual encounters, the writing of extensive notes during the shift would have affected their relationship with the police. In the
end, two approaches were adopted.

First, the researchers wrote up qualitative fieldnotes for each shift as soon as possible after it had finished. These comprehensive fieldnotes were largely written from memory. The researchers did, however, take notepads and pens with them on patrol, so they could jot down any keywords or phrases that would jerk their memory about verbal and non-verbal behaviour, when writing up their account of the shift (see Fielding 1993b). Occasionally, the researchers were able to jot down more detailed comments during the shift when they were out of view (e.g. during breaks or in the back of a police van). The qualitative fieldnotes took a standard narrative form. They effectively told the ‘story’ of the shift, but also included thoughts, contextual information, and notes of any directed conversations. Individual stops and searches were written up in detail, with particular attention paid to the apparent influences on the officers’ decision-making and the nature of the interaction.

Second, standardised pro-forma were also completed by the researchers at the end of each shift to supplement their qualitative fieldnotes. The forms were based on data collection instruments originally devised by Albert Reiss (1971) and Donald Black (1980) in their classic US police patrol observations from the 1960s, that were later adapted for research in England and Wales led by Nigel Fielding (see Norris et al. 1992). The pro-forma captured detailed information about police-public encounters via a series of closed-response questions (e.g. the characteristics of those involved, the type of contact, the reason for it, demeanour variables24). Data were gathered at three levels: at an aggregate level for the shift; at an encounter level for every stop or search observed; and at an individual level for every interaction within an encounter.

Completing the qualitative fieldnotes and pro-forma back in the hotel after each shift was demanding, as the process could take several hours (which was particularly gruelling after a 10-hour night shift and knowing all too well the next shift would start that evening). Inevitably, there were recall issues and some of the richness of the interactions was lost. To help observers concentrate on the salient issues and to aid recall, a series of prompts was developed.

It was not always possible, however, to capture in the fieldwork records all aspects of the interactions that took place. During encounters with more than one member of the public, researchers often had to decide whether to concentrate on one person, or to switch between interactions. Either way, some data were missing. The observers were also required to make judgements about what they had seen (a particular issue for coded pro-forma). At its most fundamental, researchers had to judge whether they had seen a recordable stop, a search, or some other kind of encounter, which required some reflection on the law. The nature of some interactions also meant it was difficult for observers to be certain whether someone had directly interacted with the police, or remained a bystander. When watching encounters with larger groups, for example, the observer had a limited ability to pick up, recall and record details for all the people who played peripheral roles (a particular weakness of individual-level pro-forma). Finally, it was difficult to characterise a person’s manner and behaviour accurately, given their multifaceted and changeable nature. The sharing of the qualitative fieldnotes and the debriefing sessions helped to minimise some of these problems. The researchers were encouraged to talk about their experiences, which gave the team an opportunity to reflect on how they described events in their notes and coded them on the pro-forma (which was designed to enhance inter-rater reliability).

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24 Reiss (1971) and Black (1980) found demeanour to play a central role in how encounters played out and citizens’ satisfaction.
Data analysis

The analysis carried out by the author for this thesis focused on the detailed fieldnotes (rather than pro-forma), as these data were the richest source of information about police decision-making and interactions. Like the interviews, the fieldnotes were analysed using standard qualitative techniques (see Boyatzis 1998). The inductive analytical process involved the construction, application and refinement of thematic categories to help understand the key influences on police practice.

The analysis tended to focus on, but was not limited to, the subset of encounters that were initiated by the police. Within this sub-sample, emphasis was placed on those interactions that were thought to meet the legal criteria for being a stop or search (e.g. under Code A or the terms of the pilot). In practice, it was not always easy to apply these legal categories to the data. On occasion, the aspects of the interactions that would have been critical to applying legal definitions were either not observed or were ambiguous. Despite the overarching analytical focus, attention was also paid to: general police patrol and briefing practices; contextual issues; stops that almost took place; other police actions that may have been prompted by suspicions (e.g. glances, eye contact, shouted warnings); and any recorded conversations between the observers and police that were relevant.

As with the interview data, the fieldwork notes were read through, in their entirety, in the first instance, for familiarisation purposes and to develop a superficial understanding of the data. The subsequent analytical steps was made problematic because of the sheer volume of data (the fieldnotes totalled over 190 A4 pages) and the unit of analysis (the encounter). The initial plan was for the fieldnotes to be analysed using the NUD*IST software package. It soon became apparent that its 'code and retrieve' function was unable to handle whole encounters, whose description could cover several paragraphs of text in the fieldnotes. The coding of smaller data strips was also found to be unhelpful because it resulted in the strips becoming de-contextualised. The text became artificially disconnected from the rest of the encounter, from which it gained its meaning, limiting the possibility of making inductive inferences. An alternative approach was therefore used, which treated the fieldwork narratives more holistically. The notes for each shift were re-read, and the text relating to specific encounters, and other relevant material, were coded and marked out. In broad terms, two complementary strategies were then followed. Initial codes were developed, applied and refined within individual encounters. The purpose of this internal perspective was to understand the processes at work during particular interactions in detail. Coding was also carried out across all the encounters in the fieldnotes. This more external perspective was used to develop a better understanding of the overall patterns in the data and to compare similar encounters. The fieldnotes were often re-read, in part or whole, so that important contextual influences on police practice were not ignored, as would have been the case if only the encounters themselves were analysed.

After the initial inductive analysis was completed, theory-driven analysis was also carried out based on the main conceptual apparatus that had been developed for the thesis from the literature (see Chapter 5). Some of the themes that were developing from the interview analysis were also tested in the observational data, to see whether they were features of police practice as well as talk.

3. Police data and official records

The participating sites provided the Home Office with data on the stops and searches
recorded by the police during the national pilot and phased implementation. The electronic datasets were derived from officers' formal stop and search forms, and tended to contain, as a minimum, the information officers were required to record under Code A or because of the pilot. For analysis purposes, a single database had to be created for each study site because the site had submitted numerous datasets throughout the two evaluations (e.g. covering different types of encounters and time periods).

The number of stops and searches recorded during the two pilots varied significantly between the sites (see Table 6). While these variations were likely to be affected by a series of contextual factors - such as officer strength, population size, crime levels, length of piloting period - they also revealed important local differences in policing practices (see Parts II and III). The level of detail recorded for each encounter also varied between sites. As the BCUs had developed their own databases locally, the variables and the format of the data tended to be inconsistent (i.e. the same information was coded in some sites, but free-text in others). This meant extensive cleaning and recoding were required before analysis could be carried out. One of the most significant challenges was isolating the records of 'recordable' encounters, and then determining which encounter type they referred to (e.g. a stop or search, or which power had been used). Some of the datasets, for example, also included other types of traffic encounters and did not always include full information about the nature of the interaction).

Table 6 — The number of recorded stops and searches (study sites)

<table>
<thead>
<tr>
<th>Data period</th>
<th>Recorded stops</th>
<th>Recorded searches</th>
<th>Search arrest rate (per cent)</th>
</tr>
</thead>
<tbody>
<tr>
<td>National pilot</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Chapeltown</td>
<td>6</td>
<td>1,954</td>
<td>725</td>
</tr>
<tr>
<td>Greenwich</td>
<td>9</td>
<td>2,340</td>
<td>2,715</td>
</tr>
<tr>
<td>Hounslow</td>
<td>7</td>
<td>2,512</td>
<td>3,583</td>
</tr>
<tr>
<td>Ipswich</td>
<td>7</td>
<td>3,268</td>
<td>647</td>
</tr>
<tr>
<td>Leicester</td>
<td>7</td>
<td>1,941</td>
<td>1,496</td>
</tr>
<tr>
<td>Phased implementation</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Bournville</td>
<td>8</td>
<td>2,828</td>
<td>760</td>
</tr>
<tr>
<td>Hackney</td>
<td>9</td>
<td>3,124</td>
<td>7,275</td>
</tr>
<tr>
<td>Sefton</td>
<td>9</td>
<td>5,582</td>
<td>6,858</td>
</tr>
<tr>
<td>South Notts</td>
<td>9</td>
<td>951</td>
<td>-</td>
</tr>
<tr>
<td>Wrexham</td>
<td>9</td>
<td>771</td>
<td>-</td>
</tr>
</tbody>
</table>

Notes: Encounters that could not easily be classified as either a stop or search have been excluded from all analysis (Ipswich = 3; Bournville = 46; and Sefton = 38).
Data on searches from Greenwich was only provided for the period Dec 1999 to Apr 2000.
Only monthly aggregated data on searches was provided from South Notts and Wrexham.
Only 30 officers participated in the study in Wrexham.

The data on recorded police encounters were analysed in two broad ways. First, the data were examined quantitatively as aggregated official statistics. The purpose of such analysis was to describe general patterns in the data across or within the 10 sites, particularly in terms of the profile of encounters and the characteristics of those involved. The basic quantitative analysis was largely used to check and expand upon the findings emerging from the more detailed
qualitative analysis of the interview and observation data. Second, the individual stop and search records contained in the databases were examined qualitatively as official documents. Police records, like any other form of administrative documentation, cannot be taken as ‘neutral artefacts’ that provide objective and accurate account of events or practices (May 1993). The forms were first written by officers to justify their actions retrospectively within a given legal context, and then inputted on to the database by clerks faced with organisational needs to process, interpret, and summarise the information. The official data, therefore, tell us as much about recording practices and police discourse on the role and action of officers, as they do about the nature of encounters (Cicourel 1976; Campbell 2004). Rather than look at recording practices in isolation, the analysis focused on the small number of records contained in the datasets relating to encounters that had been seen firsthand during the observations. In total, 65 records were located in the police data relating to observed encounters. Their utility, however, was variable because many entries contained limited information about the nature of the encounters (e.g. lacking reasons or grounds for the encounter). Previous research has noted that it is difficult to use official records to determine the legality of police stop and search practices (Bottomley et al. 1991). Indeed, as Ericson noted: "Accounts are routinized through the use of formulaic phrases that not only justify the decisions taken but also serve as a form of rhetoric to persuade police audiences... to ratify these decisions” (2007: 377).

**Data integration and triangulation**

The arguments developed in this thesis are based on analysis of data gathered from two evaluations, in 10 study sites, using multiple qualitative and quantitative methods. It is important, therefore, to be clear about how the data have been used collectively, how their inter-relationship has been conceptualised, and what the implications are for the interpretation given to the data.

**The use of mixed-methods and analytical integration**

In broad terms, the design of the study followed a mixed-method design. Using the language of Tashakkori and Teddlie (2003), the methodology can be characterised as a ‘concurrent nested design’, in that a quantitative strand of research was embedded within a predominantly qualitative study. Such a description, however, does not capture the complexities of the study. The original evaluations, for example, were not fully nested, because the different data sources were given broadly equivalent status. Each source was treated independently, and used to answer specific policy-relevant questions about the pilots. In this thesis, greater prominence has been given to the qualitative data because of the research questions that have been posed. Use has been made of the quantitative police and observational data, but largely for descriptive purposes, to check the consistency of findings, or to navigate the qualitative data. Use of the term ‘concurrent’ to describe the fact that data were gathered at roughly the same time, conceals the two distinct periods of data collection. Changes in context between the two time periods have been highlighted where relevant to the discussion. The ways in which the data have been examined in this thesis suggest research designs might be best described in terms of the analytical and epistemological perspectives used, rather than in terms of how data were collected. As noted, while the official data on police stops and searches were principally a quantitative data source, individual cases were also analysed as qualitative documents.

Despite drawing on a range of methods, the analysis presented in this thesis did not follow a fully integrated form. In effect, the data sources were explored independently, but with...
reference to one another. No attempt was made, for example, to adopt one of the four strategies for data integration described by Caracelli and Greene (1993). Each strategy involves the use of formal procedures with regard to the manipulation and analysis of data:

- **Data transformation** is an assimilative strategy that requires one type of data being converted into another type, and then incorporated with other data of that type for joint analysis.
- **Data consolidation** is an extension of this strategy, requiring new data to be created from multiple forms of transformed and assimilated data.
- A strategy of **typological development** entails applying conceptual categories to one type of data that originally emerged from a different type of data.
- **Extreme case analysis** requires the explanations, which have been developed for outliers in one type of data, being refined via analysis of another sort of data.

It was not possible to use a formal strategy of analytical integration for two main reasons. Most significantly, while the data shared a common theme (i.e. police stops and searches), they were not about exactly the same empirical phenomenon, not least because of the situated context in which they were 'created'. In other words, each data source provided a unique perspective on a different aspect of police practice. For example, official data would tell us about recording processes, and interviews about police talk. There were examples where data started to 'overlap' in a way that gave a more rounded understanding of a phenomenon. A researcher’s fieldnotes about an observed encounter and an official police record sometimes came together to provide different perspectives on the same event. Full integration was also not possible because each type of data used different analytical units (e.g. shifts, officers, encounters, incidents) that could not easily be manipulated into a hierarchical structure for multi-level analysis. With perhaps the exception of typological development, it was not possible to adopt a formal strategy for integrated analysis.

Even if it was possible, the purpose of these formal strategies appeared to be at odds with the reason for using a mixed-method design in this study. The use of multiple research methods was intended to help initiate ideas and develop analytical depth rather than to achieve convergent validation.

*Triangulation*

Udo Kelle (2001) has shown that a corroborative view — as implied by the above — is only one of three ways in which ‘between-methods triangulation’ can be conceptualised. Those who advocate triangulation as a means of validation see it as a way to reduce threats to validity. However, Kelle pointed out that this approach risks similarities being falsely identified across incompatible approaches and consistent results being valorised when at least one method may be unsound (see also Fielding and Fielding 1986). Alternatively, triangulation can be seen as a way to “a more complete picture of the investigated phenomenon” (Kelle 2001: para 8). In this definition, the use of complementary methods enabled different perspectives on the same phenomenon to be developed. Triangulation can also be conceived in a more trigonometric sense. Different methods are required for any sociological explanation because each provides a contrasting perspective, based on their position relative to another.

While the three approaches in Kelle’s formulation take a different approach to dealing with findings that are similar/different across methods, each emphasises the need to take into
account of theoretical considerations about the social phenomenon under investigation. In this context, the way data are triangulated in this thesis is based on the complementary and trigonometric models. The approach used also draws on the following principles of between-methods triangulation:

- Different methods can be used to generate findings about the same social phenomenon.
- Different methods can produce findings that are illuminating in themselves, but can also present different perspectives on the same phenomenon, because of the situated nature in which the findings are generated.
- Without a version of social reality generated by one method, it is difficult to assess the social reality presented by another (Fielding and Schreier 2001).
- Irrespective of whether different methods generate similar/different findings, patterns should be explained via induction, or qualified based on an assessment of those methods.

While between-methods triangulation was necessitated by the use of multi-method design, other forms of triangulation have also been employed (see Denzin 1970). Because data were drawn from 10 locations, over two different time periods, the study can be said to use ‘data triangulation’. Techniques were adopted to maintain some level of ‘investigator triangulation’ – the use of multiple researchers during the observations, note-takers during the interviews, and debriefing sessions for cross-referencing and checking. ‘Analytic triangulation’ was also adopted because of the use of both quantitative and qualitative techniques to examine the different data sources. For example, there was scope for the interview and observational data to be ‘counted’ because of their volume, which can guard against claims of anecdotalism (Seale 1999).

**Empirical insights and social reality**

**Action, structure and method**

If different methods are to be used to shed light on different aspects of police practice, including the influences on officers’ decision-making, the extent to which action and structure are open to empirical investigation become germane to the methodological discussion.

In broad terms, the study is situated within the symbolic interactionist tradition, and largely concerns itself with adopting the ‘role of the acting other’, in that an attempt is made to understand the common-sense knowledge and practical taken-for-granted assumptions of the police officer (see Rock 1979). A link is also made between how they symbolically understand their world, and the social relationships that facilitate such understandings (Denzin 1970). The empirical focus of this study is, as a result, about developing tentative knowledge about police actions and interactions at the micro level. That said, wider influences on police practice are also seen to be important.

While SI may be cautious about the idea of empirical research being able to describe an essentially a priori entity, the idea of social structure is not completely eschewed. Herbert Blumer (1969), for example, talked about ‘acting units’, collective entities and social organisations as being the agents of social change, rather than individual people. These structures are, however, not regarded as independent or static, but are seen to be in a constant state of flux, and are continually constituted and reconstituted through countless interactions (Rock 1979; Maines 2001). It follows that all interaction is highly contextualised and takes place in a given situation (Goffman 1974). Situation has been described as a ‘slippery’
concept to define, but has been taken to refer to those factors that a person must deal with before they can proceed with a course of action (e.g. segregation, authority, economics, power) and which can either constrain or liberate (Maines 2001). This situatedness leads to social reality being inherently dialectical, because adjustments are made to social action as it takes place in a sequential flow of situations. As Archer (1995) has pointed out, these processes can lead to structural elaboration.

It is also possible for empirical research to gain access to a priori structural entities. As Ericson (1982) noted, comprehension of a single utterance implies an understanding of the totality of language. Adopting a stance consistent with Giddens (1984) and Archer (1995), Knorr-Cetina argued that “macro-phenomena can be logically derived from the micro-situations” (1981: 26). In Knorr-Cetina’s (1988 and 1981) ‘representational hypothesis’, structure was conceived as being part and parcel of the micro-episodes that resulted from the structuring practices of individuals, rather than as a layer above action. People saw the outcome of their actions as representing those events, and subsequently used them to make sense of the social world. Empirical examination of these micro-episodes can thus lead to social structures being glimpsed, but not fully grasped.

The status of the interview and accounts

Gathering data, like any other form of social activity, is essentially communicative. Therefore, if a claim is made that all action is situated, it is one that must logically apply to the research act itself. Ethnomethodology has used this line of argument to reach two radical conclusions that challenge the empirical status of the interview. Given the importance of the interview data in this thesis, both conclusions must be critiqued.

The first ethnomethodological challenge focuses on the role of the interview within sociological inquiry. Hester and Francis (1994) argued that the interview is an accomplished act between the researcher and the researched. The orderliness of the interview’s content is a product of the situation, where the logic of the interviewer is imposed on the respondent’s talk. Thus, any sense made during the interview is not a characteristic of the interview’s substance (see also Cicourel 1964). It is not sufficient, therefore, to acknowledge that interview data are produced through interaction. For ethnomethodologists, the interview and its productions must become the focus of enquiry.

While ethnomethodology remains a legitimate empirical and theoretical venture, it does not facilitate any understanding of the subject at hand, namely police practices. Unlike ethnomethodology, SI recognizes the situated and social nature of the interview, and that meaning is produced through interaction. However, because interaction involves exchange and interpretation, interview talk is seen to be meaningful and ‘about something’. Interview talk may not provide “a ‘mirror reflection’ of the reality that exists in the social world” (Miller and Glassner 1997: 99), but offer more than just being a closed, internal subject of sociological investigation.

The second ethnomethodological challenge focuses on the value that can be placed on interview talk and, as such, is more relevant to this thesis. Scott and Lyman (1990) have argued that people produce ‘accounts’ in interviews, rather than telling the ‘truth’. An account is seen as a linguistic device that is used to “prevent conflicts from arising by verbally bridging the gap between action and expectation” (1990: 219). Respondent may use
excuses and justifications in situations where the interviewer may think they have acted against social norms. In other words, interview data are likely to be permeated with socially desirable talk. This perspective is at odds with SI, which sees data as giving “authentic insight into people’s experiences” (Silverman 1993: 92). It is, nonetheless, particularly relevant to this thesis given that the research focused on a delicate subject matter (stops and searches) during a sensitive period (following the SLJ), and was conducted by researchers associated with a set of organisational expectations (Home Office reform).

The approach taken in this thesis has not been to reject police talk out of hand, but to treat it with a degree of scepticism. Sophisticated versions of SI regard respondents’ talk as simultaneously genuine and false. After all, their view is partial and infused with everyday practical concerns, and should thus not be taken as a definitive statement about the world (see Rock 1979). People make sense of the world around them but do not have complete and unfettered insight, hence differences between everyday and sociological conceptions of reality (Denzin 1970). Police officers talk is, therefore, not taken at face value, but regarded more as a ‘cultural display’ about police discourse (Silverman 1993).

Concerns about the ‘truthfulness’ of interview data strengthen the case that has been made in support of a mixed-methods approach and triangulation. One of the purposes of the observations, as a relatively naturalistic and unobtrusive method, was to bypass the problem of social desirability (see Lee 2000). While observer effects were likely, there were opportunities for the researchers to see beyond the police front-stage, and for them to check the plausibility and credibility of interview talk (see Seale 1999). Care was also taken during the collection and analysis of interview data. While the nature of the study precluded the use of non-directive interviewing techniques, the researchers took a flexible approach and modelled themselves as ‘good listeners’ within a ‘teacher-learner’ model (see: Miller and Glassner 1997; Pawson and Tilley 1997). The aim was to develop an open and trustful environment where any expectations about police behaviour were kept back-stage. Attempts were made during the analysis to identify where officers gave responses to satisfy the interviewer. Where relevant, examples are highlighted in the main analytical chapters.

Summary

This chapter has described how the thesis is based on secondary analysis of two Home Office evaluations. A mixed-methods approach has been adopted drawing on semi-structured interviews with police officers, observations of police patrols, and police data on stops and searches. The data have not been integrated in any formal sense. Triangulation has been used in analysis, not to strengthen claims of validity, but to develop a full appreciation of the subject at hand. While a predominantly micro-sociological perspective has been adopted that is oriented towards social action, the focus on interaction and its situated nature, enables social structures to be glimpsed. Finally, a cautious approach has been adopted with regards to the analysis of the interviews with police officers. Responding to radical critiques, police talk is not taken at face value, but treated as a cultural display alongside other data that reveal more about the back-stage of policing.
PART II – THE FORMATION OF SUSPICION
Chapter 5 – Signalling and framing

Stop and search doesn’t take any magical powers, [there’s] nothing clever about it. (Int/GW/12/R1)

Officers who participated in this study often found it difficult to put into words what made them suspicious. Instead, they talked vaguely about having a hunch, sixth sense, or bad feeling, and emphasised the importance to policing of intuition or the ‘copper’s nose’ (see also: Innes 2003; Smith and Gray 1985). The inability of the police to describe their thought processes does not prove the existence of their ‘mysterious skills’ (Rubinstein 1973). Officers are not equipped with special and innate abilities to discern the deviant from the normal, or the criminal from the lawful. Thus, the formation of suspicions should be regarded as a tacit and taken-for-granted process. Innes, for example, has shown that the hunches of detectives rest on a series of inferential and interpretative skills that are based on “experience and perceptual acuity” (2003: 190).

The purpose of this chapter is to introduce the main concepts that will be used later in the analysis, and to clarify their relationship. The formation of suspicions can be understood in terms of the convergent processes of ‘signalling’ and ‘framing’. On the one hand, signalling describes the process by which information is communicated from an actor to an audience. Where such information communicates a discreditable identity, suspicions may be generated. On the other hand, framing refers to the use of cognitive devices used by people to identify, filter and categorise information, in order to make sense of social interaction, and determine what action to take. The concept helps to explain which aspects of the environment police officers attend to, and which factors influence their decisions to initiate contact. A third concept, ‘signification’, is also developed to reflect the point at which signalling and framing converge, and a police officer become suspicious.

The analytical approach

The empirical chapters that follow have mainly been influenced by the work of Erving Goffman and SI, because the analysis seeks to explain how police officers go about performing their roles and understanding their social environment. The chapters also strive to reflect the lived experiences of the police by providing an authentic (albeit unfolding) account of the language and symbols they use on the street. The research represents an inductive interpretation of their social world, because it is never possible to produce an unmediated description of reality, due to the needs for disconnectedness and reflexivity while gathering and examining data. Nonetheless, the analysis does aim to be grounded in officers’ working practices and assumptions, rather than being an exercise in a priori reasoning. As Rock warns: “The greater the analytical abstraction, the more central must an animating imagery become” (1979: 52).

The empirical chapters take their primary theoretical frame of reference from SI, but also borrow concepts from semiotics. No attempt, however, has been made to gather, analyse or present data in purely semiotic terms. Semiotics, the study of signs, is often regarded as esoteric and having structuralist leanings, as it is often focused on uncovering the ‘internal logical’ or ‘hidden grammar’ of signs. Such an approach, on the face of it, would be at odds with SI, which is less concerned with social structures that exist beyond immediate empirical observation. To assume an entirely semiotic perspective would be to present the communicative properties of deviance as coherent, generalised and fixed, and employ a priori reasoning detached from the social reality of the police. This approach would sit
awkwardly with SI too, which is marked by its “reluctance to set down firm conclusions or well-defined structures of explanation” (Rock 1979: 87).

Given that one concern of this thesis is to identify which signals prompted police suspicions and explain what they meant to officers, some of the ideas and language from semiotics have been deployed as sensitising concepts within a broader symbolic interactionist approach. In effect, semiotics is utilised here to help describe the processes accomplished by police officers, and to give direction to the researcher, rather than to provide a more definitive analytical account of police action.

Paul Rock (1979) has argued that SI lends itself to fusion with competing sociological perspectives, in part, because of its reluctance to engage in abstract debates and to recognise its own philosophical roots. In this sense, the appropriation of semiotic concepts in an SI framework can be seen as a form of theoretical triangulation (Denzin 1970). Rather than attempting formal integration, use of the semiotic lexicon enables us to develop a more rounded picture of phenomena by taking on different vantage points. To some extent, semiotics and SI are better suited to conceptual appropriation than other sociological traditions, because they have a common antecedence in the philosophy of the American pragmatist, Charles Peirce (1992). There have also been a number of recent attempts to bring the two theoretical approaches together, given their shared interest in the formation of meaning (see: Manning 2003 and 2008; Innes et al. 2002 and 2004).

**An outline of the conceptual apparatus**

The empirical chapters are organised around two main concepts - ‘signalling’ and ‘framing’ – both of which were initially described by Goffman and have been developed subsequently by others. A degree of caution is required with these central ideas because they are primarily analytical devices, rather than invisible ‘things-in-themselves’. They should be regarded as sensitising concepts as they lack precise empirical reference points which would allow them to be clearly identified (Blumer 1969). As such, the ideas of signalling and framing help direct the research by giving analytical orientation. They do not act as abstract and definitive concepts, that would simultaneously constitute and define the empirical world. Indeed, when Goffman first introduced the notion of framing, he was concerned that it was “too bookish, too general, too removed from fieldwork to have a good chance of being anything more than another mentalistic adumbration” (1974: 13).

**Signalling**

‘Signalling’ refers to the processes by which information about the social world is transmitted and received (Goffman 1968; 1971; 1972; 1974). Signals about a person’s social and personal identity are given off, willingly or unwillingly, as that person goes about their everyday life. Ordinarily, a person will use techniques to try to control the information they give off as part of an impression management strategy. In other words, people engaged in social interaction simultaneously project and conceal information about their ‘real’ selves and intentions. Inevitably, other people will read that information and, depending on their capability to decode it, will draw conclusions about the person’s identity set against conventional standards and norms, and adjust their conduct accordingly. In so doing, people may become suspicious and attempt to ‘see round’ the presented self to uncover ‘true’ character and motivation. On occasion, these processes can result in a person being discredited and seen as not normal because they possess a stigma, which was described by Goffman as “undesired differentness from what we had anticipated” (1968: 15).
In discussing the process by which people are warned by possible risks in their environment, Goffman defined a ‘signal’ as: “a conventional sign, which, by prearrangement, has been arbitrarily established for this purpose — the purpose of announcing that there is something about which to be alarmed” (1972: 292). A signal can, therefore, seen to be conceptually different to a sign. A sign is merely any vehicle (such as a gesture, sound, scent, facial expression, and so on) that denotes or connotes meaning to the audience. In other words, it is “something which stands to somebody for something in some respects or capacity” (Peirce cited in Eco 1979: 15). A signal, in contrast, is a sign that has an effect beyond simply transmitting meaning. The sound of a bang may signify to many people a car backfiring or fireworks, but to an athlete may signal the start of a race and prompt them to run. Signalling can, therefore, be seen as the process through which a sign has an effect on the reader.

Drawing on both Goffman and semiotics, Innes et al. (2004) have recently examined social reactions to crime and disorder by looking at how the signals given off by people or the local physical environment shape public feelings of security. They argued that people scan their environments for signs that communicate risk, such as potential threats to safety. The signs that have a cognitive, affective or behavioural effect are regarded as signals. A signal, therefore, requires three basic elements to be present: an ‘expression’ (a form), ‘content’ (its meaning); and an ‘effect’ (a social reaction). Without an expression or content, the signal would have no communicative value and cease to exist. Without an effect, the signal would merely operate as one of a multitude of signs in the social environment and be regarded as ‘background noise’.

Innes’s signal crime perspective has, thus far, largely been used to investigate public reactions to crime and disorder, but is utilised here to examine the response of police officers. Police officers, like ordinary people, follow a similar process when they identify and interpret information during their working lives, and use those cues as prompts for action. Unlike members of the public, however, police constables have a special role as formal agents of social control and, as such, have been conferred authority to seek out and take action against criminality. These divergent roles raise two analytical issues. First, as the police are expected to identify threats to the general social order, the signals to which they respond may be different to those that provoke a public reaction. Second, if the police and public do respond to the same signal, their responses are likely to be very different. In terms of police suspicions, the focus shall be on those signals identified during the fieldwork that prompted some form of police action (be that curiosity, a sarcastic comment, a stop, a shouted warning, or a search).

Finally, it should be noted that many of the signals that generated suspicions — actions, gestures, behaviours, ethnicities, appearances — were ‘analogical’ in nature. Analogues are perceived as graded relationships on a continuum, and stand in contrast to discrete digital units whose boundaries are more clearly defined. As Chandler noted, analogues “can signify infinite subtleties which seem ‘beyond words’... There can be no comprehensive catalogue of such dynamic analogue signs as smiles and laughs” (2007: 48). The blurred margins of such signals emphasise that they are inevitably open to interpretation and, consequently, may mean different things to different officers at different times. A definitive and exhaustive decoding of the signals that trigger suspicion is, therefore, unfeasible.

\[\text{The triadic form is derived from Peirce. The 'expression' and 'context' are broadly the same as de Saussure's notions of the 'signifier' and the 'signified' (see Chandler 2007).}\]
Framing

While signalling adequately describes how signals are given off, interpreted and responded to, it does not provide sufficient analytic purchase to explain why some information stands out from background noise, beyond simply saying that it generates some sort of social reaction. The notion of 'framing' is particularly useful in this respect. In his later work, Goffman introduced the concept to describe the sense-making schema used by people to order their perceptions and answer the question: 'What is going on here?' The application of an interpretative frame "allows its user to locate, perceive, identify and label a seemingly infinite number of concrete occurrences defined in its terms" (1974: 21). Framing thus refers to a series of reasonably stable tacit cognitive processes to do with the organisation of experience. As Philip D Manning noted "Without [framing], the social world is only a chaotic abundance of facts" (1992: 118).

As an innate and tacit aspect of interaction and communication, frames help people to understand and to classify situations. Put another way, they are heuristic devices deployed by people to interpret the social world they inhabit and which enable them to separate 'the wheat from the chaff'. In so doing, these "cognitive building-blocks of experienced social reality" (Crook and Taylor 1980: 240) help people to trace, ascribe salience, and read relevant information. One widely quoted example involves a line of people on a pavement. The situation may be tacitly framed by the observer as a 'bus queue'. The framing process directs the person's attention towards the orderliness of the line and to the presence of a bus shelter, and away from other features that do not help to shape a coherent understanding of what is going on (e.g. the attire of those in the queue). Framing thus plays an important role in determining: how a person 'tunes in', and attributes meaning, to social information; what further information might be required; and how that person should proceed. In the context of legal decision-making, Peter K Manning described frames as "resources for ordering and clarifying what is 'really' the matter at hand to be decided" (2003: 617). The police, as with ordinary members of the public, are unlikely to experience situations as if they are completely anew, as they will have some expectations about what is 'normal' and pre-established ideas about what is 'abnormal'.

Frames were not seen by Goffman (1974) as cognitive devices that were consciously deployed. In the context of policing, there is reason to suppose that some interpretative lenses might be more knowingly deployed by officers given their formal role in social control, the organisational demands placed on them, and the need for them to account for their actions. For example, one might expect their use of particular legal definitions sometimes to require explicit reflection and articulation on the part of the police officer. Goffman did not see framing as a fixed process, and people could reject a particular interpretation if it no longer helped them. It could be argued that, at this point, a person might be become conscious of the framing process. An audience member may no longer be able to make sense of the situation, because it does not fit with what they expected. Such 'disruptions' could lead to embarrassment, confusion, or suspicion. It is possible, however, for 'reframing' can take place, which allows the person to render the situation meaningful again. For example, it may not be possible for someone to continue thinking a line of people is a bus queue if a cab pulls up, or they are all huddled together and trying to open umbrellas, as other interpretations might fit better (e.g. 'taxi rank' or 'raining' frames). As such, a social interaction can involve a number of different frames, laminated together to understand different aspects of it.

Goffman also distinguished an important secondary process, 'keying', which may
consciously occur when events are staged in a theatrical sense, or behaviour is not ‘real’ but acted out. Examples include, say, artistic representations, play-acting, or the practicing of an activity. In these situations, people look for information to assess whether what is happening is ‘genuine’. Goffman placed emphasis on the idea that keying could be used deliberately by people to deceive someone else as part of a strategy to manage impressions. In his earlier work, Goffman talked about people’s attempts to conceal a ‘dark secret’ that would otherwise discredit them. ‘Fabrication’, a type of key, is particularly relevant to understanding police-public interactions, because citizens may try to stage-manage the information they transmit in order to minimise contact with the police. The extent to which the police thought people would try to manufacture, fake, or present a normal front – so as to mislead them – was also important (irrespective of whether people were actually engaged in such acts). Goffman went as far as to describe social interaction as a type of information game which involved “a potentially infinite cycle of concealment, discovery, false revelation, and rediscovery” (1971: 20). The widely held belief amongst officers that behaviour might be keyed, and information could be fabricated, was certainly found to affirm the cynicism and suspiciousness within cop culture (see: Reiner 1992; Rubinstein 1973).

The role of structure and agency

Framing is theoretically important in Goffman’s work because, alongside his emphasis on the situated nature of interaction, it highlights a concern with social structure as well as agency. Indeed, some commentators have tried to re-interpret his output almost entirely in structuralist terms in light of Frame Analysis (see: Gonos 1977; Denzin and Keller 1981). The framing process does elevate the status of social structure, in that people are seen to draw on ‘sensitising tools’, already established by convention, when they read the social world around them. In other words, pre-existing schema help people to detect, filter and interpret relevant information. It would be counter-intuitive to argue otherwise, and to suggest people experienced their environment afresh without pre-conceptions (see Gadamer 1979 on the importance of ‘prejudice’ in understanding). These pre-existing schema can be resistant to change, partly because of their ability to render the unfamiliar familiar for the user in a process of ‘active reconstruction’. Social structure is not, however, reified through framing, but is rendered more visible in that “it names the process by which the rules or principles governing ‘what is going on here’ may be brought to the surface” (P D Manning 1992: 259).

On the whole, SI is less concerned about the idea of social structure, maintaining it is not possible to describe with any precision an entity which is a priori, beyond empirical reach, and in constant flux because it consists of countless interactions (Rock 1979). Research is, instead, to focus on interaction in highly localised settings in order to discern how ‘situatedness’ simultaneously constrains and opens up possibilities. It “ascends from earth to heaven” (Rock 1979: 91). People’s ability to frame/reframe events highlights their active role in sustaining/discarding interpretations of the social world (whether this remains tacit or not), and can be taken as evidence of the evolutionary and dialectical nature of structure which, over time, can lead to structural elaboration (Archer 1995).

In his examination of decision-making in crises (so-called ‘big-bang decisions’), Peter K Manning (1992) reminded us of the importance of thinking about the situated nature of

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27 In Central America, many aspects of ‘indigenous’ belief-systems are still evident today despite the arrival of the Spanish several centuries ago, partly because of the way in which they were able to recognise and incorporate elements of Roman Catholicism.

28 As discussed in Chapter 4, not all those working in the symbolic interactionist tradition completely eschew the idea of social structure. Herbert Blumer (1969) and, more recently, David Maines (2001) have emphasised the role of collective entities, ‘acting units’ and situation in constraining and making possible action.
decision-making within organisations. While an “organisation’s frame is a structure of knowledge, experience, values, and meaning that organizationally located decision-makers bring to a decision” (1992: 259), he also highlighted the need to take into account of the wider organisational context (the decision field), and the extent to which it is brought to bear on individual legal decisions. To adapt one of his examples, police stop and search decisions would be situated in a field that may include the: taken-for-granted status of law-enforcers; stable nature of patrol work; knowledge that people sometimes resist the police; performance rewards; awareness of the competing demands (e.g. emergency calls); and the force’s orientation toward stop and search. Decision fields would also be situated. The ‘surround’ refers to the even broader social and political environment that provides the background for police decision-making. Critical for this thesis would be, for example, the media’s coverage of the SLI, overall number of police officers and crimes, public discourse on racism, and the reforms introduced to regulate stop and search practices.

Despite Goffman’s efforts to stress the dynamic role of the individual, he described framing as if it were a singular and static process. Appropriation of some of the ideas from Alfred Schutz’s (1970) phenomenological approach, however, helps to overcome Goffman’s lack of fluidity. Like Goffman, Schutz argued that people inherited a shared and taken-for-granted system of understanding (“thinking as usual”) that marked out what was relevant and typical, thereby forming a “relatively natural conception of the world” (1970: 81). However, Schutz acknowledged that membership of different social groups – which people were free to choose – affected how they read or accorded relevance to new situations. The interpretative schema associated with groups people elect to join (i.e. voluntary groups like the police) involved ‘dynamic evolution’ because they needed to be built and did not come ‘readymade’, unlike those shared via social heritage. Membership of multiple social groups meant a person also had to reconcile different interpretative frames by defining and redefining their ‘personal setting’, nested within the ‘cultural setting’ of the wider social group. Interpretative schema were, therefore, continually shifting and being recreated. This is germane to the thesis because it helps explain why police officers react differently to situations that, on the face of it, appear similar to each other.

Signification – the convergence of signalling and framing

While signalling and framing can be utilised jointly to help understand and unpack a series of complex and interrelated processes, their relationship on a conceptual level needs clarification. Simply put, signalling describes a communication flow within social interaction between an actor (the suspect) and the audience (the police), and helps identify those particular pieces of information that trigger suspicion. Signalling thus involves an exchange which, while episodic and fleeting, is grounded within, and made possible by, a particular social situation. In contrast, framing has a less fleeting character and refers to more general cognitive processes an individual employs during social interaction to make that interaction meaningful. In other words, frames help the audience to orient themselves appropriately, and to monitor how they and others conduct themselves, thereby reproducing social order at an interactional level (Baptista 2003). Frames explain why the police were guided towards particular information and how that information was organised to enable them to work out whether to initiate an encounter. Inevitably, signalling and framing start to converge at the point at which the audience starts to decode the social information that is transmitted to them, and to seek out further signals. Without the more general concept of framing, there is a risk that signalling becomes a unmediated and value-free procedure based on stimulus/response.

29 The concept of a shared disposition is similar to Bourdieu’s notion of habitus (1977, 1992).
Chapter 5

The concept of 'signification' can be used to help describe the point at which the signalling and framing processes start to come together. The term is used in both semiotics and SI, but with reference to very different concepts. In semiotics, signification refers to the coming together of the three elements of a sign, at which point it 'achieves significance' with the reader, and becomes meaningful. In *Becoming Deviant* (Matza 1969), signification referred instead to a process of 'secondary deviance', whereby the banning of an activity made a deviant a suitable target for surveillance and affected the person's self-image. Signification has a different meaning in this thesis, but one which partly bridges the gap between these two concepts. In the empirical chapters, signification is seen as the critical moment when a police officer interprets a signal, or pattern of signals, as suspect: Suspicion is thus triggered, and a target for police action is identified.\(^\text{30}\)

Four modes of signification were identified during the research: equivalence, resemblance, typification, and incongruence. The distinguishing features of these ideal types (which, in practice, often overlapped and worked in parallel) are outlined in Table 7 and described in detail below.

**Table 7 - Modes of signification**

<table>
<thead>
<tr>
<th>Mode</th>
<th>Level of reflection</th>
<th>Definitional direction</th>
<th>Cognitive process</th>
</tr>
</thead>
<tbody>
<tr>
<td>Equivalence</td>
<td>Largely unmediated</td>
<td>Positive</td>
<td>X is Y</td>
</tr>
<tr>
<td>Resemblance</td>
<td>Mediated</td>
<td>Positive</td>
<td>X is like Y</td>
</tr>
<tr>
<td>Typification</td>
<td>Mediated</td>
<td>Positive</td>
<td>X is typical of Y</td>
</tr>
<tr>
<td>Incongruence</td>
<td>Mediated</td>
<td>Largely negative</td>
<td>X is not Y</td>
</tr>
</tbody>
</table>

**Equivalence**

Equivalence was seen to occur when the content and expression of a signal were manifested simultaneously and were synominous (see Chandler 2007). Usually, someone was directly seen by the police to have done something illegal or in breach of a social norm, and were 'bang to rights'. In other words, the person's actions were simply framed against an easy-to-apply crime category. Examples included cars with broken tail lights, illegal traffic manoeuvres, and assaults. The immediacy and directness of these signals, and their fit with an interpretive frame, meant little or no reflection was required (although contact with the public was not always initiated).

**Resemblance**

Resemblance occurred when the police made an active association between their observations and their prior knowledge, experience or views. In other words, officers tuned in to a signal because it resembled, or looked like, something that had meaning to them. The frame used to make sense of the situation was often not 'tight-fitting', in that the social information did not generate a clear or certain picture of criminality. For example, a person may have been treated with suspicion because they resembled a suspect description. A person's actions may have prompted suspicions not because their behaviour was illegal, but because it resembled behaviour consistent with wrong-doing. Peering in a window, for example, could look like someone attempting to break in. Unlike equivalence, a degree of interpretation and reflection

\(^{30}\) Nothing is implied about the impact of police targeting on suspects' self-identities.
Typification

Typification triggered police suspicions when a person was thought to be 'up to no good' because they fitted a particular social category. Wrong-doing was expected because it was typical of their kind in the past. Signification was likely to involve different layers of framing, which were linked together to reach an understanding. It was common for the police to identify teenagers or drug addicts as suspects, not directly for who they were or what they were doing, but because those groups of people were expected to be offenders. Schütz (1970) argued that typifications were generalised knowledge about taken-for-granted types, that were associated with 'typical actions', from which inferences could be made about a person's 'typical motives' and 'goals' (see Agar 1986). Schütz noted, for example, that when a person recognised an animal to be a dog, it was expected to act in typical ways regardless of whether those actions were ever experienced. Typification, thereby, transformed something unique into something usual, despite individual difference or new sub-categories potentially being ignored. Typifications can therefore be regarded as organising tools within an actor's stock of knowledge that develop when experience is transferred from one object to a similar object and which are used to fill in missing details (Agar 1986).

Incongruence

The modes of signification described above are all based on a signal's meaning being positively ascribed (e.g. a punch is an assault). Incongruence stands apart because the meaning given to a signal is negatively ascribed or 'oppositional' in that it is largely defined by what it is not. For example, red is not green, or blue, and so on (Dey 1993). In these situations, a frame could not be used immediately to make sense of what was occurring, as the situation was against expectations. Incongruence has been highlighted in the literature as the principal way in which police target their stop and search activity (see: Dixon et al. 1989; Ericson 1982; Rubinstein 1973; Bayley and Mendelsohn 1968).

In practice, however, other processes were likely to operate alongside incongruence. The fieldwork revealed that incongruence was not simply about officers' suspicions being directed toward things that stood out or were not in keeping with the context. While there was evidence to suggest that officers' views about what was 'normal' underpinned their understanding of what was 'unusual', such irregularities were rarely viewed neutrally. These signals were not only rendered meaningful because they were in opposition to officers' expectations. Being incongruous was also positively framed by officers and, for some, had a loaded meaning. For example, a person did not just stand out because standing out also meant that person was 'up to no good'. In the anthropological work of Mary Douglas (1966), 'matter out of place' helped to mark out the boundaries between the 'clean' and the 'unclean', and was closely associated with notions of order and its reproduction. The following conversation was noted during a quiet period on a night shift which enabled officers to look more actively for signals. The example illustrated their suspicions were not just defined negatively in terms of the expected ethnic profile of the area (incongruence), but were defined positively in terms of expected criminal behaviour (resemblance and typification).

I ask what they are looking for. They say that they see the same faces all the time so it's anything that stands out. Officer: 'Because this is a predominately Afro-Caribbean area, white

31 All signs and signals are, of course, defined in opposition. This is, however, more prominent with those that achieve significance through incongruence.
faces stand out. Particularly if you see a car full of young white lads, and you see them drive off. They are probably here to buy drugs." (Obs/CT/LA)

There was a sense from a small number of officers that incongruence was also a normative judgement assessed against what was ‘right’. Officers sometimes talked about whether a people’s presence in particular places or at particular times was legitimate: “People have less justification for being out at night” (Obs/CT/L1). Officer comments about the normative views of the social world were often highly relative, contradictory, and based on the competence of citizens. This was most commonly observed with traffic stops. Patterns of driving which deviated from the imagined norm tended to attract attention. Vehicles travelling too fast or too slow, with too many people in them or too few, were all subject to police stops.

Since incongruence often relied on perceptions of ‘normality’, the richness and depth of an officer’s contextual understanding was found to be important to the process. Indeed, Rubinstein (1973) found that an officer’s sense of the ‘normal character’ of behaviour varied in different parts of their sector, and were instrumental in how they handled assignments. The ability to discern signals from the background noise was a key factor in the initiation and flow of encounters. In an example from Sefton, police awareness that many local people did shift work meant a person seen late at night with a full bin-liner (a ‘burglar’s handbag’) was not searched, because the behaviour was recognised as a normal way of carrying work clothes home. Similarly, officers in Hackney did not stop a black man seen in a front garden at around midnight who was “brandishing a long metal item” that was thought (initially) to be a knife, despite them looking around the area for a black suspect with a knife as a result of a recent emergency call. The police realised the man was using garden shears to cut his hedge. Their contextual knowledge of the vibrancy of the local night life had a normalising effect: “You get all things happening in Hackney at night” (Obs/HK/N1).

Signification as practical reasoning

Drawing on the philosophical work of Charles Peirce (1992), Shank (2001 and 2006) argued that the processes through which meaning is derived from a signal (i.e. signification) can be used to explore how inferences are made in practice. For Shank (2006), the inferential logic that is used in these situations is about ‘reasoning to meaning’. This form of reasoning, abduction, was distinguished from other modes.

- With deduction, an inference based on certainty is made when a general law is applied to a specific case: All drug addicts steal to feed their habit; Paul is a drug addict; thus Paul will have definitely stolen something.
- With induction, a probabilistic law is inferred from a specific case: Paul is a drug addict; he has also stolen something; it is therefore likely all drug addicts steal.

Unlike these forms of scientific reasoning, abductive logic is less about the application of general rules, and more about making sense of unique and new experiences based on our prior knowledge and experiences.32 So, if we discover Paul has stolen something, and know addicts tend to steal things, we have suspicions that Paul may also be taking drugs. In this example, rather than thinking about creating or applying universal laws, we are trying to understand events. Shank contends that people in the ‘real world’ tend not to following the neat, linear and orderly modes of scientific reasoning, but instead follow this practical mode.

32 A parallel is found in the work of Coffman. He said that with people with a "nose for minute cues that others might miss", there is a "cool efficacy that is supposed to come from experience and is, in fact, sometimes called 'experience'" (1973: 288).
to help them to explain their experiences in a meaningful way: “They play hunches, or get inspired in the shower or in their dreams, or make guess or take gambles” (2006: 24). In other words, it involves reasoning to the best explanation.

Signification in talk and action

The modes of significance outlined above are important sensitising concepts, but risk describing the formation of suspicions as being pre-determined and clear-cut. In practice, the processes were often confused, vague, and implicit. Police talk about what would trigger suspicions, for example, was punctured with contradictions and inconsistencies. Strangers were suspicious, but so too were people who the police knew. In many ways, the fieldwork highlighted that the signals of suspiciousness were pervasive, inclusive, and elastic (see also: Reiner 1992; McConville et al. 1991).

As mentioned, officers often struggled to put into words how their suspicions were generated, indicating their formation was a skilful taken-for-granted accomplishment. Many used recent examples of stops and searches to describe how suspicions were developed, as if it were a craft that had to be learned, but could not be taught. Similarly, Rubinstein (1973) talked about officers acquiring their skills largely by a process of making mistakes. It was possible, from across the interviews, to develop a standard list of signals that would typically be described as suspicious:

- Groups of youths.
- Wearing hoods.
- Being ‘known to the police’.
- Not fitting an area.
- Being seen on the streets late at night (especially industrial estates).
- Cars being badly driven or with defects.
- Dropping or hiding an object.
- Looking into a car widow or checking the lock.
- Moving away from the police or ‘acting furtively’.

Interestingly, many of these signals identified in interviews operated as generalised ideal types. When triangulated with the observations, these signals were found to be more common in police talk than in police practice. Seeing someone on an industrial estate late at night or throw a package into bushes, for instance, were both standard features of police discourse, but very rarely occurred during the observations. It is possible, therefore, that the signals discussed in interview might be an articulation of an organisational or cultural frame.

The contrary nature of police suspicions was brilliantly captured in a US television drama based on the investigative journalism of David Simon. In the opening episode of Homicide: Life on the Streets, a seasoned detective explained to a rookie how he knew a suspect was lying: “Yeah [there are other rules.] Uncooperative. Too cooperative. Talks too much, too little. Blinks. Stares. Gets his story straight, messes his story up. Them are the rules” (1993: 38 minutes 3 seconds).
engaged (see also Denzin 1970). This does not make police talk irrelevant, but means that it must be treated with some degree of scepticism. Second, the officers may have provided socially desirable responses to the questions they were posed. This was a inevitable possibility given the study was carried out for the Home Office in the wake of claims of police racism. Third, police talk may have an important communicative role on a cultural plane, and can help give purpose and meaning to problematic experiences (Waddington 1999a). Shearing and Ericson (1991) have argued, for example, that the ‘war stories’ told by the police are devices to share practical insights about policing. They are: “directions for being a police officer, guidance as to how officers should experience the world if they are to act as a police officer within it” (1991: 491). Indeed, Goffman (1971) previously pointed out that the anecdotes used in social life – whether real or fictitious – are rehearsed repeatedly as a means of sharing embarrassment and guarding against future disruptions.

The structure of Part II

The remaining chapters in Part II take the conceptual apparatus outlined in this chapter and apply them to the empirical data.

Chapter 6 explores the formation of suspicions from a framing perspective. In so doing, it details some of the practical techniques used by police officers to make sense of situations in terms of how they went about locating, classifying and presenting the information available to them in encounters. The following three chapters take a slightly different perspective, and examine the signals that generated police suspicions. These signals were by no means universal or fixed, and there was evidence of variation between officers, sites, and over time. An attempt is made to capture some of the complexities around how these signals achieved significance, and how they were mediated by other influences. Chapter 7 looks specifically at suspicions triggered by physical appearances. Chapter 8 considers the impact of categorical signals on decision-making, by which we mean a person’s perceived membership to a particular social category. Chapter 9 deals directly with behavioural and interactional cues for police action.
Chapter 6 - The organisation of experience

The purpose of this chapter is to examine how frames were used by the police, in practice, to make sense of a situation, and determine whether a signal or a series of signals was something to be suspicious about. The analytical focus is, thus, on the tacit cognitive processes that were found to help police officers organise and define their experiences, and locate relevant social information from background noise.

The chapter is divided into three main parts. To begin, a practical understanding of the framing process is developed. It will be argued that framing was based on a series of taken-for-granted categories that were used to simplify the social world and make it seem more predictable. In practice, officers were found to deploy a range of confirmatory techniques which involved combining signals together to develop a coherent picture of what was likely to be happening, in order to reduce uncertainty and to render the unfamiliar familiar. These strategies, however, were found to result in suspicions being channelled towards a 'narrow' interpretation of events. On occasion, the channelling of suspicions down a particular path meant officers were guilty of jumping to conclusions, as there was no (conscious) attempt to test their hypotheses or seek out information that could challenge their emerging interpretation.

The second part of the chapter looks at what happened when officers’ frames were found not to fit a situation and became open to review. The purpose of this discussion is to develop a practical understanding of the reframing process. On these occasions, new signals were identified that went against initial expectations and meant that a new frame was required to render the situation meaningful again. Usually, where reframing was seen to occur, this was a result of new information coming to light which signalled to the police that everything was 'all-clear' thereby allaying their suspicions. While less common, the observations revealed that when officers were paired together, it was possible for them to develop more than one interpretation of events. Where there were competing frames, the framing and reframing processes operated at a discursive level; officers were seen to engage in staging talk to reach an agreed interpretation. Of course, reframing did not always result in suspicions being allayed. Once contact had been initiated, further signals that were identified during the course of the face-to-face interaction could result in new or revised forms of suspicion.

In the final part of the chapter, the influence of the organisational setting on the framing process is examined. It is argued that, beyond the immediate patterning of signals in the environment, a police officer’s suspicions were informed by their knowledge of their patch, and by the wider organisational and social context.

Framing in practice

The notion of framing helped to make sense of what were fairly common and straightforward events for the police. First, the sensitising concept enabled the information to be identified which appeared to be critical in the formation of suspicions. Second, it helped to reveal the implicit classificatory frameworks used by officers to ascribe signal value to some pieces of information, and which were based around a series of taken-for-granted categories to create greater cognitive certainty.

The following extract was a typical example of the build-up to a stop, and illustrated how the available social information was framed by the police as signals.
8pm. Get call for assistance – on route [we are] told that assistance is not required. Pass junction, [Officer 1] sees three kids hanging around by a takeaway and then go up side street. We turn back to see where they have gone. They are not in the side street… Went down street to look – see smashed glass on floor next to car. As we drive pass, can see that glass is old and not from car that is parked there. Circle back up next street and kid is standing in road swinging arms. He is young – mid teens and is wearing a furry cap and a white Adidas top. We pull up by the kid… Two other teenagers join him. (Obs/CT/L4/3)

The police data revealed the stops had been recorded as “routine stop checks”, but what prompted them was anything but random. The fact that the encounters followed an aborted call for service was interesting for two reasons. First, it was relatively unlikely that the police would have stopped the teenagers had the call not been halted. There were no signals present to suggest the teenagers required the officers’ urgent attention. This may have been different if, say, they had been seen throwing stones. Secondly, it was possible that the two officers may not have shown any interest in the children without the call for assistance, despite the call being unrelated. While this is speculation, the call may have heightened the officers’ sense of suspicion generally and ensured they were ‘ready for action’, thereby bringing particular interpretive frames to the fore.

The application of abstract categories appeared to be a key procedure used in the framing process. Dey has shown that ordinary events, such as “taking the bus to town to buy slippers from a shoe shop” (1993: 42), are predicated on an implicit classificatory framework based on paradigmatic associations. ‘Bus’ may be substituted conceptually with other modes of transport, ‘town” with other types of settlement, ‘buy’ with other forms of exchange, and so on. Categories are thus used as means of inclusion and exclusion, and can be ‘split’ and ‘spliced’ to refine meaning.

Within the framing process, three specific cues became signals of suspiciousness and meant the officers thought the teenagers were potentially ‘up to no good’ – which can be seen as a middle-order abstract category (Dey 1993). The subjects were young, in a small group, and had no obvious purpose. Each helped direct the police towards a particular mode of thinking and, tacitly, prompted them to locate and label further information to enable them to read the situation. It is debatable whether suspicions would have been aroused if any of the three signals were substituted paradigmatically, such as:

- just one boy standing outside the takeaway;
- a group of old men hanging around; or
- three teenagers working (e.g. washing a car).

Even though the sight of ‘teenagers hanging around’ can often trigger concern among local residents (Innes et al. 2004; Tuffin et al. 2006), there was nothing specific about the three boys or their behaviour to suggest to the observer they needed to be stopped.

How the encounter subsequently played out illustrated how the framing process directed the officers’ attention towards information in support of their initial interpretation, and away from other, contradictory information. For example, the fact that teenagers were seen to ‘disappear’ was taken by the officers to mean they were trying to evade the police. The presence of broken glass on the ground served to hone suspicions in on the possibility of a car having been broken into. Significantly, even though the ‘smashed glass’ signal did not end up fitting the frame, the situation was not reframed by the officers as not being suspicious. Indeed, even though the officers’ questioning of the boys was open and focused on what they had been up to in general terms, one of the officers was sensitised towards the vehicle crime:
“[The stop was] useful because if they were thinking of stealing a car they might be put off it now” (Obs/CT/LA/3). This comment was an example of how officers rationalised and justified their actions ex post facto.34

The reasoning applied by the police to the abstract and taken-for-granted categories (‘young people’ and ‘broken glass’) can be seen as typifications (Schutz 1970), in that they involve the social world being placed into a series of physical and socio-cultural types, which transform the unique into the typical. Typification can be seen as a form of stereotyping as it involved likening a person to a predetermined and believed cluster of characteristics about a group. In other words, the “individual is regarded as nothing but an exemplar of the category” (Ashworth 1979: 81). Drawing on the work of Lippman (1922) and Allport (1954), Glassner has argued that a stereotype is “a form of everyday induction which people may use to reduce cognitive uncertainties about targets and to permit predictable reactions to these people” (1980: 88). Unlike categories with varied descriptions and shadings, these ‘cognitive simplifications’ specify and limit concepts and, applied through habit, serve to prevent differentiated thinking.

In interview, officers often talked about processes that closely fitted the idea of framing. While Goffman described it as an unconscious, tacit process, some officers were able to reflect on their decisions to initiate encounters with the public. Many officers talked about the idea of stereotyping, even though they were uncomfortable with the negative associations it had with racism and the disproportionate targeting of ethnic minority groups. They talked about stereotyping as if it were ‘conceptual shorthand’ for being able to recognise signals that were typical of particular groups of offenders or offences, and in particular contexts.

The sorts of typifications used by the police were described by one officer in relation to an index of possible signals associated with drug users that would have been prompted by a ‘burglary’ frame.

In a way you do stereotype, but stereotypes work and they’re there for a reason. For example, in a high burglary area, from the people we arrest, we know that these people are from 14 to 22, they’ve mostly got heroin problems, drug problems, so they’re normally skinny, scruffy, dirty looking teenagers, scruffily dressed. And that’s a stereotype... When I see somebody like that, that doesn’t fit in a student area because they stand out like a sore thumb, that’s stereotyping, but I also know they shouldn’t be there. (Int/WM/4)

Were any of these pieces of information to be identified in the burglary hotspot, they would undoubtedly acquire signal value, and help determine how the officer would think and act.

Confirmatory strategies

Ordinarily, the framing process used by officers was ‘additive’ in that different pieces of information would act as signals, and were combined together to form a more coherent interpretation of what was happening. Using the example above, if a teenager was seen and they were in a burglary area and they were skinny and dirty and scruffy and they didn’t fit in, heroin would be strongly suspected. This section examines the confirmatory strategies deployed in the formation of suspicions. First, the general processes used by officers to piece together signals, in order to verify a interpretative frame, are examined. Second, the specific confirmatory practices that were involved within an face-to-face interaction are explored in relation to the ‘building’ of grounds.

34 In one sense their suspicions were ‘right’ in that it was later found out that one of the boys had been bailed that day for an attempted rape.
Confirmation and corroboration

The observations showed that the additive method was operationalised by officers into a fairly widespread strategy based around corroboration and confirmation. This process has parallels to how we determine whether other sorts of hypotheses are true. Drawing on the quasi-experimental work of Campbell and Stanley (1966), Howard Becker highlighted that threats to validity are checked when we question whether the image in a photograph is ‘genuine’.

We decide if a proposition is true (or perhaps better, whether we ought to believe it) by thinking explicitly of all the reasons we might have to doubt it, and then seeing whether the available evidence requires us to take those doubts seriously. If the evidence suggests that we need not entertain these doubts, that these threats to validity of our idea are not sound, then we can accept the proposition as true. (1978: 6)

Confirmatory strategies were commonly deployed in drugs searches and traffic stops, and typically involved officers looking to hone in on additional signals to support — or sometimes test — the frame they had initially brought to bear on the situation. A similar process was described by Goffman (1971) when crofters’ wives on the Shetland Isles would confirm visitors’ stated liking for the local food by checking the speed, eagerness and gusto with which they ate it. It has been argued that it is possible to build up a causal explanations when qualitative data such as these occur simultaneously or in close proximity (Dey 1993). Of course, confirmation of a frame did always not mean, from an objective perspective, that suspicions were accurate. Officers often took any signal to mean they were ‘right’ even though the search uncovered nothing, demonstrating the often self-validating nature of police accounts. If drugs were signalled, officers sometimes reframed the situation after the event to say the drugs must have been too well-hidden, or latched on to other information that was ‘proof-positive’ their suspicions were well-founded (e.g. teaspoons or other paraphernalia).

Several confirmatory strategies were discernable during the observations. In terms of the staging of encounters, officers were seen to watch events for longer, or in more detail, before deciding upon a course of action. Confirmation was also used within the interaction. For example, officers usually asked suspects a series of questions to check whether their frame was credible before proceeding further. During the interviews, several officers even talked about their suspicions being made up by a series of ‘points’. They sought to reach a particular number of points before carrying out a search: “[The] smell of cannabis is frequent, demeanour, these two points or a PNC [Police National Computer] check. Might get warning markers but not necessary right — so ask them directly: ‘Do you have drugs?’” (Int/LC/3).

The following encounter provided a detailed account of the use of a confirmatory strategy in practice, and was typical of the call-based encounters resulting in a search. The situation was prompted by a call from a member of the public, meaning the officer’s initial suspicions were already highly specific and channelled towards a particular interpretative frame. Importantly, the officer’s expectations — which were based on the information in the original call — resonated strongly with, and were confirmed by the signals available at the scene on arrival. While the police had agency, the identification of the suspect by another person meant discretion was more about how the encounter was played out (how to act) and less about whether to initiate contact (whether to act).

4.25. Call for service — there has been a disturbance in a pub in Hounslow. A woman has been…

35 On other occasions, officers were found to reframe situations where they came across contradictory signals.
seen with drugs in the toilet and has caused a disturbance. We arrive at the pub. As we pull up, there is a man holding on to a young woman - she is struggling... We park up and get out. The woman says: 'Let go of me - I ain't done nothing. What are the police doing here? Get off - I ain't got nothing on me.' (Obs/HL/L3/1)

The framing process was not just supported by the information presented by the caller and immediately at the scene. Confirmatory signals were identified by the woman saying, through her denial, that at least someone thought she has something on her. The honing in only on relevant signals meant competing interpretations were excluded, thereby making the officers' frame more closed. No attempt was made to falsify the hypothesis that the woman was a drug user. The struggle between the man and the woman was not seen, for example, as a potential assault. To have done so would have presented the officers with an confused reading of events, and required them to reframe the situation against a background of strong signals. The immediacy with which the officers came to their particular interpretation can be seen as a form of abduction (Peirce 1992). In drawing on available information and previous experience, they were able to render the unfamiliar familiar and reason to the best (or most plausible) explanation, to enable them to take action (Shank 2001).

Confirmatory practices were also evident during the face-to-face interaction between the woman and one of the officers. A series of structured questions were asked to confirm the initial signals of drug taking which directed the exchange down a particular path. The officer was also seen to stage-manage events, in order to encourage the woman to admit to having heroin, thereby circumventing the need for a search.

[The officer] speaks with the landlord: 'What's the problem?' 'I've seen her in the toilet taking drugs and I've asked her to leave'... Girl: 'What's he talking about? I'm a heroin addict right... I ain't got nothing on me apart from some foil.' She holds the foil out - one piece is rolled in a tube, the other is slightly burned. [The officer]: 'What's that for?' 'What d'you think? Smoking heroin.' 'Have you got any on you?' 'No. I smoked it in the toilet.' (Obs/HL/L3/1)

Eventually the woman was searched and arrested for possession of heroin. In this particular example, the focus on selective signals and additional information supported a frame that would be difficult to challenge. The process enabled a clear and official version of events to be developed, and to gain authority. As such, the use of confirmation would have allowed the officer to provide a coherent account of what happened which would have both presentational and legal value, and would have helped limit any potential threats during the interaction.

The level of confirmation required by different officers before embarking on a particular course of action varied during the fieldwork. An officer's knowledge about their patch seemed to be an important influence on how coherent a pattern of signals needed to be before suspicions were formed. Frames were clearly geographically situated and there were some specific locations that were seen to sensitise officers. As Rubinstein noted: "Locations [the officer] identifies with certain activities momentarily taint everyone he sees there" (1973: 226). Lower confirmatory thresholds were most often deployed near addresses linked to drug dealing.

In one observed example from Hackney, a black man was searched because he was seen putting his hands down his trousers (Obs/IK/N2/3). The situated nature of the signals - near a crack house in the early hours - confirmed that drugs were suspected and a search was required. The grounds recorded by the officer presented a coherent and unchallengeable version of events, not only because they detailed the confirmatory pattern of the signals, but
also because they were used to imply intent on the part of the suspect: “Subject seen in area frequented by drug dealers and users. Seen to be putting hands in pockets as if to conceal item”. Some of the confirmatory signals identified during the encounter showed how they could be used uncritically and result in any ambiguities being denied. During the search, a small piece of silver foil was found in the suspect’s pocket: “The officer make an ‘ah’ sound, but it turns out to be a KitKat wrapper”. In a sense, officers started to jump to conclusions through a closed deductive process because their expectations about the situation had become more fixed. The silver paper was immediately taken as a signal that the man was carrying a wrap, not only because what had been seen, but also because ‘addicts carry drugs in foil’. 

**Confirmation and building grounds**

The practice of identifying new or confirmatory signals once an interaction was underway raised important legal questions about the police practice colloquially known as ‘building grounds’. Between the two studies upon which this thesis draws, *Code A* was revised partly because of the findings from the national pilot (Quinton *et al.* 2000), to prevent officers ‘going on a fishing trip’ to find grounds which they previously did not have before initiating contact. At the time of the national pilot, the code stated that, while officers could confirm pre-existing grounds on contact, “there is no power to stop or detain a person against his will in order to find grounds for a search” (1999: para 2.1).

The first round interviews showed there to be widespread confusion among officers regarding the building of grounds. It appeared that police practices varied significant and that many relied on subtle demeanour variables before having solid grounds to search a person: “Most PCs stop people first. [It’s] rare to search someone straightaway, [because they] might have [an] innocent reason” (Int/GW/19). Drug searches were commonly cited as being less in accordance with the law on building grounds. Officers described how signals associated with drug taking were usually identifiable only after an interaction was underway (e.g. the sight of dilated pupils or paraphernalia). These signals were said to confirm and harden what were, previously, ill-formed and imprecise signals related to general suspiciousness.

Need to have grounds before [a search]. Might have half [an] idea which I confirm on questioning, [but] will have grounds beforehand. Unless misuse of drugs. Might just stop someone but I might notice something, or they say something. Then [I] search them.

(Int/LC/11)

The data on recorded searches from Leicester (the only site to contain information about the ‘origin of the encounter’) seemed to confirm that drug searches were largely based on suspicions formed by the officer through observation. The data showed that the vast majority of searches under s23 *Misuse of Drugs Act* were self-generated by the officer (73%), a much higher proportion than under s1 PACE (50%). While this result did not substantiate the building of grounds as a widespread practice, it did point to it as a possibility.

From the observations, it was clear that building grounds was always a possibility for drug searches, depending on how an encounter ‘panned out’. The following example from phased implementation followed a very similar pattern to a couple of others during the observations. It was typical for these encounters to be prompted initially by signals associated with a standard traffic stop. While the stop was ostensibly carried out because of the vehicle’s occupants and its general state, the smell of cannabis resulted in specific suspicions emerging during the encounter that were not previously in existence.

23:50. We stop four youths in a car. [The officers] say the car looks a bit dishevelled and...
that the drivers look a bit young and could have the car... The car has no tax. The driver is
asked to get out and is asked why there is no tax... [Officer 2] says he can smell ‘weed’ and
the driver is told he will be searched. (Obs/MS/N2/1)

During the national pilot, the code did not reflect officers’ practical experiences of the ‘real
world’. In 2003, Code A was amended to be more appreciative of the possibility that officer
might identify signals during an interaction and to allow the use of confirmatory strategies:
“If reasonable grounds for suspicion emerge during such an encounter [in which a person is
not detailed], the officer may search the person even though no grounds existed when the
encounter began” (2003: para 2.11).

Reframing in practice

While police action was largely predicated on a clear interpretation of what was likely to
have happened, the formation of police suspicions was not an entirely closed and immutable
process. Occasionally, disruptions were experienced by officers which meant the frames they
had deployed to help them make sense of a situation were no longer useful. New signals
tended to be identified that allowed reframing to take place, thus rendering the situation
meaningful again. This section examines the practical dimensions of the reframing process. It
begins with a discussion of ‘normalising signals’ which were seen to play an important role
in allaying an officer’s suspicions and deciding not to initiate an encounter. The section
continues with a discussion of competing frames. In theory, the process of reframing implies
that multiple frames can be deployed to understand different aspects of social interaction. In
practice, it was very rare to find evidence of different frames being deployed simultaneously.
Where this practice did take place, it tended to result from two officers disagreeing about
what had taken place on a conscious discursive level. The section concludes with a focus on
how reframing could result in police suspicions being modified, rather than completely
alleviated.

Reframing and normalising signals

Agar (1986) noted that the process of interpretation was dialectical in that it involved
movement between an experience or piece of data (a strip), and the classificatory scheme
(schema). He added that this process can break down when a person is faced with new
experiences, which do not neatly fit the classificatory scheme. However, in these situations,
Agar argued that a sense of interpretative coherence can be reasserted by modifying or
creating new schema, based on typifications informed by pre-existing knowledge (see also:
Gadamer 1979; Schutz 1970).

The observations and interviews revealed that the frames used by officers could follow a
process similar to Agar’s. Readings of events were sometimes open to review and dialectical.
The police did not always respond mechanically to an initial situation, particularly if new
signals were identified. In these instances, police actions were not inevitable nor fixed. In the
same way in which a mini-cab pulling up next to an orderly queue of people might instruct an
observer to replace their ‘bus stop’ frame with a ‘taxi rank’ frame, there were fieldwork
examples where officers picked up on signals, which did not fit their original frame, that
resulted in a new frame gaining prominence. This was clearly illustrated following an
emergency call in Hackney which involved response officers looking for a man who was
reportedly running after his girlfriend, possibly with a knife, after a fight.

In front of us is a man running down the pavement. They notice him down the road, but point
out that he is not running with any urgency and think he is just a jogger. (Obs/HK/N2)
A small number of situations were observed where officers were seen to pick up cues that singled out a particular person to be suspicious, only for normalising signals to be then identified which resulted in the situation being reframed. The notion of the ‘normalising signal’ was derived from Goffman’s work on normal appearances (1972), and norms regarding social identity (1968). He argued that people continued with their routines, and thought themselves to be ‘safe and sound’, whenever appearances were taken to be ‘normal’ and did not trigger alarm. ‘All-clear signals’ (Goffman 1972) were those pieces of information that reassured people that nothing unusual was occurring and meant they could stand down from a state of readiness. For example, a car seen driving late at night in a drugs hotspot behind a pharmacy/needle exchange was not stopped because “it had a woman driver and a child seat” (Obs/NW/L3). This example echoed the earlier work of Rubinstein (1973: 255): “It is very unusual for a patrolman to make a suspicion stop of a female driving alone or with other women”.

Similarly, a scruffy car seen in the early hours with a young driver, which prompted an officer to think the car may have been stolen or used in crime, was not stopped “because there was a dog in the back” (Obs/CT/N2).

Beside informing decisions not to initiate contact, normalising signals also resulted in officers reframing their suspicions once an encounter was underway. This practice most often occurred when the stop was based on fairly general reasons, although there was evidence to suggest it could occur when suspicions were tight and specific. During the interviews, an officer described how a motorist was searched because he was driving erratically in an easy-to-steal car, which had a broken steering lock, and had also failed to stop for the police (Int/GW/17). The person was not arrested, even though a screwdriver was found during the search (an item for ‘going equipped’). A PNC check revealed that the man owned the car. This signal – based on an ‘independent’ and ‘reliable’ source – indicated that normal appearances had been restored, and that the officer’s initial suspicions were misplaced.

Although uncommon, the process of reframing allowed for situations to be read and re-read, and for interpretative frames to shift back and forth as new signals were identified. A decision not to act because of normalising signals, for example, may be revisited if contradictory signals later gave rise to ‘alarm bells’. In one account of a search described during an interview, an officer oscillated between alternate frames, due to the relevance attached to what was ‘normal’.

[The two males] looked suspicious, they were walking round the car, trying the car door handles [‘car crime frame’]. At first, we asked them if they were okay. It looked like they’d locked the keys in the car [normalising reframe], but as we got closer they looked quite young, so it was a realisation that it wasn’t that at all [‘car crime reframe’]. When we spoke to them they said... ‘I wasn’t trying to rob it, and you can’t do anything about it’ [confirmed frame]... (Int/MS/16)

The presence of normalising signals – when recognised – generally had a constraining effect on police activity. By introducing ‘an element of doubt’, they tended to discourage officers from initiating contact or developing a fixed reading of events. Normalising signals also affected how encounters played out and how officers chose to exit an interaction. There were numerous stops during the observations that led to the police taking no further action. In one incident, the officer brought an end to the interaction, despite its lead-up being similar to other encounters which had resulted in searches being conducted.

\[\text{In Stigma (1968), such signals were referred to as ‘disidentifiers’.}\]
[The suspects] seemed like plausible characters — they were wearing clothes as if they had been out that night, rather than doing crime. The car had the keys in the ignition (i.e. it was probably not stolen). The car seemed tidy. (Obs/IP/N4)

Normalising signals, therefore, served to reduce the perceived need to investigate the matter further or to re-establish order.

**Competing frames**

Goffman regarded framing and reframing processes largely as innate and tacit. While this position might apply to ordinary people as they go about their daily lives, there was evidence to suggest that these processes might be consciously deployed in policing to form suspicions because of the need for officers to provide a formal account of their interpretative frames. When the police were back-stage, and not in the presence of the public, they had the opportunity to ‘talk tactics’. On the rare occasions these practices were observed, officers discussed how information could be interpreted, and which interpretation provided the best explanation for what had taken place. Such collaborative practices may have been encouraged because of the need for officers to provide a ‘water-tight’ account after the event. Goffman (1971) previously referred to such planning activity, carried out before an interaction took place, as ‘staging talk’.

In the following example, from Chapeltown, the police gave two competing explanations for what they had seen — one normal, the other deviant. The dichotomous frames that developed were not because of the content of the behavioural signals — a man picking up a woman in a car — but were due to how officers saw them to be situated. On the one hand, the officers in Chapeltown were aware of the open vice market, and the practices employed by the prostitutes and their clients. On the other hand, the police were sensitive to the delicate nature of police relations with the ethnically diverse local community, and knew about the proximity of a mosque to the red-light district. Despite the signals initially being taken to support a ‘kerb-crawler’ frame, it was the appreciation of other contextual features — as much as the presence of normalising signals — which led to the emergence of a competing frame, and ultimately indicated order maintenance was not required.

[We] park up so we can see the cars driving up and down [name of road]. They say that they can see which cars keep going backwards and forwards — this would mean that they are kerb-crawlers. A lot of cars go past... [Officer 1] says that he has just seen a white Rover go past twice — the second time with a woman in it... We speed up and follow white car. [Officer 2] says that it might be people coming back from the Mosque. The car turns and we follow, and look through the window. Asian man and white woman — she might be a known prostitute, but [they] see she is not as they drive pass. (Obs/CT/L4)

This example illustrates the negotiated character of police suspicions, with each officer applying different interpretive frames. It was, however, telling that the frame which suggested appearances were normal did not constrain the actions of the first officer, who drove after the car with a view to stopping it. The ‘kerb-crawler’ frame was only abandoned when the woman was not recognised as a known prostitute. The literature on street policing tends to suggest that police encourage each other to intervene by being action-oriented (Reiner 1992), whereas this example raises the possibility of police action having a more complex and contingent nature, with different frames in competition. It is possible the presence of an observer may have enhanced the negotiated character of the officers’ decision-making in two distinct, but opposing ways. In this instance, and at other times during the shift, there was a sense in which the officers were performing to their audience. In wanting to
stop the car, the first officer showed off his bravado and the keenest of his observational skills. Equally, the second officer may have been trying to maintain a front to the outsider by demonstrating that police decision-making was sensitive to diversity.

It would be a mistake to over-emphasise the extent to which one officer was able to constrain the actions of a colleague because their readings of the same signals were different. There was evidence to suggest that a frame, which had led an officer to think someone was suspicious, remained the prevailing interpretation, in spite of alternative perspectives.

00.15... [Officer 1] tells [Officer 2] to follow [the car]. [Officer 1] sees it is one man in the Mini. This seems to make [his] mind up to stop him. I ask [him] why he wants to. ‘Unusual to see a guy in a car on his own at this time,’ says [Officer 1] ‘probably got tanked at a club’. ‘Probably going home from work’ says [Officer 2]. ... [Officer 1] goes and has a brief chat with the man who looks no older than early 20s. ‘He was on his way home from work’ says [Officer 1]. (Obs/IP/L3/5)

How signals were situated, therefore, shaped the interpretations developed by officers about them. Because of the complexities of the real world, there was scope for competing interpretations to develop. While there was some evidence to suggest the presence of an alternative ‘normal appearance’ frame may have made an encounter less of a certainty, ‘suspicious’ frames were more likely to determine the course of action taken, unless specific normalising signals were identified. It was also possible that the type of situation may have made a difference. For example, the fragility of community relations may have had greater value to the officers in Chapeltown, than the possibility of annoying a shift worker in Ipswich.

**Shifting the focus of suspicions**

Reframing, of course, did not always result in police suspicions being allayed. In some cases, the process of reframing led to new, or revised, forms of suspicion emerging. It was difficult to get a handle, from the police data, on how common this form of reframing was. The data from Chapeltown (the only site where figures were available) showed that, of the 67 searches where prohibited items were found, 19 per cent did not match the object which was originally suspected. While it is not possible to say from this result that suspicions shifted in the build-up to the search, reframing would have occurred at some point during the interaction (e.g. *ex post facto* on finding an item).

In one encounter from Wrexham, an officer initially became suspicious about a car because he thought one of the passengers in the back was not wearing a seatbelt. Once the car had been stopped, the officer recognised the passenger — who claimed to have been wearing a lapbelt — as a drug user. The ‘traffic’ frame was consequently discarded, and the issue of a potential traffic offence not pursued. Instead, the interaction became more about the officer speaking to the driver in private. The officer said that, because that drug user often “hung out with suppliers, ...he was interested in knowing why she was being brought there in a car... [although he] had not realised who she was when we had been following her” (Obs/NW/L2/2).

As discussed in relation to the building of grounds, reframing between different offence types tended to involve drugs. While not common during the observations, officers often talked about carrying out a stop for one reason, only to pick up on signals to do with drug use after an interaction was underway (e.g. paraphernalia or the smell of cannabis).
There were several examples from the fieldwork where reframing played out as a refinement of initial suspicion, rather than a complete shift. During one interview account (Int/HK/5), an officer described how drugs, in general, were suspected because of the proximity of a vehicle to a crack house. The presence of additional signals (i.e. the smell of cannabis, Rizla papers, and comments by the driver) resulted in the officer’s interpretation not being entirely reframed, but adjusted to a focus on the possession of cannabis. Reframing thus could result in police revising their interpretation in terms of the nature of the suspected criminal activity.

The ability of officers to change the focus and substance of an encounter was highly skilful, and required an appreciation of a range of signals. Reframing was observed, during one particular encounter, to require officers to be able to deal with the same person as if they occupied several different roles – that of the suspect, victim and informant. The multifaceted nature of this interaction and the fluidity of roles, highlighted the fallacy (often seen in government discourse) of labelling citizens simply as ‘law-abiding’ or ‘criminal’. In the following example from Merseyside, the interaction with the female shifted as a result of different interpretative frames being employed (Obs/MS/L1/2).

Behind the main shopping parade, we drive pass three people – one female and two males...
[Officer 1] asks [Officer 2] whether that was Jo and whether she was wanted on warrant.
[Officer 2] said it was, but didn’t know she was wanted... [Officer 1] says, as we turn the corner, that if she was wanted she wouldn’t be there when we got there. ['suspect' frame and self-validating confirmatory signal] ...I think she starts off by asking why they have been stopped and that they have no reason to — she sounds a little wound up... [Officer 1] may have asked what she was up to and whether she was wanted. [A continuation of the 'suspect' frame].

The initiation and early exchanges were fairly typical of a suspicion-based stop. The nature of the interaction then started to change as the tone of the conversation and the interpretation of the officers moved.

She is asked whether she knows where a named person is – she says if she did she’d kill him (in a semi-joking way) and starts talking about what happened between them. ['intelligence reframe'] [Officer 1] asks her about her drug problem and she says she’s on methadone and is doing well on cutting back the heroin. ['Welfare reframe'] She then talks, I think, about an assault which happened to her last week – at some point she pulls [Officer 1] to one side out of ear shot. [Possible ‘victim’ or ‘intelligence’ reframe.]

The actions of Jo towards the end of the encounter were interesting, particularly as they involved moving towards the back-stage of the interaction, presumably to give details of her assault. Importantly, the change in interpretative frames was not always prompted by new or emergent signals, but were brought into play because the encounter was situated in a longstanding relationship. The reframing towards a possible victim frame was, nonetheless, prompted by direct signals from Jo.

The influence of the organisational setting

The process of framing and reframing did not take place in a vacuum, but was found to be highly situated and contingent on the context in which signals were identified by officers. Context was not limited to the immediate patterning of signals in the social environment – such as the carrying of a large bag (signal), in a burglary hotspot (location), late at night (time) (see Rubinstein 1973). Framing was also situated in a much broader sense, and was affected by organisational and social factors, such as: the workload placed on officers from calls from the public; the performance regime; the perceived and actual crime mix in the area;
the reputation of particular neighbourhoods amongst officers; and the police sense of community relations. Prior research has similarly suggested different organisational contexts can nurture different policing styles (Wilson 1968), and that officers patrol in a different way in areas they regard as having a high crime rate (Klinger, 1997).

Each of the study sites had its own distinctive operating environment that helped to determine the organisationally defined setting in which officers on the street took action. There was evidence to suggest that, in some sites, several decision fields co-existed. Multiple fields seemed to be fostered by strategic decisions, for example, to manage the BCU as a series of geographically distinct local policing units, or to separate shifts of officers into response, neighbourhood, and (sometimes) proactive teams. These decisions engendered local cultural variations and altered the work profile — and therefore the experiences — of the officers. In Wrexham, a distinction was drawn between response and the proactive crime car (which was responsible for targeting known offenders). This split seemed to create different micro-settings in which different work pattern emerged. Unlike their response colleagues, the crime car officers were seen to initiate a large number of encounters during the observations. It seemed that the remit of the proactive unit, and specific organisational demands placed upon it, via quantitative performance indicators, influenced its officers to conduct stops and searches in high volumes and sometimes on relatively weak signals.

Rather than describe the prevailing conditions in each site, the decision fields in Chapeltown and Hackney will be contrasted by way of illustration. Initial impressions suggested the organisational setting in the two sites would be reasonably similar. Both areas were reported to have serious inner-city crime problems, relatively high proportions of ethnic minority residents, and delicate community relations. Indeed, by sheer coincidence, incidents involving officers being surrounded by groups of angry onlookers were reported to have occurred in both sites during the fieldwork, and which had immediately served to heighten tensions. There were, however, sufficient contextual differences between Hackney and Chapeltown to shape how officer suspicions were framed.

The police data revealed there to be a four-fold difference in the use of searches between the two sites. In Chapeltown, there was less than one search per 1,000 residents during the study period, compared to four searches per 1,000 residents in Hackney.37 To some extent, this difference was statistical artefact and disguised local concentrations. While Hackney was universally urban, Chapeltown extended from a handful of intensively policed inner city beats in the south (‘bottom-end’), through to a wealthy and expansive rural area in the north (‘top-end’). The impression from the observations, nonetheless, was that officers in Chapeltown were much less ready to initiate contact with suspects than there London colleagues. Indeed, no searches were observed during the fieldwork. The timing of the fieldwork in Chapeltown, soon after the publication of the SLI, might have had an effect. Local geography may too have played a role. The Chapeltown police ‘knew’ the area’s problems were concentrated in the handful of streets surrounding a notorious public house, and that top-end was quiet. For Hackney officers, while they recognised particular neighbourhoods and housing estates as being a problem, crime was seen to be much more widespread. The demands on their time from the radio might also have given them this impression. Apart from the very tail-end of night shifts, officers were seen to have a large number of calls to attend to in a wide variety of locations. There were many fewer ‘jobs’ to respond to in Chapeltown, with one officer saying the area was “actually quite quiet” and that

37 These incidence rates have been derived from the data presented in Table 6 and population data from the 2001 Census, taking into account of the number of months for which data were available.
it was sometimes possible to have a sleep during a night shift (Obs/CT/N1). As a result, more proactive patrol was probably carried out in Chapeltown, which allowed officers to concentrate on the perceived drugs, vice, and robbery problems.

It was not entirely clear why officers in Chapeltown did not intervene more often, given they had the time to do so. One officer, during the fieldwork, remarked that Chapeltown did not have a strong performance culture, whereas, in the past, they “used to do 30 searches per night [and] couldn’t have had the grounds” (Obs/CT/L2). Officers in the area also seemed more aware of their actions on the local community, and their approach stood in contrast to Hackney’s aggressive stance. It was possible they also valued an order maintenance approach over enforcement. The police data showed Chapeltown was the only site to make any notable use of voluntary searches, accounting for 13 per cent of all searches.39 While these searches could have had a deleterious effect on community relations, because of the way consent was given, they may have required officers to be highly accomplished during interactions so as to not invoke their powers.

As the examples used elsewhere in this thesis should show, there was a qualitative difference in how officers initiated contact in Hackney and Chapeltown. In Hackney, there was a very strong sense that the response team were the ‘thin blue line’, and that their colleagues (including others on response) lacked the competence to take the necessary action. Their selection of suspects was, thus, possibly about managing the workload and minimising internal organisational ‘bother’. Again, the picture in Chapeltown was different. The officers knew the project team39 and drugs squad were responsible for dealing with the main problems in the area, and many felt these problems were too systemic for response policing to have a positive effect. The selection of suspects was, thus, possibly about maintaining their craft skills and knowledge of the area, and minimising external community ‘bother’.

While it is difficult to be conclusive, the analysis does suggest that the organisational setting, and other contextual factors, may influence decisions to carry out stops and searches. The decision fields present in Hackney and Chapeltown seemed to inform the readiness of officers to initiate contact, and the approach they subsequently took.

Despite the potential for local differences, it should be remembered that all the examples in this thesis involved sworn police officers on patrol. The presence of commonalities and similarities in the data might, therefore, provide tentative evidence of an ‘essential aspect’ (Glassner 1980). For this reason, similarities and differences with police practices from the past and other countries have been highlighted.

**Summary of key points**

The aim of this brief concluding section is to draw out, and extend, the key points made in the chapter that have wider relevance in terms of police decision-making and its regulation.

The empirical evidence presented in this chapter revealed that stereotypical thinking was central to police patrol work, and pervasive within decision-making. A series of taken-for-granted categories were deployed by police to simplify the complex social world they inhabited in order to make it more predictable. The linking of these categories to an assumed
set of, largely, behavioural characteristics was significant in that it marked out which pieces of social information would resonate most strongly with officers. The nature of these stereotypes is discussed in greater detail in Chapter 8. On one level, these thought processes were directly at odds with Code A in as far as it stated that stereotypical images could not justify a search. On another level, the stereotypes generally used by officers were not the straightforward negative labels used by a person to overtly and directly discriminate against a particular social group. The police stereotypes were grounded in an ordinary classificatory scheme, developed by and supported through everyday experience, that operated as a means of managing risk and uncertainty. Such processes could lead the police to being sensitised towards particular types and categories, which would affect who was stopped and searched. The safeguards in Code A would not prevent such practices because the formation of suspicions was conceptualised as being rational, conscious, and based on discrete events (the deductive method), and failed to understand the role of cognitive simplifications and the implicit nature of decision-making (the abductive method).

The unspoken processes of categorisation and attribution were largely masked by the way officers accounted for their actions formally, because decision-making and record-making required different levels of cognition. The official records (which were created through reflection) provided a presentational veneer to what were complex and tacit decisions. As seen in one example in this chapter, officers rationalised and justified their decisions after the event, depending on the nature of the interaction and its outcome. The written reasons offered an organisationally sanctioned and coherent version of events that did not (and were possibly unable to) articulate the thought processes that led police to initiate contact.

The implicit process of framing, with its emphasis on filtering out information and identifying relevant signals, was seen to result in the police developing narrow interpretations of events that were not open to challenge. Such processes could lead to the police to 'jump to conclusions', rather than objectively testing their emerging interpretation of what had happened. It would be a mistake to conclude that police decisions were entirely closed. Where normalising signals and competing frames were present, suspicions were seen to be more open to review. These processes offer potential avenues for reform. In medical practice, 'differential diagnosis' is frequently used by professionals to think what else might explain the symptoms that are signalled to them (e.g. chest pains may be diagnosed as indigestion, but a heart attack might be the 'differential'). In other words, multiple frames are deliberately used to minimise risk, and provide a fuller account of decision-making. The privacy of decisions and ex post facto method of accountability may make differential explanations more problematic in policing. However, it may be possible to encourage officers to articulate better how they formed their suspicions, and to think about alternative interpretations through the increased use of sound and video recordings on patrol. These recordings could be reviewed after the event, and would render frontline policing more visible (like the black boxes used on airliners).

Finally, the influence of the wider organisational and social context on police practice suggests that a more systemic view of police decision-making is required (Hawkins 1992). An officer’s decision to initiate contact (if, indeed, it makes sense to talk about a single decision in a clearly bounded way) will rest on a series of the other decisions - some immediate (e.g. call-handling and patrol patterns), and some less so (e.g. policy, resources, policing style, and legal definition). Context thus played a critical role in the way suspicions were formed, but whose effect will be dialectical because the local and individual decisions made by officers will inform, and gradually alter, the whole.
Chapter 7 - Physical appearances

The focus of the previous chapter was on framing and reframing, and how these processes helped organise and define the social world inhabited by the police. The remaining empirical chapters concentrate more on signalling, and seek to map out the social information that was seen to trigger suspicions. This chapter specifically deals with those signals based on the way someone or something physically appeared. It will be argued that police action was not based on a simple process of stimulus-response, and the interpretation given to these appearances and what the physical signals revealed to officers about the person in possession of them was crucial to the formation of suspicions. As Goffman previously noted, a person’s appearance “may be taken to refer to those stimuli that function at the time to tell us of the performer’s social statuses” (1971: 34).

The way someone looked was a notable influence on decisions to carry out a stop or search in all sites, but was a much less significant than other types of social information. Overall, while officers commonly talked about physical characteristics acting as a trigger for suspicions, their influence on police practice was found to be fairly marginal during the observations. The relative importance of physical appearances in police talk can, in part, be put down to the ease with which they could be articulated and justified. Apparances may also have been regarded as more comprehensible to the uninitiated, and in line with how ordinary people scan their environments for warning signals (Goffman 1972). As such, appearances were likely to have formed part of officers’ explicit, reflective knowledge, rather than their tacit and everyday understandings.

There are three sections to Chapter 7. To begin, the importance of general appearances are discussed. It will be argued that appearances were more relevant to traffic stops because they sometimes offered perceptible means of assessing criminality. Comparatively, it was much harder to pin down whether a person was a criminal because of the way they looked in general. Notions of ‘scruffiness’ were used, but as fairly loose and imprecise categories. The strongest and most direct connections were seen to be made by officers with the physical signals associated with drug use. Section two looks at people’s style of clothing and what it meant to officers. It was clear that some specific items of clothing were positively defined with criminality, but that these associations were often context dependent (e.g. thieves might wear heavy coats in summer). More prevalent was the police focus on clothing worn by young people. Baseball caps and hoods were an important influence on police decisions, and acting almost as proxy categorical signal denoting a young person likely to be ‘up to no good’. Physical signals were, therefore, used to mark out criminal intent. In the final section, the role of suspect descriptions is examined. Unlike earlier studies on police patrol, descriptions were found to be a less important influence on stop and search practice. The use of physical signals to match a person to a description is explored in detail. The traditional view that calls from the public involve low levels of police discretion is challenged. In practice, officers were found to have considerable latitude in determining which signals were important when initiating an encounter, and how the subsequent interaction played out. The section concludes with a discussion of the importance of suspect description in the policing of minority ethnic groups. It will be argued that, while information from the public can result in a bias in police activity towards ethnic minority groups, officers may have a more important role than previously thought in mediating information from the public.

40 A recent US study found ‘appearances’ prompted 18 per cent of stops, and was the least important of four factors in the formation of police suspicions based on what officers told observers (Dunham et al. 2005).
General physical appearances

The physical appearance of vehicles and pedestrians were an important – but not overwhelming – influence on officer suspicions. Their role in traffic stops was perhaps greater and more direct on the basis that some traffic offences were perceptible through physical signals. In comparison, officers were more cautious about basing their suspicions on a person’s physical appearance. The signals associated with the way a person looked tended to operate in different ways to those related with vehicles, because they could not constitute an immediate offence. Moreover, targeting based on physical appearance was an activity Code A attempted to guard against in relation to searches (but not stops): “...[A] person’s race, age, appearance, or the fact that the person is known to have a previous conviction, cannot be used alone or in combination with each other as the reason for searching that person” (2003: para 2.2). Suspicions about people, therefore, needed to be grounded in general notions of ‘scruffiness’, and more specifically in physical signals linked with drug use.

Perceptible criminality

The focus on physical signals reflected the practical realities of stopping vehicles in particular. In most cases, the physical signals associated with vehicles constituted offences, and automatically provided officers with a legitimate reason for carrying out a stop. Signification was, therefore, achieved as a result of equivalence. Officers often talked about looking to stop vehicles that had visible problems (e.g. a broken tail light): “Seeing tax discs from a distance, spotting other defects” (Int/LC/14/R1). In practice, such encounters were relatively rare. Indeed, the absence of a valid tax disc was only seen to prompt five encounters during the observations (one of which was generated as part of an Automatic Number Plate Reader (ANPR) operation, rather than officer’s own patrol work). While these stops appeared to be based on a straightforward infringement/enforcement rationale (i.e. equivalence), there was a sense from some officers that vehicle tax acquired significance through typification (or resemblance) because those without tax would typically commit other offences: “If they don’t have tax, then they probably don’t have insurance, and it’s possible that the car is stolen” (Obs/GW/L3). Some officers appeared to have particular dislikes or ‘pet hates’, most notably cars with their fog lights on. Enforcement, therefore relied on geographic convergence of an offender and an officer with a individualised sense of ‘mission’.

A clear link between physical signals and perceived criminality for people on foot was much harder to pin down. A person’s general physical appearance tended not to be positively associated with any particular form of criminality or deviance, possibly because of the influence of Code A on the way suspicions were formed and articulated. Instead, officers often spoke about the importance of appearance that were incongruent. They talked about people who did not fit an area or the type of car they were driving (see also Rubinstein 1973). In some cases, this process relied on fairly subtle signals.

[It was raining and [person matching the burglar’s description] didn’t have wet hair which, to me, increased my suspicion because if he’d been walking around all night he would have had wet hair. (Int/WM/9)

In this example and others, the incongruent physical signal was almost regarded as ‘matter out of place’ (Douglas 1966).
More speculative traffic encounters were also initiated by physical appearances where there was no direct association with an offence. Scruffy cars were sometimes singled out for attention during quiet periods on patrol (usually when another signal was present), principally because 'scruffmess' was seen by officers as a marker for something more important and could generate 'easy winnings' (see also Rubinstein 1973). Indeed, one car was seen to be stopped by the police because it was scruffy, resulting in its four teenager occupants being searched for drugs (but nothing was found). There was a broad assumption that scruffmess equated to deviance: “Basically, an all rundown car just pulled up and we’d heard about a couple of burglaries, so we stopped the car…” (Int/NW/12). There was even a suggestion from one officer that such an approach might be directly targeted towards people on state benefits (about whom the police often took an active dislike): “[I] focus on particular cars and people, and particular areas – e.g. people going to the Job Centre (because they have no tax)” (Int/LC/10/R1).

As with cars, a person’s scruffmess was seen to influence police decision-making (see also Ericson 1982). Appearing scruffy, on its own, was probably not sufficient to warrant police attention, and was a weak and imprecise signal. Other signals seemed to be more influential, with appearance having secondary (but confirmatory) importance.

12.15. The shift is quiet – there are no calls. There aren’t that many people walking around. Not many cars on the road either. We drive into the city centre… There are two white lads standing next to a shop front. I thought they looked scruffy as we past – [Officer 1] says that they were eye-balling us. We drive around the block – but on our return the two men are gone… [Officer 1] makes a comment about them probably being inside a shop burgling it. (Obs/LC/N1/1)

Even in this example – the strongest from the observations in terms of the role played by scruffmess – the signification process was supported by a range of other signals (e.g. lateness, quietness, behaviour).

**Signals of drug use**

Personal physical signals were potentially strongest in relation to drugs. Goffman, himself, used “the arm pock marks of drug addicts” as a specific example of a stigma symbol (1968: 61). Officers’ ability to read the appearance of drug users seemed better developed and more refined than for most other offenders. Particular cues associated with prolonged drug use were thought significant: “Obvious drug addict – gaunt, sweating, [their] eyes also give it away” (Int/GW/4/R1). During the observations, two Chapeltown officers said they could tell two prostitutes had been taking heroin and crack, respectively, because of the yellowness of the eyes and the discoloration of the teeth.

There was also a suggestion from another site that the manner in which clothes were worn could indicate recent drug use: “[S]ome of them had jogging pants or boxer shorts which were not properly pulled up, this was a sign that they had been injecting in the groin…” (Obs/NW/L3). However, this practice was not observed, and could be a rehearsal of self-validating knowledge or an attempt to shock the observer.

Overall, officers’ alertness towards these physical signals seemed to translate into a higher overall arrest rate for drugs compared to other searches, with the exception of the London sites where the arrest rate for weapons was notably higher (see Table 8 below). It is possible
that this pattern resulted from the specificity and proximity of drug signals.  

Table 8 - Arrest rates by object of search (national pilot)

<table>
<thead>
<tr>
<th></th>
<th>Drugs</th>
<th>Stolen property</th>
<th>Going equipped</th>
<th>Offensive weapons</th>
<th>Firearms</th>
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<tr>
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<td>15.3</td>
<td>12.8</td>
<td>14.3</td>
<td>8.3</td>
</tr>
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<td>17.6</td>
<td>12.5</td>
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Note: The table only presents the main and consistent objects for search from those sites where data were available.

Clothing style

Overall, the way a person was dressed was a more prominent signal than their general physical appearance. Certainly dress featured strongly in officers’ accounts of how suspicions were formed, although was a far less tangible signal during the observations. In a broad sense, particular items of clothing were sometimes used to mark out people likely to be ‘normal’ and those likely to be criminal, through processes of incongruence and typification. Clothing associated with young people – track suits, caps and hoods – had a special role in the formation of suspicions, and acted almost as a proxy categorical signal. These clothes were directly linked with offending and signalled criminal intent to the officers, and were used to target young people from deprived and ethnic minority backgrounds.

Normal and criminal clothing

Officers frequently had a clear sense of the types of clothes that were ‘normal’ for the people who lived, worked and socialised in their area: “Strangers stand out (e.g. dress)” (Int/CT/2/R1). People who dressed differently often attracted police attention, although those who were incongruous were not always regarded as suspicious, if their dress denoted a particular status. The following quote from an officer, who worked near a university campus, showed a careful demarcation between ‘ordinary’ residents, students, and others: “Students stand out a mile, somebody that’s not a student [and worth stopping] also stands out a mile” (Int/WM/4). Clothing could also have a normalising effect, despite the presence of other signals. On two observed occasions, officers initially identified someone as suspicious, but did not initiate a stop because they were wearing ‘normal’ clothes not associated with crime.

Some clothing signals were positively defined with criminality. Rarely these signals seemed to be grounded in the intelligence provided to police. One officer referred to unusual garments linked with ‘known’ gang membership which, because of their ‘known’ criminal behaviour, would justify an encounter. Such practices are allowed under Code A and can be used as the basis for an officer’s reasonable grounds.

We have a lot of gangs where they wear these Catholic beads... and if you see someone with these Catholic beads, they’re part of the gang, they usually carry knives and things like that,

41 The most recent national statistics presented a slightly different picture (Povey et al. 2009). While ‘drugs’ accounted for the highest number of arrests from searches in 2007/08, they represented only nine per cent of all drug searches. Overall, the arrest rate for drug searches has declined as their number has increased (see also Miller et al. 2000).
More usually, clothing signals were grounded in ‘hunches’, abductive forms of reasoning that provided officers with a reasonable explanation. Often incongruence played a part in identifying clothing as suspicion (e.g. wearing heavy clothing when it was hot). Some items of clothing were also taken as positive indicators of specific crime types (e.g. dark clothes with car crime). They were seen to help offenders not to be noticed, or to hide stolen goods. Wearing gloves was also seen as signal of someone being ‘forensically aware’: “...people don’t wear gloves anymore to drive – they stand out – so you’d stop them” (Obs/HL/L2). It is important to note that, while police talk contained regular references to these positively defined signals, they did not trigger police action during the observations. One officer did, however, recount a search of a man for stolen goods that occurred during the shift, when the observer was not present. The man was spotted by store detectives, but his clothing influenced the decision to conduct a search: “Also in the summer, someone wearing a big coat and a hat – easy to stash things in” (Obs/CT/L3). These items of clothing, worn during warm weather, were also identified in Rubinstein’s much earlier ethnographic work (1973).

**Youth culture and social control**

In general, hoods, tracksuits and other clothing associated with young people were seen as signals by many officers. For them, these items were typical of the people responsible for crime and disorder. Not all officers held such views however: “…[T]eenagers wear baseball caps, baggy jeans… that’s teenagers” (Int/WM/4). The general focus on clothing associated with youth was broadly supported by the official police data from two sites where clothing details were recorded (Sefton and Hackney). While the volume and free-text format of these data precluded statistical analysis, items of sports wear (especially baseball caps and tracksuits) were found to be common entries. The fieldwork revealed that young men wearing baseball caps were singled out for particular attention by the police.

You look for stereotypes – not stereotypes in a racist way – types of people... You build the stereotypes up through experience; the people you see are involved in crime. In this area, it’s people in sports gear. Most people we’re involved with wear baseball caps around here. (Obs/LC/N2)

The way young people were dressed, on occasion, was even seen as a signal of intent (see Innes 2003 for a related concept) and closely associated with a person ‘hanging around’ – an important behavioural signal that was aligned with being ‘up to no good’.

...I can pull somebody [and] with 95 per cent certainty I can tell you if they’ve got a criminal record... Do they wear a watch? A young man in his 20s walking around without a watch, he’s got nowhere to go and doesn’t have to be anywhere on time. (Int/MS/I7)

Police typifications were likely to be based on an ecological fallacy derived from their biased contact with the public. The wearing of baseball caps was seen by officers to be typical of young offenders as a whole (the general, ecological level), because they may have had previous experience of offenders who wore baseball caps (the specific, individual level). The police focus on hoods, baseball caps and sports clothes was unlikely to have a neutral effect on the way stops and searches were targeted. Differences in youth culture meant such targeting was likely to place young white people from deprived backgrounds, and people from ethnic minorities in the frame.

The potential impact of police working assumptions was made clear in the following
example. The Hackney officer seemed to indicate that a focus on clothing which was perceived to be incongruous could justify the repeated stops.

If [a known robber’s] walking... in 70 or 80 degrees, in a parka with the hood pulled up, I’d think: ‘That’s odd. Who dresses like that in the middle of summer?’...They’ll get stopped every five minutes and the grounds—wearing too many clothes in 75 degrees—so everybody’s going to sit there and go: ‘Thanks for the summer’. That’s good enough grounds for me because, if you’re hiding yourself: ‘Why?’ (Int/HK/23)

The officer’s judgements about what was ‘normal’ did not encompass youth culture, despite hooded tops being a common fashion at the time. Whether this was an deliberate or unconscious oversight is not known. It is possible that processes of resemblance and typification were also at play, whereby the parka/hood was a positive signal of robbery (potentially self-perpetuated through experience). Its impact was likely to be the same irrespective of which mode of signification operated in practice. There was, of course, an irony in the officer’s flawed logic. Not wearing a hood and attempting to ‘fit in’ would have been a robber’s best disguise, rather than symbolically wearing a hood. However, an example observed in another site suggested that ‘signifiers of intent’ (see Innes 2003) were, in practice, likely to be subtle and difficult to discern: “[The officers] did point to someone in a hood who they said was fine because they weren’t trying to conceal their identity” (Obs/WM/N3). Previous research has suggested that the police can be sensitive to fashion particularly when once minority trends gain wider appeal. Rubinstein (1973) noted that US patrol officers no longer stopped people because they had afro or long hair, due to the style having been widely adopted.

Suspect descriptions

The extent to which a person resembled a description was central to police decision-making. Officers tended to be given descriptions of offenders, and occasionally shown a photo, at the start of a shift as part of a briefing exercise. Usually the people were ‘known’ to the police and were thought to have been involved in recent crimes, although some were more general in scope and based what had been seen by a victim or witness. Overall, these briefings tended to play a secondary role to the descriptions sent over the radio in relation to a ‘job’.

A considerable number of encounters observed during the fieldwork were a direct result of a public call for service dispatched over the radio. In some, but not all, cases, the caller provided the police with a description of the perpetrator(s). In Leicester (the only site where police data were available), 18 per cent of all recorded encounters resulted from an ‘incident log or call from the public’. The proportion of call-based encounters in Leicester was much lower than in earlier studies (see: Ericson 1982; Reiss, 1971), although these differences may have been due to sampling, data type, and/or context. A more recent US study found the same percentage of stops were reportedly prompted by ‘information’ (Dunham et al. 2005). Most officers (71%) were also shown to ranked information as a high priority in the formation of suspicions, and more so than four other factors.

This section examines some of the process associated with using suspect descriptions as a resource and how this may affect different ethnic groups. First, the process by which people were matched with suspect descriptions is described. When a close match was achieved, there was a strong fit between the available signals and the officer’s frame. An extended example

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42 While officers were encouraged to stop the suspects whose descriptions were given out on the briefing, none were observed except for those involving ‘regulars’ who would probably have been stopped anyway (see Chapter 8).
will be examined to illustrate how descriptions were used in emergency situations and, in particular, the relative weight given to information in the call and other signals identified by the officer in the formation of suspicions. Second, the implications of using suspect descriptions for police discretion will also be touched upon, as will the negotiated role of intermediaries who provided the police with information. Third, the notion of 'signal decay' will be discussed. With calls for service, information tended to lose its signalling power over time or if it was vague. There was some evidence to suggest this process could be biased in that signals related to a person's perceived race tended to retain their value. Finally, the discussion will be broadened to look at whether suspect descriptions were racially biased, and the extent to which any bias informed police practice.

**Matching a description**

When officers arrived and identified people whose appearance matched the descriptions — or whose behaviour was consistent with the narrative of the call — an encounter was invariably initiated (see also Rubinstein 1973). In these situations, there was a high degree of coherence between the signals present at the scene and officers' existing frame based on information given over the radio.

21.30. Call to derelict house where two men had been spotted and then seen leaving from the back in a red van. Got there to find the red van had been already stopped by [the sergeant]. The car contained two white men. Both of whom were known for stealing fire places, fittings and so on from old/derelict houses. (Obs/LC/L2/4)

Where a decision to initiate an encounter was signalled by a strong resemblance between person and suspect description, suspicion was less about unease and uncertainty (suspicious of) and was more about presumption and deduction (suspected of), a mode of suspicion Code A tried to guard against. Officers' suspicions were not formative or developmental, but were much more unmediated, direct and specific. They assumed the person was involved in the incident. As discussed, some officers used confirmatory strategies to check the veracity of their framing. There was, however, a clear sense that, in many calls, the police simply acted uncritically on information without forming an independent view of the situation (a further practice Code A attempted to guard against). This finding was echoed in the work of Rubinstein (1973), who said patrol officers treated almost all calls as legitimate.

Call about a fight. 02.30-ish... A young black man is saying: 'He's got a knife, he's got a knife. He was chasing me down the road with a knife.' [The officers] take the bloody man to one side... [One of the officers] says he is going to search him because of the claim about a knife... Nothing is found. The man mentions the fact that he is being searched because the black man accused him: 'Is this the way it is now?' (Obs/IP/L3/7)''

Where callers provided specific details about, say, unusual items of clothing worn by the suspect, officers tended to have greater certainty and gave greater credibility to the information (see also Rubinstein 1973). In one example involving a call about two teenagers looking into car windows, the exactness of the information lead to the encounter being escalated into a search.

As we leave, [the officer] comments that the description they received was spot on. The call said that there was one wearing a blue and red jacket with white jeans, and the other was wearing a black hooded top. This is very accurate. (Obs/WM/N1)

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4 In this situation, the officers were likely to have reacted quickly because of safety implications.
One detailed conversation in Hounslow with a police officer during an area search 10 minutes after an emergency call about the stabbing of a bus driver revealed some of the intricacies of police decision-making, both in terms of how targets were identified, and the signalling process in close quarters (Obs/HL/L1).

The suspect, who was thought to be a relative of the bus driver, was named and described in detail, including references to some specific items of clothing: “An IC3 [black] male, blue jacket, blue jeans, and with a black bobble hat”. The victim-suspect relationship, the description’s detail, and the incident’s seriousness meant officers gave the information in the call credibility, despite not being directed solely by its contents. The description was seen to inform the officer’s frame, particularly in terms of marking out the physical signals that would be significant depending on the context. Suspicions were contingent on a person’s proximity to the scene, and how much time had passed.

I ask about the description and how close a match they needed before they would stop someone. Officer: “I would stop anyone matching the description – I would want to find out who they are. You have to use your judgement. I’d stop anyone within a mile. It depends on distance and time – it’s a personal call.”

The officer was alert to other signals not specifically mentioned in the call but which, through typification, were thought to be usual in serious and fast moving incidents. These physical signals would have formed the basis for a confirmatory strategy had the suspect been spotted (see Chapter 6). For example, despite there being no indication that the suspect had blood on him or had run off, these signals were anticipated and featured in the officer’s interpretative frame. These signals would probably have been more decisive than the original description in determining what happened next, given officers’ scepticism towards any non-police sources of information and the value attached to their ‘own senses’. Indeed, the officer said the following in response to a question about whether he expected the suspect to be wearing a hat.

I’d stop anyone that was close [to the description] – you’d just want to find out who they are – and if they answer to the name of Mohammad, then you have more grounds for a search. You also look out for other things – whether they have blood on them. Of course they might not have blood but you’d look for it... It’s about noticing things. For this person, I’d look for whether they are breathing heavily, or are sweating. They might have been running or doing physical exertion.

In urgent situations, it is likely that almost any indicator would be used for pragmatic, sense-making purposes.

Importantly, the officer was aware that the way they would frame events was not neutral, but was mediated on their part. Police were alive to the possibility that the situation might need to be continuously reframed, and draw on a lamination of different frames. If a person they stopped was nervous, this did not automatically signal suspiciousness nor would have justified a search. They were aware the person could be nervous for other reasons.

You look at their mannerisms – are they nervous? And is that because this is the first time they have been stopped by the police or something else.

The area search was inconclusive and no one was found to match the suspect description. If the officers had stopped someone and used confirmatory signals to develop grounds for a search, it was not clear whether this practice would have been permissible.
I know they say that you shouldn’t, but you always stop someone and build up your grounds – by talking to them. It’s unrealistic not to unless you’ve seen them carrying something then you’d probably arrest them anyway. There are times when I have jumped in and searched someone straightaway. Like if you turn up to a fight and there is a report that someone saw a knife – then it would be hands against the wall and you say: ‘Right, I’m searching you’ – for officer safety. You go in at a higher level and take control.

As discussed in the preceding chapter, Code A, at the time, stated officers could not detain a person to build grounds. In such an emergency situation, it would seem unlikely that a person superficially matching a description would have been allowed to walk away until other signals had been identified.

**Descriptions and discretion**

With the emergency call, it was clear that officers had some discretion, in the sense they could selectively refer to information in the description, and draw on their expectations of what they had seen drawing on other frames. Encounters following calls from the public have previously been characterised as being based on ‘low discretion’, to distinguish them from archetypal proactive stops (Quinton *et al.* 2000; FitzGerald 1999). While police may be shepherded towards a situation, agency had a prominent and pervasive role in call-based encounters. Officers still decided: whether to attend the call; how quickly to respond and with what degree of ‘seriousness’; whether to initiate a stop; and how any encounter played out. Indeed, observed examples demonstrated there was considerable scope for discretion in terms of how officers managed the scene, who was spoken to, and the signals that achieved significance. Ericson noted in his earlier study of patrol work that, when officers respond to ‘reactive mobilizations’, they exercised discretion by attributing roles to members of the public and taking “into account who the citizens are and what actions might resolve the matter without producing citizen complaints” (1982: 98). Thus, an important conceptual distinction can be drawn between the discretion to intervene (whether to act), and the discretion officers have about how the intervention subsequently plays out (how to act).

The role of discretion in calls where suspect descriptions were provided by intermediaries was also notable. Key intermediaries included witness and those in a private policing role (e.g. CCTV operators, bouncers, security guards). In the small number of calls where such intermediaries played a role, they tended to help the police at the scene by pointing out the suspect who was the subject of the call. They directly signalled to the police who to stop (a mediated process of equivalence). Discretion in terms of who to stop in these situations was potentially at its lowest (although officers would have already decided to attend the job, and may have determined how to deal with the suspect). The relatively mechanical nature of the response raised questions about the lawfulness of police actions, in that RS was not independently formed, but primarily based on information from third parties.

In the following example from Sefton, two searches were carried out because a CCTV operator announced over the radio that two people were ‘acting suspiciously’ in the shopping centre. There was a close match between the description and the alleged offenders, who were ‘known’ drug users. The legal status of the searches was doubtful however. First, no additional information was provided by the operator about how the pair had been acting, nor were there any other signals to indicate they had prohibited items on them. Grounds were weak and not directly acquired by the officer. Second, the observer concluded the searches

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*44 A parallel can be drawn here with the way in which the law is said to inform police practice: “The selection, relevance and use of law is itself a matter of discretion” (Ericson 2007: 373).*
were probably 'voluntaries' because of their informal character and the nature of the interaction — they were simply asked to turn their pockets out. Consent searches, at that time, were unlawful. Nonetheless, the official record showed the searches were supposedly carried out under s1 PACE. At the very least, the officer did not follow Code A in terms of how the encounter should have been performed, even though it may have followed a ritualised form because the suspects 'knew the score'. The disparity between the police data and observations showed the presentational veneer that official records could provide in terms of coherence and legality, and the associated difficulty people who were discredited would face if they were to challenge to the police.

3.25pm... [A] message comes out across the Link radio about two people who have been seen in the shopping centre acting suspiciously. I think the names of the two people are given by the controller... [The officer] walks briskly through the small shopping mall... I think [the officer] calls their names and asks them to hold it there please. They stop and stand outside the window of the Oxfam shop. 'Dave' is the older man and looks like he is late 30s (he is 40) — he is thin, quite scruffy, with few teeth... 'Lee' appears much younger — perhaps late teens (but is 21) and wears a dark blue tracksuit and Burberry cap... [The officer] starts talking mainly to Lee, who is fairly calm or even downcast, but Dave appears to be fairly pissed off. He says he can't believe they've been stopped and asks what they've been stopped for... [The officer] turns to Dave and firmly asks him to calm down and be quiet and to take his foot off the window because he might damage it. Dave continues to complain about being stopped... [After being asked what they had been doing] I'm surprised that [the officer] then asks Dave to turn his pockets out, which he does — there's only a lighter and a few odds and ends. [The officer] doesn't search him but does pat his empty trouser pockets. Dave peers at the stop form as it's completed — 'What's 'acting suspiciously' mean? We were just walking past some shops.' [The younger man is then searched.] (Obs/MS/L2/l)

Like other calls for service, discretion was not entirely closed off. Police actions may have been relatively mechanical, but the role of the intermediary was also found to be fragile and negotiated. There were occasions where intermediaries (or the information they provided) were dismissed or challenged. On one occasion, a CCTV operator was criticised by the police for making an unreasonable request to them to stop someone the operator 'knew', simply to check his identity. Similarly, Rubinstein (1973) noted that, in relation to policing in a US city during the 1960s, patrol officers accepted the claims of the people on their patch if their status conferred legitimacy, but would refuse any unreasonable requests made by them.

**Signal decay and vagueness**

Thus far, the analysis has focused on situations where there was a relatively close match between description and suspect. Appearances were also found to achieve significance even when a person's resemblance to a description was poor. In a small number of cases, officers indicated that the strength of a 'description' signal would decay over time, and that it would become increasingly unlikely a person would match a description closely: “Most give reasonable descriptions at the scene — [they are] useful for five minutes afterwards near the scene” (Int/LC/3/R1). Vague or inclusive descriptions, coupled with the potential for signal decay, meant officers had considerable control over who they stopped and why, as illustrated by the encounter below observed in Bournville. The descriptions dispatched over the radio were general; the two boys only partly matched the information given out, and were stopped almost an hour after the original incident. They were searched, suggesting the encounter was speculative and for order maintenance. Indeed, the boys were searched for 'going equipped', a broad category that requires the police to make a subjective assessment about the intended
use of any item found.\footnote{A wide range of items can be used for stealing. During the fieldwork, officers said some cars could be broken into using a teaspoon or by hitting a tennis ball against the lock, in addition to the more 'traditional' gummy or screwdriver.}

[After 1.20am.] Another call comes in about a stolen motorbike which a witness says he saw two young lads with – one in a dark tracksuit, the other in a dark tracksuit top and jeans...

[2.15am.] Not far from where the bike was stolen, in a small residential street, there are two young lads – one is in a dark tracksuit, and the other is in a dark track top and white track bottoms. Both are white and wear caps... Quite unexpectedly [after asking some questions, an officer] says that, because they match the description for a motorbike theft, they are going to be searched (I think they mention about items for going equipped), and they are asked to turn their pockets out... (Obs/WM/N2/4)

With limited information about an incident, the officer had considerable latitude to decide whether to carry out an encounter at all, and with whom. Vague descriptions could be used as a means to target specific people, despite the potential for targeting to be misplaced, as per the following illustration. The observation is of particular note because it showed police action not to be mechanical, with the officers debating back-stage whether there were sufficient reasons to stop the group. The decision to proceed was, therefore, negotiated, and reflected their understanding of, and willingness to, apply the law. The previous literature has highlighted that: official accounts prepared after the event tend not to reflect the negotiated character of decisions (Hawkins 2003); officers usually cover for each other in the event of ‘trouble’ in acts of solidarity (Reiner 1992), and importance attached to maintaining the public appearance of legality (P K Manning 1992).

4.45pm... Call to St Matthew’s estate to look for four Asian men suspected of assaulting a member of staff in Comet. [Officer 1] says that we’ll never find them because the descriptions are too vague. See a group of four young men that matches the description as we have heard it. [Officer 1] wants to go and stop them but [Officer 2] won’t let him. Says we need to wait for a better description. [We then] get better description from the CCTV at Comet. Does not match the men that we saw. [Officer 1] still wants to stop them, but [Officer 2] won’t let him. (Obs/LC/L2)

There was some limited evidence to suggest that the use of vague descriptions to target specific people may have had a racialised dimension. The following incident was notable because, despite the vagueness of the call, the officers did not give equal weight to its contents. Only perceived race would have achieved significance, and was more decisive than the other potential signals (i.e. gender, proximity to the supermarket, attire, or being in a pair). In other encounters, being ‘known’ to the police was possibly the only signal that had greater resonance with officers.

00.57. A call comes in about a robbery. Two IC3 [black] males in blue hooded jackets near the Tesco’s. We speed to the area, and [the officer] says they will do an area search: ‘We will look to stop any IC3s’. (Obs/WM/N1)

The relevance attached to a person’s perceived race in a suspect description was also found in Rubinstein’s (1973) earlier ethnography.

While a person’s reported race was often regarded the critical element of a suspect description, the significance of a person ‘matching’ a description along ethnic lines did not always lead to a stop being initiated, and pointed to some variation in police practice. In Hackney, officers in a patrol car were seen to place a black man with braids under close visual scrutiny because he resembled a description in racial appearance and hairstyle. He was
not stopped though, largely because he looked older than the alleged car thief. Some officers stated they required other signals to be present: “Four Asian youths, that’s all I got [in the description]... I didn’t think it was enough for a search so I didn’t search them” (Int/WM/7). There was a suggestion from the fieldwork that some officers consciously decided to take a more cautious approach with people from minority ethnic groups. The social and political climate following the SLI (the surround) meant that, on the surface at least, the police wanted to ‘play it by the book’, or not take undue risks in order to ‘cover their backs’. The perceived risk of confrontations, complaints, and accusations of racism meant officers actively decided to be constrained by the legal regulations.

**Information flows and race**

Beyond the value attached to race in suspect descriptions, it is important to examine the wider role of suspect descriptions in the policing of minority ethnic groups. Young (1994) and FitzGerald (1999) have both argued that the flow of information into the police, principally from calls from the public, has a crucial role in shaping the ethnic profile of those stopped and searched. In FitzGerald’s study of the Metropolitan Police, she made the following prediction.

> [If] the discretion to search were severely curtailed, this would make very little difference to the relative proportions of searches of black people relative to whites. Indeed, if the apparent move to low discretion searches [based on public calls] were to continue, suspect descriptions would be expected to have a stronger influence than they do now on the pattern of searches. In those circumstances, [I] would predict a change in the ratio of white to black searches to the further disadvantage of black people. (1999: 42)

As one officer interview for national pilot succinctly put it: “We’re just the agents of the public, but we get the grief” (Int/LC/21/R).

The evidence gathered for this thesis presented a subtly different picture to the one put forward by Young and FitzGerald, whose studies were exclusively based in London. It shall be argued that officers played a greater mediating role in relation to the information provided from in calls, but still tended to use the information selectively to target particular social groups.

The fieldwork gave reasons to believe that calls from the public were less central to the stop and search decision-making that might be assumed from earlier studies. The observations showed that the vast majority of calls did not result in a stop or search, and those that did tended to involve some sort of disturbance or dispute that was still in progress. Calls about fights, for example, were particularly common in Leicester, Ipswich and Sefton as a result of their vibrant night-time economies. It was generally the case that those involved were at the scene and, even if no descriptions were given, the police initiated contact straightaway in order to keep the peace (through a direct process of equivalence). The character of the other calls was very wide-ranging. Most, however, did not involve details about a suspect being dispatched over the radio. Officers were typically asked to attend the scene and/or speak to a victim in order to gather further details.

Police data on what prompted encounters to take place, recorded in one of the national pilot sites, also presented a slightly different picture to the one offered by FitzGerald. Compared with her Metropolitan Police sites, where ‘low discretion’ searches accounted for around 70

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46 Leicester was the only study site to include ‘origin of the encounter’ in their stop and search form and dataset.
per cent of all searches, information received from a third party prompted a much lower proportion of stops (8%) and searches (28%) in Leicester (Figure 3 below). Indeed, the observations suggested ‘fire brigade’ policing, where the police largely deal with calls from the public rather than more proactive work, was more typical in the London sites compared to other areas.

![Figure 3 — The origin of police encounters by officer perceived ethnicity (Leicester)](image)

In Leicester, like London, the proportion of searches prompted by calls from the public did not vary much by ethnicity (although there were some minor ethnic differences with stops). The ethnic differences were much more pronounced with self-generated encounters. For example, a higher proportion of searches for black people (+4 percentage points) and Asian people (+12 percentage points) were self-generated compared with white people. This general pattern was reversed for searches prompted by a s60 authorisation (a power that confers considerable latitude to officers). To suggest that calls from the public are a ‘driving force’ behind ethnic differences in stops and searches is to over-simplify the situation. The data indicated that the picture is likely to be different across the country, and varies for different types of contact. In Leicester, where public calls were responsible for fewer encounters, a higher proportion of people from minority ethnic groups were stopped and searched when officers supposedly had ‘greater levels’ of discretion. Such a pattern may be influenced by the perceived and actual involvement of different ethnic groups in different crime types.47

Commentators have argued that street robbery (like other contact crimes) is likely to generate

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47 For example, while the low numbers preclude strong conclusions being made, compared to white people, black people were more likely to be subject to self-generated searches under s23 Misuse of Drugs Act (51% to 46%) than under s1 PACE (65% to 71%).
a suspect description and, because of differential ethnic involvement\(^{48}\), could result in an ethnic bias in police practices (Young 1994). Police data on calls for services or suspect descriptions were not available from the study sites. However, robbery was said to be a police priority in several of the study sites (such as Hackney and Chapeltown), yet accounted for only seven calls for services during the entire period of observations. Five of these calls were noted to have included some information about the suspect (usually the numbers of people involved, their perceived race, and occasionally a general clothing description). Despite the small number of cases, there may have been an ethnic bias in the suspect profile. The suspects were described as ‘black’ in four of the calls. The level of information, however, was vague. It gave officers considerable latitude in deciding who to stop, and would have legitimised discriminatory practices. Only one robbery call contained a level of detail that had the potential to lead to a strong process of resemblance.

The suspect is identified as IC3 [black] youth (17-20) on a red mountain bike that appeared to be sprayed. He is described as wearing blue baggy jeans and a denim jacket. (Obs/HK/L1)

The officers who were interviewed during the national pilot were asked which crimes susceptible to stop and search were most likely to generate suspect descriptions (see Quinton et al. 2000). While there was some variation, robbery was the most common response and was cited by a majority of officers. Other frequently mentioned crime types were assault, burglary, vehicle crime, and personal theft. Officers were generally of the view that the crime most likely to provide descriptions were those where there had some type of personal contact: “The ones with witnesses... vehicle crime, shoplifting, artifice burglary” (Int/IP/16/R1).

The officers were also fairly critical of the quality of the suspect descriptions: “[They are] not very accurate [and] vary a lot” (Int/IP/18/R2). Overall, the officers suggested the reliable information in a suspect description (and thus the strongest signal) tended to be the suspect’s reported race: “Colour tends to be pretty correct, some confusion. Clothing is hit-and-miss” (Int/LC/1/R1). This finding echoed Rubinstein’s earlier ethnographic study of patrol work on the US.

[The] only piece of information [the patrol officer] gets that he treats as absolutely reliable is the person’s race: he does not think anyone mistakes white and black people for each other. Everything else he treats as guidelines for action. (1973: 228).

The lack of specificity in suspect descriptions, besides perceived race, was likely to result in more generalised suspicions which could not support strong processes of resemblance.

[You] get [descriptions] from robberies, but at bottom-end [the descriptions say] black, six foot, male. You can’t work with that. (Int/CT/4/R1)

Even where more detail about suspects was provided, there was some evidence to suggest that officers would take the elements of the description that supported their existing frames about who the offenders were. In the following example, specific information was relegated to background noise as the officers decided to focus on more general signals associated with age and the wearing of baseball caps.

The [descriptions] we’ve got at the moment are probably between 16 and 20. White, slim-build, wearing dark clothing, baseball caps, certain types of clothing we’re looking for as well and certain types of vehicles that may be used... If we see somebody who we think is round the area about the right time, wearing a baseball cap or the right age then, without a doubt we

\(^{48}\) See Bowling and Phillips (2002) for a discussion of the available research on offending by different ethnic groups.
will give him a stop and turn him over. I haven't got a problem with that. (Int/WM/5)

To sum up, the data gathered for this thesis supports a subtly different argument to that previously put forward in the literature. Outside London, public calls for services seemed to play a less important part in shaping decisions to initiate encounters and, where suspicions were generated by the police, there was evidence to suggest minority ethnic groups were more likely to be suspected. The interviews and observations, however, give some support to Jock Young's (1994) thesis. While street robbery was relatively uncommon, there was a suggestion that contact crimes, in general, were more likely to generate suspect descriptions. The poor quality of these descriptions overall, coupled with more precise details about perceived race, meant there was scope for officers to use suspect descriptions as a resource, taking elements of them selectively to support pre-existing frames about particular social groups. While relatively weak, the evidence presented above potentially points to the police having a more active role in mediating information from the public.

Summary of key points

As before, this short summary seeks to draw out the main points from the chapter which have a bearing on our broader understanding of police practices.

Some might argue that Code A was effective at regulating police practice in as far as a person's general appearance was not seen to play a major role in decisions to stop or search. With the exception of physical signals that provided concrete evidence of criminality (e.g. vehicle defects and markers of drug use), the way someone looked acted more as an imprecise entry point for officers. Despite being used relatively rarely, the concrete physical signals that were more closely tied to criminality might offer a way of improving the effectiveness of the police. Arrest rates for drug searches tended to be higher than for other searches, possibly because of: the perceptibility of the signals involved; the close proximity in which they were identified; and the contextual factors which might also have had a bearing on an officer's suspicions. Overall, when assessing the efficacy of Code A, it must be recognised that a person's appearance was defined narrowly, and seen as being distinct from their age, gender and perceived race. As will be argued in the next chapter, these social and biological categories derived from physical appearances were pervasive in police decision-making.

The relevance of social categories based on physical identifiers was clear with signals based on clothing. The overt focus on people wearing hoods, baseball caps and other sports gear was a cognitive simplification that enabled the police to mark out particular groups thought more likely to be involved in crime. Officers were seen to use prior experiences with criminals to justify the targeting of these people and, in so doing, concealed a more general focus on the socially marginal, most notably the young and those from ethnic minority groups.

Like clothing style, the impact of suspect descriptions had a racialised dimension. It was clear that where suspects descriptions were less precise and close matches to the description were not possible, officers had greater latitude to initiate contact with members of the public. In these situations, general descriptions could be used to target specific people. The selective retention of some pieces of information in these calls from the public, most prominently the

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49 It is possible that the prevalence of cannabis possession among the groups targeted by the police may play a major role in higher arrest rate. While such a focus may result in a higher arrest rate, the value of those arrests in terms of harm reduction and addressing public concerns is questionable.
suspect's perceived race, could lead to more generalised suspicions about particular social groups and to biased police practices. In other words, descriptions were an important resource for the police, although there was evidence to suggest that calls for service were less important to stop and search in the study sites outside London. Overall, the police thought the quality of suspect descriptions was poor. The lack of specificity certainly supported more generalised patterns of targeting by the police and, given the importance of calls to service particularly in London, there would be a strong case for reforms to attempt to enhance the level of detail in descriptions (e.g. through the use of structured communications between call-handlers and victims/witnesses).
Chapter 8 — Categories and types

This chapter concentrates on the use of categorical signals by police and, as such, builds on some of the ideas put forward in the previous chapters about taken-for-granted social categories. The categorical signals found to be central to police decision-making tended to be identified through a person's physical appearance. Unlike the signals described in the last chapter, these appearances were bracketed into clearly recognisable ‘types’ that had a degree of permanence. In Goffman’s terms, these signals may be regarded as the aspects of an individual’s personal front that were relatively fixed and unlikely to change between interactions (1971). The linking of these categories to middle-order concepts (such as trouble or drugs), via an abductive mode of reasoning, enabled officers to draw inferences about social situations and to determine what action to take. There was clear scope for these processes to support stereotypical thinking whenever a person was likened to an assumed collective characteristic, and where it reduced cognitive uncertainty and promoted a routinised response (Glassner 1980; Ashworth 1979).

The chapter begins with the categories of vehicles that were seen to influence suspicions. There was evidence to suggest that the police concentrated on older vehicles, and on particular makes and models of car, because of an assumed link with crime. In some cases, the police focus involved a ‘conceptual shorthand’ which allowed them to target young people. The role of technology in traffic stops is then examined. Adopting a more holistic perspective, it will be argued that the introduction of scanning technology has had the effect of shifting the location of discretion rather than reducing it.

The second half of the chapter involves an extended discussion of the types of people subject to police suspicions. Six categories are highlighted. There was a clear and consistent focus on young people, which resulted in a high level of age disproportionality. Identifying a person as being young had a sensitising effect to the police, and an assumed characteristic of the young was that they would be ‘up to no good’ in a general sense. The effect of gender is then briefly discussed. There was a universal, unstated, and routinised focus on men. While women were stopped, being a woman generally had a normalising effect on suspicions. The police were also sometimes seen to respond to signals related to a person’s class status. It will be argued that notions of respectability were crucial in terms of demarking who was likely to be criminal. The chapter continues with a detailed discussion about the role of a person’s perceived race. ‘Being black’ was found to act as a pivotal signal in a small number of encounters, but more generally had a sensitising effect, in that it heightened police suspicions. Despite some evidence for differential police targeting, the police’s handling of encounters with people from minority ethnic groups was, overall, not found to be different from those with white people (with one clear exception). In general, officers were cautious when they talked about race and offending, although racist views were identified, which was notable given the general absence of racist language in police talk. The targeting of people who were ‘known’ is then examined. The ‘regulars’, those people regarded as habitual criminals and were instantly recognisable, had a special relation with the police. Encounters with the police were often prompted by a low level of evidence and, while the interactions could be antagonistic, the longstanding relationships that developed were multifaceted and ritualised. The chapter concludes with a brief discussion of a particular type of offender, namely the prostitute. Prostitution did not always result in a contact with the police, and tended to operate as a signal about the state of the neighbourhood. When stops were initiated they

30 This result contrasts with a recent US study, based on patrol observations, which found that suspect characteristics were not statistically associated with stops, although it did show non-behavioural suspicions were more common for black suspects (Dunham et al. 2005)
tended to be because of other specific signals being presented, and played out in ritualised ways.

**Categories of vehicles**

Vehicles were clearly compartmentalised by officers into a series of groups. In many cases, these groups were associated with criminality and would arouse suspicions. In this section, it will be argued that traffic-oriented police officers had developed a clear sense that various makes and models of vehicle, and older cars were inherently more suspicious. While some were linked because of recent experiences, particular types of car almost acted as proxy signals to enable specific social groups to be targeted. The section then discusses the role of new technology, which was seen to mark out individual vehicles as suspicious. This process of categorisation will be examined in terms of its implications for police discretion.

**Cars, crime and young people**

There were particular makes and types of cars that acted as important signals for suspicion for some officers. The signals that achieved significance were not, however, universal to all sites and were found to change over time. This variation was, in part, explained by the extent to which individual officers were motivated to stop cars and whether the BCU was, as an organisational unit, oriented towards traffic matters. The reason for these differences was not always clear from the fieldwork. Officers' knowledge about cars sometimes appeared to be regarded as an important competence, and their ability to spot cars could be seen as a craft skill. At an area level, there were issues about the local crime mix, the volume of emergency calls, and extent to which officers were encouraged to engage in vehicle stops. In almost all the sites, there were specific officers who were interested in cars, saw the value in stopping them, and who were, as a result, tuned in to categorical signals associated with vehicle.

Older models of car were occasionally seen to trigger suspicions through processes of typification and incongruence. There was certainly a suggestion from the official data that the police disproportionately stopped older cars. Examination of the national pilot data revealed that 50 per cent of all recorded traffic encounters were of vehicles registered between 1983/84 and 1988/89 (or at least 10 years old) (Quinton et al. 2000). In practice, other signals were, however, usually needed before the police decided to carry out a stop. There was a belief older cars were more likely to be involved in vehicle crime (see also Smith and Gray 1985): “It’s mainly old cars – and dodgy ones – which are stolen” (Obs/HL/L2). There was also a general issue about the extent to which cars matched the area, which was usually described by officers in terms of whether they were well-maintained: “Ropey looking cars – cars that don’t fit the area” (Obs/LC/N1). In Wrexham, the incongruence of a vehicle was articulated in more exact terms and triggered a specific set of suspicions. Cars that did not fit the ideal type were thought by officers to be most probably driven by drug dealers travelling to the area from Liverpool (see Obs/NW/L3/1 quoted on page 153).

The general focus on older vehicles, and on the associated physical signals of ‘scruffiness’, was likely to lead to a bias in police practices. Those who lived in more deprived areas and had a lower income may have been less likely to afford new cars and, thus, subject to higher levels of police surveillance. This process may be racialised because of the concentration of minority ethnic groups in areas of deprivation and lower socio-economic status groups.

During the national pilot, the Mini Metro achieved special significance amongst traffic-oriented officers. The car carried strong connotations with youth crime. It was perceived to be
easy to steal and, because of its small size, was seen to be preferred by young criminals.

Mainly Metros — they’re easy to get into and they are small so the young kids can see over the bonnet. We always get Metros stolen... (Obs/HL/L2)

For a few officers, their response was not based on a rational calculation about the Metro’s increased risk of theft amongst younger criminals. Their response was affective, and prompted by a typification that the drivers of Metros were troublemakers, and by a desire to exert control over particular social groups.

11.45. Almost stop [a] blue Metro because [the officers] don’t like Metros or blue cars more generally. ‘All the rubbish round here drive Metros,’ says [one officer] in way of explanation. Also because driver had baseball cap. ‘Not being stereotypical,’ jokes [the other]. See woman in back seat and decide not to stop it. (Obs/LC/L4)

The bearing of the Metro in the formation of officer suspicions was relatively short-lived. During the national pilot, the model of car was raised by officers during four different shifts, and triggered suspicions on four occasions (resulting in one stop). Three years later, during the observations for the second study, Metros were not talked about by the police at all, and rarely stopped in practice. An officer did become suspicious about a Metro on one occasion, but this was primarily a result of other, behavioural signals. While no other vehicle acquired a similar symbolic status over the three years, the Metro’s absence from police talk illustrated how signalling and framing can adapt to changing circumstances. A longitudinal study would be better able to address the question of adaptation over time, although it is likely that police interpretations of the social world will be sustained or discarded through experience.

Moreover, there is a related issue of how the physical presence of signals upon which officers might form suspicions are affected by wider social and political processes (such as patterns of consumption and the economic fortunes of Rover who used to make the car).

Other makes and models of car were mentioned by officers during the fieldwork, but with less frequency, coherence and strength in terms of what they signalled. One officer, for example, said he focused on a particular high-powered sports car (the Subaru Impreza) because it was “used a lot for ram-raiding” (Obs/LC/N1). Conversely, some cars had a normalising effect on officer suspicions and were ‘trusted’ because of their reputation for safety and security: “There are some cars that just are never stolen — Saabs and Volvos” (Obs/CT/L4). In their study of policing in London in the early 1980s, Smith and Gray (1985) found that officers knew the makes and models of cars that were likely to be stolen, suggesting that the processes by which suspicions are formed may be fairly longstanding (if not the targets of suspicion).

New technology and discretion

In the vast majority of encounters observed during the fieldwork, suspiciousness was accomplished as a result of visual monitoring directly carried out by officers themselves (even when following a call from a member of the public). Discretion about whether a stop was initiated, and how that interaction played out, rested largely with the police officer who was situated in a particular social context. The use of an ANPR during two operations seen in Bournville suggested the increasing use of information technology might generate new forms of discretion, and could lead to different categorical signals being identified for vehicles. The

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51 The police datasets pointed to some localised differences in the sites. While less than one per cent of the 1,468 encounters in Sefton, where a vehicle was present, involved a Metro, they accounted for a much higher proportion in Bournville (almost nine per cent of the 519 recorded encounters), the location of the Longbridge car plant where Metros were once manufactured.
categorical signal that officers were seen to respond to was clear-cut and dichotomous. Cars resulted in an ANPR ‘hit’ — and were thus suspicious — or they did not. Suspicions were, therefore, achieved through a mechanised and relatively unmediated process of equivalence, and did not require any interpretation on the part of the officer. The signals were based on what the database flagged up, rather than what the officer saw.

The ANPR operations involved a camera, linked to an intelligence database, being trained on the registration plates of vehicles as they travelled along a road. If the ANPR got a ‘hit’ and identified a vehicle as being on the database, officers would be alerted who would then direct the vehicle towards a police cordon further down the road, where the vehicle was stopped and the driver questioned. With the exception of one motorists who drove off because they were banned from driving, the initiation of encounters followed a fixed and mechanical process. Officers, rather than identifying signals about cars, simply acted out a routinised process whenever a ‘hit’ was received. Because the operations were primarily about road safety and vehicle crime, most stops involved asking drivers about out-of-date road tax, vehicle documents, or registration details. The outcome of the encounter depended on the interaction between the police and the public, and whether those co-present helped maintain an orderly and ritualised exchange. The example below was typical of how encounters flowed.

17:00. The first vehicle is picked up by the ANPR and is pulled over. We go over to the car which is driven by middle-aged couple — the ANPR picked up on the tax disc. The owner claimed it was a recent purchase and the sergeant admits the information from the DVLA [Driver and Vehicle Licensing Agency] is sometimes a few weeks behind. The interaction was mainly standard questions about the car and ownership... The couple were fine and left to go. (Obs/WM/L3)

In theory, the officers could have ignored the ANPR, although, in practice, their discretion was relatively limited because of the set-up of the operation. This is not to say discretion did not feature in the initiation of encounters. The lag in the DVLA’s data in the above example suggested discretion had shifted from the front to the back of the stage (i.e. from the officers, to the database). Judgements to carry out a stop were based on what, and whose, data were linked to the ANPR. The observed operations relied on national datasets about vehicle registration and ownership that were fairly inclusive, although they could be have been linked to more selective databases containing police intelligence about ‘known’ offenders. The veracity of police intelligence, the use a particular datasets, and inclusion of a person’s details on a database would, thus, be critical in terms of whether a vehicle was flagged by the ANPR and, subsequently, stopped by the police.

While ANPR may be presented by the police as a part of more rational and scientific approach to policing that increases the scope for fair and efficient decision-making, information technology can lead to organisational continuity as well as change (Chan 2003). Discretion was not removed, but simply moved from the frontline to the back office. As Bittner previously noted in relation to regulation: “[N]ew rules do not restrict discretion, they simply shift its locus” (1980: 3). The role of technology also highlighted the systemic nature of police decision-making in that individual ‘decisions’ to stop a vehicle rested on a series of other decisions and choices made elsewhere (see Hawkins 1992). Moreover, the reliance on selective police intelligence could be self-perpetuating in that it may result in the ‘usual suspects’ being flagged, stopped, and further intelligence being gathered. The integrity of police databases, the extent to which data accurately reflect the offending population, and the independence of constables to decide when to enforce the law, may become higher profile issues as the use of new technology grows, and if it is subject to scrutiny.
Categories of people

In Chapter 6, the process of framing was seen largely to involve placing the social world into a series of taken-for-granted physical and socio-cultural categories in order to create cognitive simplifications. These simplifications, when applied to different groups of people, had a profound impact on police decision-making. In this extended section, the signalling and framing processes are examined in relation to the main social categories seen to generate and allay police suspicions. The main social cleavages were found to be a person’s perceived age, gender, social class, and race. The implications for targeting people according to their perceived racial background is discussed at length because of its centrality to debates on the use of stops and searches.

Being young

The idea that young men, particularly those from lower socio-economic groups, are subject to police targeting finds support in the evidence for this study. The police data on stops and searches showed that, in almost all cases, those aged 16-20 were most likely to be subject to police attention. However, younger teenagers (those under 16) made up a relatively small proportion of encounters. This pattern was most striking and consistent in recorded police searches, particularly in Bournville where the 16-20 age category were subject to 47 per cent of all searches (Figure 4). The picture for police stops was much less clear-cut (Figure 5 below). While those in their late teens remained the principal target, the age profile of those stopped was generally older and more varied (a possible by-product of traffic stops).

Figure 4 – The age profile of recorded searches (study sites)

Note: Police data on age were not available from Wrexham and South Notts for searches.
Comparisons between the police data and the Census showed that the police targeting of young men was disproportionate compared with those living in the local area. For the sites where age and gender data were both available, young men aged 16-24 were between five and 11 times more likely to be stopped or searched than their presence in the resident population would have suggested (see Table 9).

Table 9 - Age disproportionality (study sites)

<table>
<thead>
<tr>
<th>National pilot</th>
<th>Percentage of males aged 16-24</th>
<th>Disproportionality ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Population</td>
<td>Stops</td>
</tr>
<tr>
<td>Chapeltown</td>
<td>5.2</td>
<td>39.1</td>
</tr>
<tr>
<td>Greenwich</td>
<td>5.9</td>
<td>-</td>
</tr>
<tr>
<td>Hounslow</td>
<td>6.4</td>
<td>44</td>
</tr>
<tr>
<td>Ipswich</td>
<td>5.3</td>
<td>34.5</td>
</tr>
<tr>
<td>Leicester</td>
<td>9.1</td>
<td>41.4</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Phased implementation</th>
<th>Percentage of males aged 16-24</th>
<th>Disproportionality ratio</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Population</td>
<td>Stops</td>
</tr>
<tr>
<td>Bournville</td>
<td>8.4</td>
<td>49.1</td>
</tr>
<tr>
<td>Hackney</td>
<td>5.9</td>
<td>36.3</td>
</tr>
<tr>
<td>Sefton</td>
<td>4.9</td>
<td>55.1</td>
</tr>
</tbody>
</table>

Notes: Police data on age/gender were not available for Wrexham and South Notts. The person’s age was either an estimate made by the officer at the time of the encounter, or calculated from date variables. The source of the BCU resident population figures was the 2001 Census. Census data were only available for 16-24 year olds.

While the reasons for these disparities in the data were not clear, the fieldwork highlighted the police’s orientation toward the young. Age was found, in both the interviews and
observations, to be an important signal for officers in all sites. Many of the encounters during the fieldwork involved youths or ‘lads’ – those in their teens or early 20s. It was difficult, however, to discern precisely what ‘youthfulness’ signalled to officers and why it was necessarily suspicious (beyond vague notions of criminality and disorderliness). This was because the stopping of young people was a relatively frequent occurrence, and a widely accepted practice. Young people were simply worth stopping, and in relatively high numbers in the street population.

There was often a strong sense that young people were typically ‘up to no good’, and were likely to be engaged in disorderly or criminal conduct. This process of typification meant that closer scrutiny of the young was warranted regardless of whether any confirmatory signals were also present. There was some indication that ‘being young’ made someone generally suspicious and, without other signals, was insufficient to support more detailed interpretations. To this end, youth had a sensitising effect and drew the attention of police towards other signals that were interpreted as dubious.

A group of people hanging around or driving in a car – when coupled with youth – became a strong signal and were often noted by officers on patrol (but did not always result in a stop) (see also Rubinstein 1973). Young people in cars were potentially more significant to officers than those who were on foot. Several encounters were prompted by these signals (either on their own or because drink-driving was suspected as a result of other contextual factors): “I look for cars that have four young lads in them” (Obs/LC/N1). One officer even revealed he “hates [boy racers] with a passion” (Obs/NW/N2). In comparison, the archetypal stop involving a group of young people simply ‘hanging about’ was a rarity during the observations. Pedestrian stops tended to be initiated as a result of a call from the public (e.g. about teenagers trying car doors, taking drugs, or causing trouble). There were a small number of instances where the police were seen to interact with young people for order maintenance purposes, although they were largely prompted by behavioural signals (e.g. taking a road sign).

Only one encounter was observed to follow the ideal type in which suspicions fell on young people primarily because of their age. Even then, the stop was partly carried out for other reasons. For example, the officers wanted to demonstrate to the observer how recording affected the flow of an interaction, and believed robberies in the area were being committed by black teenagers on bikes. While ostensibly justified by the officers in terms of intelligence gathering, the lack of information garnered during the encounter suggested the purpose of the encounter was more about order maintenance.

16:30. As we approach a junction, we see a few youths on mountain bikes and as some of them are known to the police... They ask a couple of lads to come over to the car. They ask what they are up to and we're told: ‘Chilling’. The officers ask if they have been up to much and one lad says he is waiting for someone to give him some money that is owed to him. The officer jokes as to whether the money was a mobile phone or whether the person who owed them the money knew they were going to be robbed! (Obs/HK/N1/2)

There were several examples observed where the police were mindful of teenage groups, even though they did not stop them. As before, order maintenance seemed to be one of the main reasons for officers being suspicious, although their underlying logic was not always clearly articulated. In Chapeltown, for example, a detective asked a patrol car in the early morning to find three young men who were “taking a long time to walk from one place to another”. In response to the researcher’s question about why he thought they were “probably nicking cars”, the detective laughed and said it was a hunch (Obs/CT/N2).
Ideal typical examples of encounters involving young people were more common in police talk. In interview, officers often gave examples of stops and searches which involved teenagers. Their accounts, in some cases, revealed normative judgements about what was legitimate for a young person to do, where, and at what time: “Young lad, on wall, 2am. Should be at home — [must be] up to something” (Int/LC/14/R1). There was a suggestion in a few of the examples given by officers that their order maintenance would be used to enforce their normative expectations.

Two young school boys. [There had been] burglaries that day in area. They were not walking purposefully. They admitted truanting, said they were at shops previously for sweets. They turned out pockets and found cigarettes. Searches [were] not voluntary. [They were] acting suspiciously — ambling/dawdling. Reaction to search — ‘wry smiles’. They were checked on PNC and had previous conviction. (Int/CT/15/R1)

The way the officer described the search suggested it may have been unlawful because the grounds were, at best, weak. The police were likely to have initiated the encounter because the boys were thought to be ‘bunking off’ school. However, it was not clear how their behaviour (ambling) was associated with the local burglaries (the implied reason for the search), nor what the officers were expecting to find (the object of the search). Despite nothing being found, the fact the boys had previously committed an offence and were not sufficiently contrite, meant the search was justified from the officers’ perspective.

To some extent, all youths were seen as ‘fair game’ because they were available to be stopped — as with others who were regarded as ‘police property’ (Reiner 1992): “…[Y]oung people are out on the street more — they can’t go into places or drive because they are too young — so they hang out on street corners” (Obs/HL/L3). As a result, officers were tuned in to fairly subtle qualifying signals because, in practice, it would not be possible for all young people to be subjected to the same level of police attention. ‘Respectability’ was a key consideration for officers, a notion that was closely tied to views about the likelihood of the person being an offender. As one officer succinctly put it, he was not interested in all young people and only looked for “young lads who might be involved in crime” (Obs/HL/L2). The presence of other signals probably allowed officers to make such distinctions, although the data did not support strong conclusions.

As the above example illustrated, it was possible that demeanour (Black 1980; Reiss 1971; Rubinstein 1973) and symbols of class status (Goffman 1951) — such as politeness, manner of speech, and deference to authority — may have had a normalising effect on suspicions, and helped to create a ritualised interaction order amongst those co-present (Goffman 1983).

**Being female**

The specificity of the signals associated with gender were less clear-cut than with age, despite police suspicion being highly gendered and falling predominantly on men. While the police did stop women, suspicions were rarely prompted for ‘being female’. This finding is consistent with the work of Rubinstein (1973: 235): “The patrolman is also not likely to stop women on suspicion and does not look at them carefully or in the same way he does men”.

The police data showed that the proportion of encounters involving women was very low—ranging from seven to 14 per cent of stops, and four to seven per cent of searches across the sites (where gender details were available). During the observations, a few incidents took place where contact was initiated because a particular woman matched a suspect description (resemblance), or was wanted on warrant (equivalence). As discussed below, prostitution was a gendered signal, although it was not applied to women in any general sense, and only achieved significance where other signals confirmed the officer’s interpretative frame (e.g. being in a red-light district, standing on a street corner, wearing a short skirt). There was some indication that being a woman, or being with a woman, could have had a normalising effect. There was at least one example from the observations where a stop was considered by officers, but not instigated because the car contained a mixed group of people (rather than being all men).

**Being poor and undeserving**

The concept of ‘social class’ is contested and problematic but remains, at a symbolic level, an important influence on police practice. The idea of an underlying class structure that systematically shapes social action sits uncomfortably with a symbolic interactionist perspective which generally eschews *a priori* abstraction and, instead, sees society as being made up of a series of continually unfolding social exchanges. With such an analytical orientation, class is ‘beyond reach’ and unobservable in any concrete sense, and cannot be regarded as being self-evidently compelling (Rock 1979). Such a position does not deny the importance of status, power and influence within encounters, nor that patterns of social interaction can be sustained over time and can frame social action. While class may not be a ‘thing-in-itself’, it is possible to examine the processes through which signals about a person’s class status are expressed and responded to (Goffman 1951). As Goffman noted: “Status, a position, a social place is not a material thing, to be possessed and then displayed; it is a pattern of appropriate conduct, coherent, embellished and well articulated” (1971: 81).

In this sense, the notion of class has parallels with those associated with the sociological literature on consumption, occupational position, and cultural capital (for an overview of debates see Crompton 1999), and can be used as a sensitising concept deployed alongside other social categories (e.g. ethnicity and religion).

In general, the police tended to patrol and respond to calls from the public in areas of relative deprivation and/or with perceived crime problems. They also focused their attention on young people using public spaces, minority ethnic groups, old and ‘ropey’ cars with defects, people wearing scruffy clothing or sportswear. As such, many of the signals officers were seen to respond to related to people’s projected or perceived class status, the effect being that people in the lowest socio-economic groups were likely to be disproportionality targeted by the police (see also Rubinstein 1973). Except for the Job Centre example quoted in Chapter 7, there was no evidence to support the contention of some structuralist-Marxists that officers deliberately target people who appear to be from the lower working class in any social disciplinarian way (Choongh 1997). As with young people, the signals associated with class status were mediated by notions of respectability (as with Choongh’s (1997) concept of ‘worth’). Several officers, for example, were found to hold extremely strong opinions about who were ‘decent’ members of the working class (see also Smith and Gray 1985). Their views were reminiscent of Victorian notions of the ‘undeserving poor’ and the ‘criminal classes’ (see: Bailey 1993; Davis 1980) and the more recent idea of the ‘underclass’ (Murray 1999). Certainly, the ‘regulars’ who came into frequent contact with the police were usually

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52 Indeed, the police continue to recruit from people lower socio-economic groups.
poor, and regarded as habitual criminals. These people were regarded as being particularly troublesome. They were the ‘pukers’ (Ericson 1982) or the ‘assholes’ (Van Maanen 1978b). Those who were not deserving and indecent were dismissed by a small number of officers as “poo people doing poo things” (Obs/CT/L2) and as living in “toilet areas” (Obs/GW/N2).

The following extract illustrated that respectability was closely associated with people who were considered hard working, whereas the undeserving were those who lived off the welfare state.

‘[These elderly burglar victims are] respectable and decent people who’ve worked all their lives. People who have made a difference – not like the scum at the bottom-end, and the people living off the social. Not that all people on the social are not decent – just the ones who scrounge. If you’re a piece, you deserve to be treated like a piece of shit.’ (Obs/CT/L3)

Smith and Gray (1985) have argued that officers’ views about class partly stem from a sense of their own class status, since many would be regarded as a member of ‘respectable’ working or lower-middle classes, but may be keen to give the impression of ‘social distance’ from the disreputable.

**Being black**

Like social class, ‘race’ and individual racial categories are highly contested notions. In using such concepts, different races are not seen in essentialist terms. They are not regarded as ‘things-in-themselves’ that can be clearly and unequivocally differentiated on objective cultural or biological grounds. ‘Race’ is utilised in this thesis, instead, to denote a conceptual resource that is used to classify people according to perceptible – albeit imprecise and arbitrary – physical appearances. These social constructions were most commonly based on a person’s facial features and skin colour. The terminology of race has been adopted in relation to stop and search primarily because police decision-making involved social information being framed into fixed and pre-defined categories. Furthermore, the concept was instructive in terms of understanding people’s differential experiences of policing. ‘Ethnicity’ has been used more in reference to a person’s self-identity and their sense of belonging to a particular cultural group, although it has been recognised that such a notion is also problematic. In practice, race and ethnicity cannot be regarded as closed and immutable analytical categories. For example, people’s experience will have been mediated by their membership of other social groupings, whether perceived or otherwise (e.g. age, gender, social class). It is beyond the scope of this thesis to examine the conceptual issues regarding ‘race’ and ‘ethnicity’ in further detail as overviews of the literature are available (see Bowling and Phillips 2002).

The discussion that follows focuses on six key areas. To start, the fieldwork is contextualised. In particular, it must be recognised that wider social and political issues were likely to have had a bearing on the police practices, which were observed and talked about during the study. Then, an overview of the data is provided both in terms of the patterns in police recorded data, and in the prominence of racial signals identified during the interviews and observations. Third, there is an extended discussion about the small number of observed encounters where ‘being black’ was seemed to play a pivotal role in the decision to initiate contact. The next section briefly explores whether a person’s perceived race influenced how police handled an encounter, with a particular focus on a stop where its impact was most obvious. The discussion is then broadened to consider officers’ general views about different racial and ethnic groups in terms of their perceived involvement in crime. Finally, to conclude the section, there is a brief note about the use of racist language amongst the police and its implication for understanding police culture.
The Stephen Lawrence Inquiry and the surround

The fieldwork for the two Home Office studies, on which this thesis draws, was carried out in response to the SLI, which argued that disproportionality and the unfair targeting of ethnic minority groups had led to a lack of trust and confidence in the police (Macpherson 1999). The Inquiry and the media coverage it generated were emotive subjects for the officers in all the study sites, particularly those participating in the earlier national pilot, which was carried out shortly after the Inquiry's publication. While a small number of officers sympathised with Macpherson’s conclusions, many struggled to come to terms with the idea of ‘institutional racism’ (see also Foster et al. 2005). Many officers outside the Metropolitan Police were of the view that the Inquiry was only relevant to London, and that practices in their force were not racist. There was a common belief in all sites that the accusations of police racism made in the Inquiry report, and by people who were stopped, were unfair and caused the police to be more cautious in their approach. This was particularly the case in Greenwich, the borough of Stephen Lawrence’s murder, where the frontline’s cultural response was largely one of embattlement and bitterness (and of suspiciousness towards Home Office researchers). Across all sites it was often remarked that the number of searches had fallen because officers ‘feared being branded a racist’, and that crime would ‘soar’ as a result. That officers were claiming to be more reflective before initiating an encounter, prompted in part by the perception that the public were increasingly willing to complain, suggested the Inquiry had informed the surround – the wider social and political environment which provided the context for operational decision-making (see: Hawkins 2003; PK Manning 1992). Given the nature of police talk at the time, it can be concluded that changes in the surround were potentially more effective than legal rule-tightening in shaping officers’ practices (or at least their account of practices). Rather than directly constraining police action, the heightened political and social context most probably resulted in officers actively choosing to be constrained by the existing regulatory framework (or their understanding of it).

Race as a categorical signal

The recorded data were not particularly revealing as to the importance of race and ethnicity in the formation of suspicions. Because finely-grained ethnicity data were not available from the 2001 Census at a BCU level, it was not possible to assess the relative risks faced by different ethnic groups of being stopped or searched (i.e. disproportionality). Such analysis would not have been meaningful as it would have masked important local differences, and variation between minority groups. Without comparative data, only a basic overview of the police data was possible (Figures 6 and 7 below). As anticipated, the majority of recorded stops and searches in the study sites were of white people, and only a relatively small proportion involved people from minority ethnic groups. Hackney was a noteworthy exception. Unlike all other areas, most recorded stops and searches involved black people – 47 per cent of searches and 43 per cent of stops. This pattern was likely to be disproportionate even though Hackney had the highest non-white population of all the sites (41 per cent in total). Another important ethnic pattern evident in the data was that the proportion of searches involving black people was consistently higher than for stops, suggesting black people were subject to more intensive forms of policing.

53 Despite these claims, recorded crime and victimisation levels have declined nationally since 1995, and the evidence of the impact on stops and searches on crime is weak (see: Miller et al. 2000; Penzer 1999). It is not clear how other factors influenced officers’ ability to carry out searches (e.g. officer numbers and the reported increase in public calls for service).

54 At a BCU level, data from the 2001 Census were only available for ‘white’ and ‘non-white’ categories.
Figure 6 – The ethnic profile of recorded stops (study sites)

Note: The presented data are based on the 16+1 self-defined ethnicity classification. Data on either stops or searches were not available from Greenwich, Hounslow, or Leicester.

Figure 7 – The ethnic profile of recorded searches (study sites)

Note: The presented data are based on the 16+1 self-defined ethnicity classification. Data on either stops or searches were not available from Greenwich, Hounslow, or Leicester.

Analysis of the interviews and the observations revealed that, despite being highly charged issues for the officers, race remained a crucial (albeit relatively subtle) categorical signal in
decisions to initiate encounters with the public.\textsuperscript{55} This finding is especially noteworthy as the police were under scrutiny in an official research study, which would have had an inescapable Hawthorne effect. A person’s perceived race was observed to attract police attention and triggered suspicions even though they did not always result in a stop. As discussed, race was one of the most resonant signals associated with emergency calls for service, and was a principal classificatory device used to establish a person’s status as a suspect.

Quantifying the number of people from minority ethnic groups who were stopped or searched during the observations was problematic because of the difficulties, from a sociological standpoint, of defining a person’s race or membership of an ethnic group, and assessing who has been formally stopped by the police (especially in large groups). It was equally challenging to identify only those encounters where a person’s perceived ethnicity was the \textit{principal} reason for the encounter being initiated. Many stops and searches were observed involving people thought to be from minority ethnic groups. However, in the vast majority of cases, other signals were present which police were seen to respond to (although it is possible that officers may have been sensitised to these signals because of the person’s race). Nonetheless, race appeared to hold some shared, tacit meaning for officers. In one encounter from Ipswich, an officer spoke sternly to a group of three teenagers standing next to a car, because a “poor old boy” had had paint poured over his car the previous night. There was a shared and unsaid assumption that the first officer was thinking about the black teenager (through a process of resemblance), rather than the two white teenagers.

[Officer 1] wonders about the identity of one of them. ‘The black one?’ asks [Officer 2]. ‘Yes’ says [Officer 1]. (Obs/IP/L1)

It was possible Officer 2 may have recognised the black teenager from a previous contact, although there was no indication given that this was the case.

\textit{Race as a pivotal signal}

Three encounters were observed where ‘being black’ appeared to be a pivotal signal in deciding to initiate an encounter. Due to the controversy about the police targeting of ethnic minority groups, these encounters are described below in detail. In these examples, there was some ambiguity (at the very least) about whether there were any other signals present that might have prompted the officers to initiate contact instead of the person’s perceived race. It remains a possibility, however, that other signals were at play in the back-stage of the encounters which informed the police decision, but were not identified on by the observer.

The first stop, from Leicester, was the strongest illustration of race acting as a categorical signal. Taking place at night when the shift was quiet (which gave officers greater latitude), the driver’s race was identified by police early on in the lead-up to the traffic stop. The incident was of particular note because of the officer’s racist language, and the fact that being a “Rasta man” warranted closer inspection regardless of any other signals. The sergeant’s comment at the end of the encounter also suggested an awareness of the need to express rule-following behaviour, as well as a willingness to subvert it.

1.55. Follow blue Fiesta. ‘Rasta man, worth a look’, says [an officer]. Four in car. One white

\textsuperscript{55} The perceived race of the people stopped by the police was routinely recorded by observers using the structured pro-forma. Because of focus of the thesis on identifying police racism, the narrative accounts were less inclusive and tended to describe the appearance of people only from minority groups. Where no reference to race or ethnicity was made, the person stopped by the police was typically ‘white’.
woman, the others - black men all drinking. Have quick word with the driver: ‘Where are you
going? Where have you been? Have you been drinking?’... The sergeant jokes that they have
to fill in the form because of me, but they don’t. (Obs/LC/L4/7)

It was common practice in the city centre to stop cars late at night containing four or five
people. There was shared interpretative frame that the occupants were driving home after a
night out, and the driver might have been drinking (a process of typification). The Fiesta may
have been stopped by the police without the presence of a racial signal, although different
processes of signification may have been at play as suggested by the officer’s use of back­
stage language to describe ‘the absent’ (in Goffman’s (1971) terms).

The same officers may have initiated an encounter earlier in the shift on similar grounds.
While the car stop, which involved four young black men, was more open to interpretation,
the use of racist language in the later encounter at least raises the possibility that race may
have influenced the officers. After the stop, the officer said that “it was ‘lucky’ that they had
gone through the red light because he was going to stop them anyway” (Obs/LC/L4/5). The
official stop record simply described the reason for the encounter as a “check”.

The second example of race acting as a pivotal signal is taken from Ipswich and more open to
interpretation, with the role of race being a less clear-cut signal in the build-up to the
encounter.

We drive into a car parking area behind some flats. Two black men are parked, not in a space.
[Officer 1] stops and winds down his window. The driver does likewise. ‘Everything alright?’
asks [Officer 1]. ‘Yeah’ says the man in a strong Caribbean accent. ‘We’re just (chilling? I
can’t hear)’. He gives a big smile. ‘Do you live here?’ asks [Officer 1]. The man says his
friend does. No problem. ‘Okay just checking’, says [Officer 1]. ‘Okay’ says the man. [Officer
1] smiles at the man and we move off to turn around and go back past the men. The passenger
is now out of the car and stooped speaking to the driver though the doorway. ‘Love that
accent’, says [Officer 2] to [Officer 1] as we drive off. (Obs/IP/L1/4)

In other study sites (most notably Sefton and Chapeltown), vehicles found in car parks or
isolated areas tended to attract police attention because they signalled possible drug taking or
prostitution. These signals were less common in Ipswich, but could have been informed by
the officers’ decision to initiate contact. The early identification of the vehicle’s occupants as
black men - something that did not happen in the similar encounters - alerts us to the
possibility that race may have acted as a cue for action. The flow of the interaction was,
nonetheless, good-humoured, open, and not presumptive (unlike the Leicester example
above). The encounter could even be interpreted as a welfare check. The comment made after
the encounter about the occupants’ accents was, however, ambiguous. It was most likely to
be a well-intended remark, although without further information about its tone, could be
construed as being sarcastic.

The third encounter, again observed in Leicester, consisted of a search of three black men.
The prelude to the search, however, was not observed. While some inferences can be drawn
from officer accounts, conclusions about why the searches were carried out can only be
tentative. The incident took place late into a night shift after a busy period in which the police
had to deal with fairly extensive public order problems. A special operation was in place
(Operation Sandstorm) reportedly to deal with a rise in disorder and knife related violence
associated with the night-time economy. The operation had two elements. Additional officers
were brought in to saturate the area, and carry out high visibility patrols. A s60 authority had
also been granted, allowing officers to search anyone in the city centre between 5pm and 5am
without RS. Throughout the operation, a large number of searches were observed (at close quarters and from afar) often for fairly minor public order offences, rather than because possession of a knife was suspected (see Chapter 9 and Quinton et al. 2000).

We drive around. It is a lot quieter now – people have disappeared quickly. 3.10am. Call for service about a fight – we attend, but [we find] three young black men [already] being searched. There are about seven officers there... The sergeant later turns to me and says they were being searched because they were looking for trouble... 3.45 meal break. There is some bragging about who got arrests and how many PIs [search forms] had been done. [One officer] boasted that he did 12. The bragging was like yesterday – people who didn’t do any said they were busy doing other stuff (arrests, ferrying prisoners). [Another officer], a keen probationer talks about the search of the three black men: ‘They were staring me out, so I decided to search them’. (Obs/LC/N4)

The increasing lack of action, the large number of officers, the *laissez-faire* legal conditions, and an informal rivalry between officers seemed to foster an environment where signals achieved significance at a low threshold. It was not entirely clear what signals prompted officers to conduct the searches; perceived race may have been important, particularly given the absence of public order. Doubt can be cast over whether a actually fight took place, as initially indicated by the radio call. The explanations that the men were *looking* for action, and that the encounter had been instigated because a probationer had been *stared at*, both suggested no brawl had occurred. Thus, there remains scope for ‘being black’ to have acted as a categorical signal, although the lack of observational data does not support firm conclusions. Indeed, given the competitive atmosphere of the canteen, the probationer’s account should not be taken at face value. He may have been ‘playing to the audience’ in an attempt at the glorification of action, excitement, and the authoritarian aspects of his newfound role (Waddington 1999b).

A fourth example was also observed where race could *possibly* have played a role in the decision to initiate. An Asian man was stopped in a car at 1.25am and breath-tested. The rationale for the stop was unclear to the observer, and it was not known whether the officers were aware the driver was Asian before the stop was initiated: “I am a bit confused as to why [the car] is being pulled – I suspect it is because it is quiet” (Obs/LC/N2/1). It was feasible that in the absence of any other signals, the driver’s perceived race may have influenced the officers’ decision, although there was no concrete evidence either way.

**Race, heightened suspicions, and interaction**

In the other stops and searches that were observed involving people from minority ethnic groups, it was much harder to discern whether race was a signal to officers as other signals were also present, and played a more prominent role. The distinctiveness of individual encounters meant it was not possible to compare, with any level of validity, the thresholds at which people from different racial categories were stopped or searched. While ‘being black’ may have heightened officers’ suspicions and sensitised them towards other signals in some cases (see also: Holdaway 1983; Smith and Gray 1985; FitzGerald and Sibbitt 1997), it did not automatically mean a person was stopped.\(^5\) This was particularly the case in Chapeltown, where opportunities for officers to initiate contact were often not taken (possibly because of heightened community tensions or to avoid trouble).

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\(^5\) This conclusion was broadly supported by recent US research that found race did not statistically predict police stops, but showed officers were more likely to draw on non-behavioural cues when stopping people from ethnic minority groups, which was thought consistent with the idea that black people were more likely to be viewed with suspicion (Alpert et al. 2005).
[We] kept seeing [the] same groups of kids on the street and [the] same prostitutes on the same corners. No one [was] pulled over or stopped. Nothing suspicious as such, although I thought [the] officers could have spoken with the small groups quite easily if they had wanted. [They were] usually a couple of lads with hats on — black, some Asian. Very few white people around — apart from prostitutes — [which I] thought that was interesting in itself. (Obs/CT/Ll)

While a person’s perceived race may have heightened police suspicions, its role in affecting the nature and flow of the encounters was less clear-cut. In general, interactions between the police and people from ethnic minority groups were well-handled, and broadly similar to those involving white people (see also Norris et al. 1992). There was, however, one incident from Hackney where a person was possibly handled in a more violent way because he was black. Drunk, one of two men failed to comply with the officer’s instructions and was found in ‘contempt of cop’. While the officer ‘lost his cool’ with both men – highlighting the importance of emotions in policing – his reaction to the black man was more hostile (i.e. being pushed/slapped in the face). In the lead-up to the incident, the black man remained calm and polite compared with his older, white friend to whom the officer had to bark instructions repeatedly and hold back (because he approached the observer).

The black man then starts to wander back in the other direction [to the one he was ordered to follow]. [The officer] runs up to him and pins him against the wall. He is being pointed at aggressively, held with his chest, and being talked at sternly. I don’t hear exactly. I am surprised when [the officer] pushes the man’s chin back firmly – rather like a slap. He is then pushed in the direction he has to walk off in. (Obs/HK/N2)

While the uniqueness of the incident within the data precludes firm conclusions being made, the differential use of excess force suggested the person’s ‘blackness’ may have been an influence. It is worth noting that the style of policing in Hackney was more confrontational than in the other sites, with evidence of a culture of antagonism between the police and the black community. Furthermore, the police officer who was involved in the incident was perceived by the observer to be cold and aggressive in his approach at other times. Police records did not shine any further light on the situation. Despite the officers spending several minutes completing records at the time, only pre-coded reasons were entered into the police dataset: “to follow up call for service/info received” and “to investigate suspected crime/disorder/anti-social behaviour”.

With the exception of the Hackney example, encounters involving people from ethnic minorities were not generally found to play out in more negative ways than those involving white people. There were also instances where officers used discretion positively. For example, two Asian men were ‘let off’ with a verbal warning for reversing down a one-way street without their seatbelts on: “[The officer] tells me police discretion is very important” (Obs/LC/Ll/2). This was also evident in Hackney, despite its more confrontational policing style. Three Asian young men, who were found rolling a joint in a deserted car park, produced a bag of cannabis when they were asked if they had any drugs on them (Obs/HK/Ll/1). They were searched, but were not arrested because nothing else was found. The joint was subsequently thrown down the drain and the bag confiscated. The police records written afterwards provided a different version of the events, and gave accounts that disguised the use of a peace-keeping approach and how the drugs were disposed of (both of which might otherwise have been challenged by senior officers).

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57 Parallels can be drawn between this example and the beating of a suspect in the back of a police van described by Fielding (2006). His explanation for not reporting the incident captured the dilemma often experienced by observers who have to weigh-up the nature of the offence, the likelihood of successful disciplinary action, and the risk of fieldwork cooperation being withdrawn.

58 He later made an aside about “taking a claw hammer” to a distressed drunk woman who had been abusive to a receptionist at a police station. The remark was described by the observer as “disturbing and nasty” (Obs/HK/N2).
Subject seen with two others appeared to be passing something between them, there was a smell of cannabis, one had pack of Rizla paper in his hand. Searched – negative result.

Subject seen with two others rolling a joint, other male had a Rizla in his hand which he dropped, the tobacco and cannabis blew away. Male searched – nothing found.

There was no reference in the fieldnotes to what happened, subsequently, to the bag of cannabis that was confiscated by the officers.

Race and perceived criminality

There was some evidence from the fieldwork that, through a process of typification, different racial groups signalled different things to officers about criminality, both in terms of the perceived levels and patterns of offending.

In the interviews and observations, there were very few instances where officers thought people from minority groups were more criminal than white people (i.e. racial profiling). This finding stands in contrast to Smith and Gray’s study from the early 1980s, which found that stopping practices stemmed from “a tendency to assume that black people have committed crimes and that whoever has committed a crime must be black” (1985: 406).

There were, however, strong, negative views about gypsies in Ipswich, who were often blamed for crime in the area. Officers said gypsies were “responsible [for] a lot of vehicle crime, burglary” (Int/IP/25/R2) and “all the armed robbery” (Obs/IP/N2). Officer knowledge was seen to be self-validating on one occasion when a sergeant dismissed the need to search an area for items to steal petrol because “...the gypsies would not keep incriminating stuff at their address” (Obs/IP/N3). Beside some clumsiness and awkwardness, officers were usually careful in the language they used to describe different racial and ethnic groups. This was not always the case for gypsies: “‘Fucking gypsies’ says [the officer] making a spitting noise” (Obs/IP/L3). In Ipswich, Leicester and Hackney, they were referred to variously as ‘gyppos’, ‘pikeys’ and ‘do-as-you-likeys’. While negative comments were heard in some sites – and police discrimination against gypsies having been recognised as widespread (see, for example: Miller et al. 2007; and Waddington, 1999c) – negative views about gypsies were far from universal. Officers in Hounslow, for example, said a local gypsy site caused them no problems beyond littering.

In the second round of officer interviews for the national pilot, respondents were asked about the involvement of different ethnic groups in crime. Most were very cautious in their response and were at pains to contextualise their views (again in contrast to the officers quoted by Smith and Gray (1985: 405)). A very small number of officers implied there was a racial difference in overall offending levels, saying that, while young black men were likely to be commit robberies, white people were more engaged in disorder and anti-social behaviour (i.e. non-crime matters). One officer even suggested these differences, such as a predisposition towards violence, were determined by a person’s perceived race: “[It’s an] in-built thing – understanding violence will get you things” (Int/HL/15/R2). Despite an inescapable Hawthorne effect, one officer was particularly open about the typifications he held about different groups and nationalities in relation to offending, which revealed strongly racist views.

Afro-Caribbeans commit street robbery... Up town, most Nigerians commit fraud. [They come from] a corrupt country. [We get] lots of indecency from Kosovans. They think they are the dog’s bollocks when it comes to looks. Somalis come from the most violent country in
The majority of officers who discussed race and ethnicity as categorical signals did so with caution and in a more balanced way. They tended to talk about typical patterns of offending, rather than one group being inherently more criminal than another: “Offenders are from all walks of life” (Int/IP/6/R2). Overall, it was common for officers to talk about black men in terms of street robberies and, to a slightly lesser extent, drugs. White people were generally seen to be involved in a wider range of crime types, most usually public order, burglary and vehicle crime. There was a common view that these patterns reflected the suspect descriptions officers received from calls from the public (see Young 1994): “Whenever a robbery comes in, 90 per cent [of the time] you’ll be thinking it’s a black male because of the description and because you know who does robbery in the past” (Int/LC/21/R2). This extract suggested that prior experience may frame further expectations. An interview conducted in Hackney during the second study revealed that a local robbery problem committed by a group of black youths on bicycles, could result in officers being instructed to “go down to Dalston and, between those times, stop all IC3 [black] males on push bikes”, a practice the respondent thought could “alienate a lot of people” (Int/HK/16).

Negative typifications about Asians were much less common. Remarks during the observations perhaps pointed to Asian people being a signal of drug use (but not drink-driving).

You might see a car with four up in a car – four Asian lads in baseball caps. If you stop them you are likely to find a spliff. (Obs/LC/N2)

While the categorical signals related to perceived race were cited in all sites, there was some local variations. In Ipswich, racial differences were identified by officers, but there was no clear pattern overall. Robbery in Greenwich was generally seen as an ‘across the board’ problem, although there were often mentions of black street robbers. In Leicester, a couple of officers referred to Asians in relation to deception offences. It was more common for officers to talk about how involvement in crime along racial lines had changed over time or was area specific, which was probably because the BCU was divided into three local policing units with distinctive socio-demographic profiles. Officers from Chapeltown emphasised racial differences in offending patterns, again reflecting the area they policed. The top-end of the BCU was wealthy, white and perceived to be relatively crime-free. In the grittier and more ethnically diverse bottom-end, a few officers talked explicitly about black people being drug dealers and white people being drug users. There was a parallel with Rubinstein’s much earlier ethnographic work: “…[W]hen a patrolman sees a white person he does not know in a black neighbourhood, he thinks the person is there is buy drugs or sex” (1973: 263).

Many respondents were concerned their comments would be taken out of context, and displayed sensitivity when talking about differences out of fear their views would be misconstrued as racist. Many were careful to say their views were informed by experience, were based on intelligence, and that the patterns were not fixed and highly situated.

[There are] definitely [ethnic difference] although, with time, this has been diluted… In Peckham, it was mainly black men doing street robberies. But now it’s diluted to other groups – whites, Chinese. Burglaries were white drug youths. Whereas, in Woolwich, street robbers are mainly Somalian. There may be social reasons for this. (Int/GW/12/R2)

This extract showed a tendency amongst some officers to emphasise that there were racial patterns in crime, but that the relationship was not immutable or deterministic, and was
affected by wider social processes.

Changing language and culture

In line with Foster et al. (2005), racist language was generally found to be absent from police talk, which is markedly different to earlier policing studies. From the 1960s to early 1980s, research found that it was “normal, automatic, habitual” for racist language to be used (Smith and Gray 1985: 391; Rubinstein 1973) and that people from ethnic minorities were “usually described in derogatory terms – ‘coon’, ‘nig-nog’, ‘spade’, ‘black’, ‘razor blade’, ‘wog’, ‘animal’” (Holdaway 1983: 66). It is important to recognise, however, that public discourse on race and ethnicity may have started to change over this period, with a shift in focus away from Commonwealth migration towards: new arrivals from European accession states; politicised concerns about asylum seekers and illegal immigrants; and Islamist terrorism. Beyond a general awareness of these issues in a couple of sites, immigration status featured only once in the formation of an officer’s suspicions. It is notable that this occurred in Southport during the more recent set of observations. The area was reported to have a high level of seasonal migrant labour, and was close to Morecombe Bay where a group of Chinese immigrants were killed while working illegally as cockle-pickers.

We pass three African-looking people. [The officer] says that the older one can’t be on a work permit because of his age – he then realises what he has said and then says that he may not need a permit at all. (Obs/MS/L1)

While changes in officer language probably indicated police culture was not immune to transformation, it should be remembered that race remained a categorical signal that heightened officers’ suspicions. Some sites also appeared to be more resistant to cultural change, most notably Hackney where the policing style was more overtly confrontational.

[An officer] sees a group of black kids near the estate who he thinks are taking the wheels off a car... [He] realises it is their vehicle and so starts to walk back to the police car... There is another group on the estate who are shouting things to the police during all this — nothing offensive — just: ‘Here are the boys in blue’. Unnecessarily, the male officer shouts back: ‘We are in black and white, stupid’. And more quietly: ‘We are the Babylon’. (Obs/HK/N3)

Hackney officers were perhaps more inclined to stress a ‘them-and-us’ mentality, to view the police as an ‘occupying force’, and to use categorical signals to make generalisations with racist overtones.

[Officer 1] and [Officer 2] share a joke which involves them saying ‘I is the Babylon’ in a Jamaican accent. [Officer 1] also comments that there are going to be a lot of robberies tonight because there are people in the streets and getting ‘pissed up’. I think this comment may have been made because we just drove past two black men who were hanging about by a fence not too far from a pub. (Obs/HK/N3)

[The officer] noticed some lads with Afro-style hair. She said she couldn’t understand them growing it like that as it looked like a ‘microphone’. (Obs/HK/L3)

The local working culture in Hackney was, therefore, in line with the traditional view of police culture with its emphasis on prejudice, machismo, and isolation (see Reiner 1992).

Not all officers observed in Hackney adopted these traditional cultural lines. Although it is
difficult to generalise, the observation of one officer over several shifts with two colleagues pointed to a potentially important social process. There was some suggestion of 'cultural resonance', or echoing, between the officers. Each officer appeared to have developed their own preferred working style (Chatterton 1979; Fielding 1988) which conformed — to a greater or lesser extent — to one of the ideal types recognised in police culture (see Reiner 1992). These personal working styles, however, were not fixed personality types. Instead, they were expressions or roles that could be presented (or concealed), strategically, depending on the situation and the presence of other officers with similar (or divergent) working styles, in order for an officer to 'get on'. To use two hypothetical examples, a 'naturally quiet' friend might become more gregarious when socialising with family members, or an outspoken colleague may temper their views when speaking to their boss. Similar processes were seen to occur during the observations. When accompanied during the first shift by a likeminded colleague, with whom he shared a strong sense of social justice, the consistently observed officer acted like a 'bobby'. He was professional, relatively community-oriented, and keen to interact with the public (e.g. repeatedly saying 'good evening' to passers-by). When the same officer was paired for two shifts with the cold and aggressive 'enforcer' who used excessive force against a member of the public, he significantly played down his role as a 'bobby' and became more of a 'cynic'. Both officers, for example, made cynical comments and shared sarcastic jokes about colleagues and members of the public. Many of these comments were potentially attempts to defuse stress by exploiting any form of social difference (e.g. height, hair colour). While these asides were usually kept back-stage, there were a few examples made in the foreground that could have offended colleagues or the public. Nonetheless, the consistently observed officer remained more community-oriented than his cynical colleague, and did not entirely change his approach.

Being 'known' to the police

In the police we only stop shite... It doesn't matter whether it's black, white, green, purple... we do it because these people are shite and we only stop people who we think we're going to lock up. (Int/MS/5)

Recognising a person on the streets, and categorising him or her as someone who was 'known', was one of the most crucial signals in the formation of police suspicions, featuring strongly in both the observations and interviews. These encounters had an important 'biographical' quality in that they were based on personal histories, and an established and ongoing relationship between the suspect and the police (see Goffman 1968 on personal identity and biography). That said, despite the prominence of being known, it was ironic that some officers inverted this 'rule' in a way that meant police suspicions would, in effect, be all-encompassing: "Prior knowledge of a person [is] very important... [but] new faces encourage him to speak to them" (Int/LC/4/R1).

An important distinction needs to be drawn between those people who the police simply recognised from prior contact and assumed to be an offender, and 'regulars' who were regarded as habitual criminals and who had frequent contact with the police because they were inherently suspicious. There was evidence to suggest that police contact with regulars required a low evidential threshold, which could sometimes be regarded as harassment. The

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60 For example, he planned to challenge a detective colleague for supposedly failing to deal with an elderly burglary victim appropriately.
61 After the pushing incident, the 'bobby' joked that the 'enforcer' had said: 'Touch that, I'm going to fucking hit you' (Obs/HK/N2). This comment could be regarded as an ironic, informal gesture used by the officer to resist the more dominant working style of his colleague (for a theoretical discussion on power and resistance, see Foucault 1980).
regularity of contact between the police and those who were ‘known’ led to their interactions having a different character compared to other suspects. Communication was often fairly relaxed and informal, as both parties ‘knew the score’ and were familiar with the interaction ritual. At times, particularly when the frequency of contact was high or more assertive in nature, the interactions took on an altogether more antagonistic quality although still within accepted boundaries.

**Recognition and regulars**

Being known to the police was one of the most significant signals in decisions to stop or search. There were some differences in practice. Being recognised usually aroused suspicions and often triggered police action, but contact was not inevitable. As Rubinstein noted: “Often [the officer] just notes their passing, but they do not pass unnoticed” (1973: 185). Some officers, perhaps in a rehearsal of Code A, said they would not stop a person simply because they ‘knew’ him or her. This was evident in the observations, where ‘regulars’ were not stopped because:

- the officers thought it would not have any benefits;
- the person had not specifically done anything to warrant closer attention;
- other work had greater priority (e.g. a live call); and/or
- the officers were avoiding ‘trouble’ (see Norris 1989).

There were two groups of people who fell into the category of being ‘known’. The first group were those people who were recognised by the police, but their face or name could not be placed. The officers were unable to remember why they knew the person. This can be seen as a process of resemblance, but one in which the signal is ‘detached’ from its original point of reference. Officers were sometimes seen in custody suits staring at people who had been arrested, trying to recall if they had seen (or more probably arrested) the person before. Being recognised and not being remembered was not usually value-neutral. While they may previously have had contact as a victim, witness or in some other context, the officer often assumed they knew the person as an offender which meant they could be ‘nosey’ (see Smith and Gray 1985). A few encounters were observed where officers recognised someone after they had been stopped, which became a legitimate reason for questioning that person about their biography. The following exchange took place during an incident involving a search for a knife, even though other officers were handling the situation and had already spoken to, and searched, the suspect.

> ‘I know you, don’t I mate?’ asks [the officer]. ‘Yes’ says the man, ‘I know you’. ‘What’s your name then?’ asks [the officer]. The man does not answer. ‘Things alright then?’ asks [the officer]. ‘Alright.’ ‘What’s your name mate?’ asks [the officer] again. ‘Tony’ says the man. ‘Tony what?’ The man gives his surname and [the officer] uses the radio. I presume he is doing a name check. (Obs/GW/N2/1)

The ability to remember and correctly identify an offender was almost a test of an officer’s craft skills. The following interview extract, itself a ‘war story’ communicating police values (Shearing and Ericson 1991; Waddington 1999a), showed that the officer thought he had exercised good judgement because of the seriousness of the offender he recognised.

> I saw a male riding a bike towards me on the pavement. I thought I recognised his face, couldn’t remember where from, but there was definitely a recognition there. I asked him to stop and I asked him if I could have a word with him for a minute… I asked him if he minded telling me what it was [I knew him] for… He said he was arrested on suspicion of attempted
A couple of examples were observed where officers remembered people who were alleged, or later found, to be involved in serious crimes (e.g. murder, robbery). It is possible that these people were more likely to be remembered because of the high profile, and relative infrequency, of the case.

A second, more significant, category of people were those who were recognised as active offenders or ‘having previous’. These people tended to be stopped for biographical reasons. The presence of a known offender in a particular place would usually be noticed by the police, and often taken to be inherently suspicious. Their targeting was not usually questioned. They were ‘fair game’ and it was legitimate to ‘make their life difficult’ through order maintenance: “The more and more you bother them – they might eventually get the message and decide to give up” (Obs/HL/L4/L1). Even though officers received information about active offenders via shift briefings and the intelligence system, there was a strong sense in which recognition largely relied on an officer’s personal knowledge. Indeed, there were a couple of instances where officers actively looked for people with whom they had developed longstanding, personalised relationships (but who were not always known to other officers on the shift). In these situations, officers gave the impression they had a ‘score to settle’ with the person.

[The officer] wants to check on Jordan. He is a 13 year old, IC3 [black] male who is known for dealing. They had an incident 10 days ago when [the officer] tried to get him out a car and it was surrounded by 30 people – I sense some sort of ‘payback’. They always check on him apparently – he buys cars that have failed their MOTs for £20 and drives them around. (Obs/LC/L1)

The reliance on personal knowledge was crucial. Officers would develop person-specific frames through experience, and then apply them. There were strong and direct processes of resemblance and typification – officers were in no doubt about who they had seen. The person would be identified as resembling a ‘regular’, who had typical criminal motives. Officers had clear expectations about the offenders they knew in terms of what they would do, where they would be, and with who. Officers’ knowledge varied, but it was generally acknowledged as an important quality.

[The officer] explains that he doesn’t know many people in Central Area because he hasn’t been here for long and so he is less likely to stop people. He thinks that if you don’t know someone it is harder to stop them because you have no reason to think that they shouldn’t be somewhere. (Obs/LC/L2)

For many, the basis of their personal knowledge in ‘intelligence’ meant their suspicions were necessarily well-founded and legitimate. For the officer quoted below, there was a clear sense in which having intelligence on a person was, on its own, sufficient reason for a stop, and that the police’s role was simply to take action regardless of whether other signals were present. Intelligence about specific offenders had a strong framing effect.

[If someone keeps getting convicted of car crime and keeps being arrested for car crime we know that – that’s what they’re up to. At the end of the day, we look out for these people because that’s what our job is, you know, to stop them doing it and, if they’re going to do it, to catch them doing it. So, we know who we’re looking to stop, if you know what I mean. We just know the sort of people we might look for because we work in the area, it’s not a vast area, we know the people who are committing the crimes in our areas and, through the intelligence we get now, we know who’s doing what and where they’re doing it. (Int/WM/9)
The impression from other officers was that the presence of other cues would simply provide a stronger signal to officers: “Prolific night-time burglar – seen out late at night in an area not near home – search him every time” (Int/GW/3/R1).

Repeats contact and legal thresholds

Contact with regulars was not always instigated nor was it always about suspected criminal behaviour. The police did, however, have a very low threshold for action compared to other suspects. Because some officers deliberately ‘kept an eye on’ particular people, it meant that many of those ‘known’ to the police were under regular scrutiny, which could almost have been construed as harassment.

The search in the example below took place an hour and a half after a call from the public about two teenagers driving cars around a housing estate (Obs/HL/L4/l). Upon dispatch, the call held a strong resemblance with Mitch and his friend for the officers, because of taken-for-granted assumptions about their typical behaviour. The ambiguous call was understood because of the application of an offender-based frame: “[They] take old bangers – they don’t steal cars, but they take abandoned cars, so they can’t be arrested for theft”. The officers were frustrated in their efforts to locate the teenagers, although they were ‘proved right’ when a description was later received that matched Mitch. Much later, he was spotted by the officers and searched for ‘going equipped’. This search, and the reason given for it, were significant as there was no information in the initial report that any car had been stolen (only of reckless and fast driving), nor any indication that Mitch had anything on him at the time. The officers also implied that Mitch may have started to desist from crime.

As we drive along a relatively main road, [The officer] says that he thinks he sees Mitch walking down the road... ‘What have you been up to, Mitch?’ [The officer] is being quite short with Mitch – more direct than polite. ‘Nothing – just going to see a mate down here’. [The officer] points to the front of Mitch’s jacket: ‘What’s that, Mitch? Is it oil? Have you been fiddling around with cars?’ ‘No – it’s been on there ages’. ‘And what’s in there – got any screwdrivers or whatever?’ [The officer] points to the front pocket which is visibly bulging. ‘No – just my mobile phone and some change’. He pulls his phone up so it is visible. [The officer]: ‘I’m going to search you for going equipped’. ‘What for?’ [The second officer] rather forcefully: ‘Oh come on, Mitch – we know what you get up – or used to. We know what your history’s like – let him search you’. Mitch says that he is being harassed. [The officer] starts looking through Mitch’s pockets – he then puts down his jacket and trousers... Nothing is found.

While not completely clear-cut, the example alerts us to the possibility that people may find it difficult to escape police attention once they become ‘known’, and that reframing is unlikely because suspicions can be self-validating. Similar practices were evident in the US during the 1960s:

If he [the officer] arrested someone for being a drug user, that is sufficient to presume that the person continues to be one and should be stopped whenever and wherever he can. There is nothing this person needs to do to arouse the officer’s suspicions; he only has to appear.
(Rubinstein 1973: 226)

Officers suggested that, in the period before the SLI, ‘regulars’ would be subject to repeated and highly speculative searches. The following extract indicated this practice may have started to change partly because of rule-tightening around the use of voluntary searches.

In terms of stop/searching, to be perfectly honest it was a case of if you see a well-known baddie, then turn them over, particularly if they’re carrying a bag or something, search them.
Normally, at least attempting to do it, by consent – don’t worry too much about the grounds. That was a number of years ago. That started to change after two, three, four years. (Int/NT/7)

The time frame given by the officer, which placed the change before consent searches were made unlawful, perhaps also implied the influence of the SLI in the wider surround. Similarly, there was a suggestion from an example in Wrexham that the law prevented the police taking action, in spite of relevant signals.

19:30. We spot a vehicle known to be used by a local drug dealer... The officers get out and question the man who also gets out the car. He looked like a drug addict — gaunt... The officer saw at some point that [the woman with him] had a roll of money... [Afterwards, one officer said that before the changes to PACE] they would have searched him and his companion because they are known drug users and their manner indicates they probably had the drugs in their possession at the time. (Obs/NW/N3/2)

While the officer thought his suspicions were well-founded and that the law was an ‘ass’, the evidential standard required for a search had not altered. The 2003 version of Code A did, however, place greater emphasis on the need for grounds to be based on a range of factors, and for searches to be fair and proportionate. It was possible, therefore, that the officer’s decision field was not directly affected by rule-tightening, but by the perception of rule-tightening. The role of the third party observer should also not be ruled out as a potential trigger for the officer’s self-restraint.

There are, however, reasons to be sceptical about whether changes to officer practice were widespread. Several officers hinted that similar practices continued, but were made legitimate within the revised legal context: “There are certain people who... target criminals and, if we see them, we would do our level best to find grounds to search them...” (Int/NT/7). The active exploration for grounds, which might involve any signal being taken to confirm an officer’s interpretative frame of wrong-doing, could even be viewed as a weak form of ‘noble cause’ corruption whereby the means are justified by the ends (Newburn 1999).

Regulars and ritualised interaction

Despite the frequency with which the police stopped and searched the ‘regulars’, their interactions were far from being universally confrontational. Many were observed to be fairly casual, friendly, and good-humoured in character. On occasions, their informal nature did, however, mask potentially unlawful police practices which were accepted as being part of the ritual (e.g. weak grounds, non-compliant processes). The relaxed tone of many of the encounters was largely due to the level of familiarity between the officer and the suspect, which meant that the exchanges could follow an orderly pattern. The suspects seem to be aware of which officers would treat them fairly and, likewise, the police claimed to know which regulars were likely to ‘kick-off’. The interactions were, therefore, framed around a relatively clear set of expectations which helped them to proceed without embarrassment.

Local park 2pm - saw two lads sitting aimlessly... Spoke to them to find out why. Looked depressed. One known villain. Immediately my tone changed. Chatty. He knows he could get searched. (Int/LC/8/R1)

In the above extract, there was evidence that the situation was reframed by the officer once he realised who he was dealing with. The relationship between police and regulars meant that

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62 This is an informative expression in terms of the earlier discussion about people loitering, although it begs the question how someone can sit purposefully!
encounters between them acquired an air of predictability and orderliness. The observations
and interviews gave a clear impression that their interactions followed a routinised pattern
because the suspect 'knew the score' and the officer was able to anticipate what his or her
reaction would be: "I stopped a guy... [He's] regularly stopped, so he's okay anyway"
(Int/NW/12). A small number of encounters could even be described as mundane. They
seemed such a ordinary feature of everyday life that both teams appeared to be 'going
through the motions', thereby allowing the encounter to take on a normal appearance.

The driver is known... as a 'local baddie'. [The officer] says something like he wants to check
out the car. The man says that he knows that he's doing is his job and makes it clear he allows
[the officer] to proceed... [The officer] says sorry for causing any inconvenience, but the man
is understanding. We leave it at that. (Obs/NW/N2/4)

There appeared to be a shared, albeit tacit, understanding about what was acceptable within
the confines of the interaction. On the one hand, suspects would usually be treated fairly and
with good humour, if they were reasonably calm and cooperative, and did not try to evade
contact or blatantly break the law. Such behaviour was almost regarded as an affront to the
officer, and would have constituted an act of 'interactional vandalism' (Duneier and Molotch
1999). Similarly, being stopped by the police could lead to protestation if the contact was
thought to be unwarranted (or if the person had something to hide). There also appeared to be
awareness of how the boundaries to these interactions would be patrolled. Police had the
option of making an arrest or using force, while suspects could become more hostile or
challenge an officer's decisions (e.g. by walking away if they were not formally detained, or
claiming to know their rights).

The interactions between officers and 'known' offenders were seen to be rich and
multifaceted. Regulars were not simply people who the police were looking to stop, search
and arrest. To the police, they also signalled a potential resource in terms of intelligence.
Information was provided by the person on purpose, as part of a well-developed reciprocal
relationship, or could inadvertently be disclosed if they 'slipped up' during the interaction. As
discussed in detail in the previous chapter, the encounter with Jo in Merseyside was initiated
because she was 'known' and suspected of being wanted in warrant. However, different
frames were brought into play as the interaction played out, which saw her take the officer
back-stage to provide information. Aspects of the encounter also focused on Jo's welfare as a
drug user and as a victim of assault. In this light, her passing information could be seen as an
exchange for the officer's fairness and concern.

Some acts of reciprocity were potentially instrumental in character. After a search in the
following example, the officers indicated they used their discretion not to make an arrest. It
was possible their decision was a result of the intelligence they had been handed (although an
arrest was not a certainty for such a negligible amount of heroin, given the 'trouble' it would
cause in terms of paperwork).

Back in the car, [the officer] said that he had taken [one man] aside. He would not give
information in the presence of someone else. He had said: 'Are you going to search me here?'
which meant... he wanted to give information... [The man] gave him details of a make and
colour of car used by the 'scousers' [drug dealers from Merseyside]. They... could have
arrested [him] because there would be traces of heroin on the needles in the sharps' container,
but they did not want to do this. (Obs/NW/L3/6)

The exchange in the examples above both occurred back-stage and were ambiguous. It was
not clear whether information was simply passed to the officers on the shared understanding
that to do so was part of a ritual, or whether the terms of a ‘deal’ were negotiated.

**Antagonistic relationships**

The site with the strongest focus on known offenders was Southport, a faded seaside town in Sefton. The ‘regulars’ in Southport seemed to have more antagonistic relationships with police than those in other sites, presumably because of their intense and frequent contact with the police. Officers, as a result, were seen to adopt a more assertive and authoritarian tone during interactions.

To some extent, this antagonism could be explained by wider social processes that situated the police-public encounters. Southport was a small and self-contained area, and a popular retirement destination for pensioners. The officers concentrated their patrolling activities in the few streets around the seafront, shopping parade, and the small residential area immediately behind them. Because of town’s geography and the population mix, the local drug users who were ‘known’ to the police, were repeatedly seen each day and often stopped.

[The officers] say that, because the area is so small, they often see the same targets five, six times a shift. The person doesn’t get stopped each time, but may be stopped by three different officers. (Obs/MS/L1)

The closed geography, the older age of the day-time population, and the lack of emergency calls, meant suspicions were inevitably targeted towards a small pool of people. In turn, this process facilitated the development of more biographical stops than in other areas. The bottom-end of Chapeltown was a similarly closed area, but such encounters were seemingly less common. The context of perceived high crime, deprivation, and delicate community relations, all served to make officers more selective in their stop and search decisions (despite officers recognising people on patrol). Officers in larger, busier and more populace sites, most notably those in London, often had less time to focus on regulars. Police were still sometimes seen to target, or notice, known offenders, although generally in neighbourhoods the officers knew well. It was possible that the frequency and nature of the contact shaped the interaction rituals observed in these sites.

The following interaction with Noel exemplified the hostility shown towards the police in Sefton. Noel featured several times during the three-day observation period – more than any other member of the public. He was seen on patrol once, involved in two separate interactions with officers, and reportedly stopped getting out of a taxi by another officer. His name also appeared on the shift briefings, and officers were encouraged to stop him.

3.05pm. Down one of the small side streets there is a group of maybe five young men. A couple have got drinks in their hands and aren’t wearing tops. The officers recognise one as Noel – one of the people on the briefing – we pass the group and they start to disperse a bit. Noel starts to walk away down one of the side streets. The car pulls up next to him – and he starts to get annoyed: ‘Why are you always pulling me? Have you got nothing better to do?’ The officers ask him how he is and what he was doing with the other people – he says that they have no reason to stop him and that have just stopped him because they are bored. He comes across as being very pissed off and, whilst standing by the wall, moves around a fair bit. He ends up by saying he’s just had some breakfast. [One of the officers] asks where he’s been and Noel gives a road name. So [the officer] asks the name of the actual place, which Noel says. They ask him when he was last arrested – he says he was arrested for something he did eight months ago, but two weeks ago for something he didn’t do. They ask whether that

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63 Because of its size, Southport was probably most like a sector as described by Rubinstein in *City Police* (1973), where patrol officers could not fail to recognise people who regularly used the streets.
was to do with the thefts from hotel rooms - he says yes but that they know that's not his deal - he never did burglary and the heaviest thing he did was vehicles... Noel is asked about his address, and then asked to clarify it. He continues to say that he's not dependent on drugs anymore and just smokes cannabis which [one officer] says is fair enough. Noel asks abruptly whether he can go now... As he walks off he says again that they only stopped him because they were bored - 'That's all you've got' - which I think referred to the fact the police could only stop him and didn't have powers to do more. He walks off talking - he is still fairly pissed off with the officers, complaining about being stopped... As we leave [the officers] explain that the area they were in was a hotel area and that tied in with the intelligence they had and with his recent arrest. (Obs/MS/L1/1)

The interaction, which took place two hours into a quiet afternoon shift, was characterised by the direct probing on the part of the officers, and by Noel's annoyance at being stopped and questioned with such intensity. The officers' questions were structured around typifications they held about Noel's behaviour and intentions. Rather than challenge the officers' interpretation entirely, Noel was seen to play an active role in reinforcing the officers' view about him being an offender. He did not try to conceal that he was (or had been) a criminal, but tried to give the impression he would not get involved in the type of crime they were specifically interested in (i.e. signalling he used to steal cars, but was not a burglar or hard drug user). Such behaviour was found in the work of Goffman (1968) when he talked about stigmatised people reviewing their own 'moral career' as a means of elaborating particular aspects of their identity. Noel's was a subtle performance, apparently aimed at getting the officers to reframe the situation, so he was no longer a subject of their attentions. At the same time, the dramatic way in which Noel protested can be seen as a form of resistance. 'Playing to type' in this sense could be regarded as a way of frustrating the police, underlining the fact that they were powerless to take further action, and that he had potentially 'got one over them' by protesting too much. 'Playing to type' is similar to Goffman's (1971) notion of 'dramatic realization', which involved people adjusting their performance in line with the roles they were expected to perform within an orderly and ritualised interaction.

Being 'known' did not mean Noel was always stopped and questioned with the same level of intensity as above. Despite being mentioned on the shift briefing again, other officers had a very different exchange with him two days later. One of them ostensibly made a joke out the police car window. No attempt was made to gather intelligence or hold Noel to account. The deliberate (albeit jovial) gesture effectively acted as a form of order maintenance; a reminder to Noel that he had been seen, and that the police were able to interfere with his daily life. The comment also served to highlight the 'oddness' of Noel's behaviour.

Before we turn into a side road, we pass Noel again. The car slows down, and [one officer] winds down the window and says: 'Alright Noel? What you doing, taking your mug for a walk?' Noel is carrying a mug in his hand. (Obs/MS/L3)

Such comments can be regarded as 'conversational rituals' which were unique to encounters with regulars and, like other utterances which are meaningless on the surface (e.g. 'how are you?'), serve to mark and enact a particular social relationship (see Collins 2004). Such rituals were also observed elsewhere. A similar light-hearted comment was observed in Chapeltown which could be perceived as more direct attempt at surveillance: "And don't do any shop-lifting tonight!" (Obs/CT/L4). Indeed, fleeting and ostensibly friendly greetings were sometimes fabricated by the officers as a means of enabling closer scrutiny of a group: "The officers told me later they had wanted [to say 'hello' in order] to check if the boy who had threatened arson was amongst them" (Obs/NT/N2).
Being a prostitute

In the final section of this chapter, attention is focused on a particular category of offender – prostitutes – who were regularly acknowledged by the police, but not routinely stopped. While individual prostitutes were sometimes ‘known’ to the police and were occasionally stopped, the signals related to prostitution were recognised by the police in more general terms, and communicated that an area was run down and drugs were likely to be available. These signals tended to support pre-existing frames and expectations that officers held about particular locations.

Given the overt nature of street prostitution, there was evidence from the fieldwork to suggest that officers relied on other signals when deciding to initiate contact. These signals are discussed below, as is the ritualised nature of interaction of the encounters that were seen to be instigated.

Separating deviance from normality

Unsurprisingly, it was relatively easy for police to identify prostitutes who were working on the street. The signals intentionally given off by the prostitutes in order to attract ‘punters’ (e.g. attire, standing on a street corner) were also available to the officers to pick up on. Yet very few officers responded to these signals in the three sites that had visible red-light areas. Only officers in Chapeltown were seen to initiate interactions with sex workers and, even then, usually when there was little else happening (and potentially to demonstrate a stop to the observer). Prostitution or loitering was specifically indicated on 23 stop records – eight per cent of the 278 recorded encounters in Chapeltown involving women. There were a further 114 stop records where the reason for the encounter was vague (i.e. “location and behaviour”) and, in some case, may have been related to prostitution.

It was relatively difficult for officers on the beats making up the bottom-end of Chapeltown to separate deviance from normality. The area had a very active street life and open red-light district, and people were seen walking or driving throughout the day and night. One particular street was reported to be at the centre of the sex and drugs market and, at any one time, there were always several woman ‘touting for business’ on the corner of side streets. Incongruence became problematic for officers because it relied on signals of irregularity being discernible from background noise.

Things stand out more up the top-end – which is better. There are less people around. At the bottom-end, things going on are two-a-penny. (Obs/CT/L4)

Despite signals of ‘deviance’, the intensity with which the area was policed, and the widely held belief that prostitutes were all hard drug users, few encounters with prostitutes were actually observed (five stops involving six prostitutes). The usual signals of prostitution, situated in that particular local context, were not seen to be incongruent but were ‘normal’ and, in a sense, tolerated. Indeed, despite Chapeltown’s reputation as a problem area, it was the only site where no searches were observed. There was a sense among officers that more exciting jobs were available. Many held a pragmatic view that stopping or searching sex workers was ineffective. They were seemingly aware that response policing had its limits, and was unlikely to benefit the women or reduce the problems that were thought to be endemic. Tackling vice was also seen as the preserve of the proactive unit, who can be expected to have had different work practices and relied on different signals in the formation of their suspicions.
A divide between incongruent signals and background noise was still found in Chapeltown, but it operated on different thresholds to the other sites. Because of the situatedness of the signals, officers appeared to hone in on more specific cues that were ‘out of place’. Those who were stopped tended to be women the police thought were new to the area – they stood out because they were not recognised. There was also a suggestion that police spoke to prostitutes because that was something officers were supposed to do during their downtime, in order to maintain an interest and to practice their craft skills.

5.00am. We are driving along [street in red-light district]. [The officers] spot a prostitute (white). They compare notes – neither recognise her – they decide to stop and check her out. This appears to happen in part because they don’t recognise her, and they want to know who she is, and perhaps also because they routinely check on the occasional prostitute. (Obs/CT/N1)

Like other ‘regulars’, they too were often seen as a potential resource for intelligence: “[They] are worth stopping to find out who’s dealing heroin and who’s running the girls” (Obs/CT/L4). Stops were also initiated with prostitutes, not because they had been soliciting, but because they were identified – through a process of equivalence – to have broken some other ‘rule’ (i.e. they were wanted on warrant or in breach of their bail conditions).

8.50pm... PCs take careful note of the prostitutes who are working – they say that they try to get to know new faces but that things change quickly depending on who is wanted and where... [The officer] spots a prostitute who is in breach of bail... He asks whether she is on bail conditions – she says they start at 10pm. He thinks it’s 9.50. She seems a bit annoyed and says she can work for another hour. She walks off down road. (Obs/CT/L4)

Some officers were also tuned in to subtle behavioural signals, thought typical of prostitutes who were wanted on warrant: “Most just stand there, but one [or] two will move away” (Int/CT/13/R1).

**Tacit interaction rules**

While officers were seen to respond selectively to the signals associated with the prostitution, and initiated contact less frequently than they might have done, contact took on a highly ritualised and ordered form: “The girl knows the routine, and actually comes into the van without an invitation, but without any resistance from the officers” (Obs/CT/N1/3). The accounting processes also gave the impression of being highly routinised. “Prostitute stop check” was, for example, the only reason given on the single record seen to be completed for a prostitute. There appeared to be a set of ‘rules’ that were followed by both sets of players, including what was fair during an interaction. In the ‘breach of bail’ example above, both sides reacted as if the tacit rules had been broken. The police were allowed to stop the women and ask questions, as long as they did not interrupt business or ask about the woman’s pimp or drug dealer. Conversely, the women would be left alone if they did not cause concern to the residents or break the law in a blatant manner. These arrangements were mutually beneficial, and prevented conduct unbecoming of an orderly interaction. On the one hand, the informal deal seemed to provide officers with a steady source of information.

[The officer] wanted to see Sarah – she was good for ‘touting’. That meant that she was good for information – not in Chapeltown, but for people in Killingbeck. In terms of who was dealing heroin and who was running the girls. She was a user so would never say who was supplying or running her – but her sister had been destroyed by [heroin] and would give information on others. (Obs/CT/L3/1)
On the other hand, fair contact with the police gave the prostitutes a sense of kindness, shelter, and perhaps some hope of being treated with leniency in the future: "She is keen to get out of the cold for a moment, and perhaps also welcomes the chance for a friendly chat" (Obs/CT/N1/3). Some of the officers were concerned about the women’s welfare, and were observed to be sympathetic to their situation, taking the time to listen to their stories. This practice stood in contrast to Smith and Gray’s (1985) finding that police were generally reluctant to show sympathy and support, although tied to notions of who was deemed ‘deserving’ of it.

Summary of key points

This chapter has shown that categorical signals were at the heart of policing and the formation of police suspicions. Looking at the signals that achieved significance together, there was a clear focus on the socially marginalised. These cognitive simplifications were closely tied to notions of ‘respectability’ and being ‘out of order’. To some extent, the police targeting of these groups could almost be regarded as a moral enterprise because of the normative associations that were sometimes made by officers in terms of what members of the public should be expected to do. The consistent focus on police property brought into question the lawfulness of police practice, particularly against those people identified as habitual criminals, and who were repeatedly ‘turned over’ by the police. Their discredited status and the informality of their interactions with the police, however, meant the prospects of challenging police actions were minimal (and potentially highlights the importance of third party complaints reporting).

The targeting of young people was pervasive. The level of disproportionality identified in the police data for men aged 16-24, was at least as pronounced as it has been for black people at the national level. The political debates, and research literature, on stops and searches have tended to pay less attention to the targeting of young people. It was possible that the police’s focus on the young had greater surface validity, and was seemingly more justifiable because of the differential involvement of young men in crime and patterns of desistance. The emphasis placed on race disproportionality and police racism, however, may have disguised important interaction effects. Even though ‘being black’ was a pivotal signal in a small number of encounters and, on the whole, served to heighten police suspicions, the targeting of young men in itself was likely to contribute indirectly to race disproportionality because of the age profiles of different ethnic groups. This process was also likely to be compounded by a focus on deprived neighbourhoods, and patterns of social exclusion, which would affect the use of (policed) public spaces.

‘Being black’ was a complex signal to pin down, principally because of its implicit nature, the sensitivity of most officers to charges of racism, and the fact that the majority of police-public encounters were well-handled. From a methodological perspective, it was often difficult to discern precisely what relevance race had to police decision-making, relative to other factors. Suspicions were framed around multiple signals and there was often some other ‘reason’ for initiating contact. Moreover, as no two encounters were alike, it was not possible to make direct comparisons between those involving different ethnic groups in order to isolate the effect of race. Nonetheless, a person’s perceived race held some shared, tacit meaning for officers and appeared central in some decisions to carry out a stop. There was also some evidence of racism at a discursive level, although officers largely took greater care when talking about the involvement of ethnic minority groups in crime and avoided overt racist language.
Finally, throughout the chapter, the discussion has pointed towards the need to develop a more holistic understanding of police decision-making (see Hawkins 1992). The growing use of technology in traffic stops illustrated that a decision to stop a vehicle was influenced by a series of other decisions made elsewhere and at other times, and cannot be regarded as a single isolated choice. While technology gave the impression of decisions being scientific and rational, it concealed the exercise of discretion back-stage. From a systemic perspective, it was also possible to see how wider socio-political changes were brought to bear on police decision-making and discourse (e.g. the influence of the SLI on police culture), and how more strategic decisions to police different geographical areas could influence individual encounters with the public (e.g. the closed geography of Southport resulting in repeated contact with ‘regulars’).
Chapter 9 - Behaviour, interaction and information control

In their study of policing in London, Smith and Gray (1985) listed a series of signals that provided reasonable ground to officers. The signals included: odd driving, running or moving quickly away, aimlessness, following somebody, carrying valuable property, and walking around in the small hours. All the identified signals (with the exception of matching a suspect description) were based on a person's behaviour. The purpose of this chapter is to re-examine the role of behavioural cues in the formation of suspicions. Behaviour has not been defined solely in terms of those deeds or actions performed by suspects that were subject to surveillance by the police from afar. Behaviour within interactions - such as a person's demeanour - has also been discussed because they were found to have an important bearing on the staging and handling of face-to-face encounters.

The chapter has been divided into six sections. The first section examines disorderly and criminal behaviour. Perceptible acts of crime provided a strong signal to officers, but occurred rarely. It was more common for police to respond to acts of disorder which were almost regarded as an affront to police authority. In the absence of strong behavioural signals, the police were seen to respond to a loose set of cues that were highly situated and were used to make inferences about a person's criminal intent. Section two looks at the behavioural signals that were important to police during interactions. There was a widespread belief that criminals would attempt to conceal themselves and would, as a result, act furtively and attempt to lie. The chapter then builds on this theme by exploring the strategies used by the police to uncover such fabrications. It will be argued that a range of staging techniques were deployed by officers within interactions to 'see around' the presented self. The fourth section focuses on the importance of a suspect's demeanour within encounters. It will be argued that the signals officers detected in close-quarters helped them to build up expectations about the person they had stopped and, in doing so, framed the nature of the interaction. Section five explores, in detail, the staging techniques used by the police to control the information they gave off to suspects during interactions. These practices tended to involve withholding the reason for carrying out the stop, so as to disadvantage the suspect in the encounter. In the final section, the discussion is broadened to consider interaction signals from a methodological perspective, and the extent to which the police were actively engaged in strategies to stage-manage the information they presented to the observers.

Disorderly and criminal behaviour

People's behaviour - whether on foot or while driving - that was perceptibly criminal or disorderly was a strong signal in the formation of police suspicions. Many encounters were observed where someone had acted in a way that directly broke the law or an established social convention. In these circumstances, stops and searches were used by the police as a means of re-establishing order without immediately resorting to an arrest.

The purpose the opening section of this chapter is to describe the behavioural signals that triggered police suspicions. Suspicions related to driving, disorderly conduct, and criminal behaviour are examined in turn. There was a clear sense that the police tended to focus on signals that automatically constituted an offence or was regarded as a direct challenge to their status. In general, however, it was difficult to draw out precisely the behavioural cues that signalled criminality to officers. Often the signals were highly situated in that they were

A recent US study found 'behaviour' prompted 66 per cent of stops (the most frequent reason cited by officers), but second behind 'information' in the priority reportedly given it by officers (Dunham et al. 2005).
linked to specific locations or people. Instead, the police were seen to rely on a broader array of social information, from which inferences were made about a person's criminal intentions.

**Suspicious driving**

Officers talked about, and were seen to draw on, a wide array of behavioural signals when deciding to stop a vehicle. As with physical signals related to vehicles, many of the cues officers responded to were traffic offences which reached significance, almost immediately, through a process of equivalence. Driving above the speed limit, jumping a red light, performing an illegal manoeuvre, and not wearing seatbelts were often, but not always, triggers for police action. Officers' willingness to 'tug' cars as a result of one of these behaviours depended on: how busy officers claimed to be; their orientation towards traffic enforcement (see also Rubinstein 1973); and whether a stop was worth the 'trouble'. In a small number of cases, the police avoided more focused interactions by using another method of order maintenance (e.g. putting the sirens on, pointing at the driver, or shouting a warning).

Officers across all the sites were probably more inclined to stop vehicles where the behaviour of the driver signalled drink-driving, and generally appeared to prize arrests for 'being over the limit' above other traffic-related matters. Any pattern of driving not judged to be 'normal' was taken to denote the driver may have been drunk, including: driving too fast or slow; taking excessive care at junctions; swerving; failing to put headlights on; and not indicating correctly. It is ironic, however, to note that self-report studies have suggested the breaking of traffic laws is fairly widespread[^65], highlighting the potential for enforcement practices to be highly selective. The behavioural signals that attracted officer attention were usually highly contextualised. The strength of the signals tended to be amplified late at night, particularly on the outskirts of a city centre, as they were taken to mean the driver was going home after an evening out. Suspicions were further aroused if a group of young people were in the car, despite officers knowing about the widespread practice of picking a 'nominated driver' to remain sober. With this exception, suspicions about drink-driving tended to be fairly accurate. Encounters would usually involve a confirmatory strategy being deployed with, for example, a driver's breath being covertly smelt and a breath-test administered. The officers' suspicions were mostly 'correct' in that the driver often said they had been drinking. Many drivers also failed the test, although not failing did not mean, to officers, they suspicions were 'wrong'.

Not all vehicle-related behaviour signalled a traffic matter. Particular behaviours, in the right context, were taken by police as a clear signal of drug taking or prostitution. On several occasions, occupied vehicles were seen parked after dark in secluded areas, such as an empty car park or recreational area. The cars were always stopped, with officers tending to think those inside were using drugs.[^66] Once officers had initiated contact, they would look for confirmatory signals to validate their interpretive frame (e.g. cannabis smell, foil, paraphernalia). In the observed examples, police suspicions were not always well-founded. Only one stop resulted in cannabis being found. A group of Pakistan-born teenagers, stopped because they were parked in a place "notorious for prostitutes and drug takers", were actually there to drink alcohol because their parents did not approve of drinking at home: "Is that all you're doing? ... Well, I can't see anything else in there" (Obs/CT/L3/4). The record of the

[^65]: A survey of 1,264 motorists for *Which Car?* from March 2008 (design unknown) reportedly found that 75 per cent of respondents sped occasionally, and 16 per cent did so all the time (Groombidge 2008).

[^66]: In Chapeltown, people were assumed to go to one particular car park for sex, like the amorous 'parkers' in Ericson's (1982) study.
encounter in the police dataset implied the reason for the stop was traffic-related: "HORT/l". While a 'producer' was issued, the official reason for the stop could be interpreted as an attempt by the officer to present a seamless version of events, and as a positive use of discretion. After all, the teenagers, who the officer suspected were from a "strict caste", were nervous about their parents finding out they had been stopped.

Officers sometimes mentioned that a man seen driving on his own, in the right context, signalled that he was kerb-crawler: "Where [I] work [is] bad for vice. So one male driving around aimlessly looks suspicious" (Int/LC/7/R1). During the observations, suspicions were seen to be aroused once by this signal, although no stops were initiated.

There was evidence to suggest the signals associated with the behaviour in vehicles were so inclusive they gave officers license to carry out traffic stops almost at will. Indeed, a single lapse of concentration or momentary loss of control by a driver could be taken as a means of discrediting the driver's performance (see Goffman 1971). At one end of the spectrum, officers were seen to be tuned in to performances that were overt and direct expressions of 'deviance' by picking up on signals intended for a different audience: "[T]axis with black flags in the back were ones which were willing to carry dealers around" (Obs/CT/N3). At the other end of the spectrum, traffic stops could be initiated in the absence of any discernible signals, with assumptions about a driver’s intent being inferred from the context and ideas about the normative order: "I thought he was going to pull out in front of me at first... He didn’t have any direction” (Obs/IP/L1/4).

**Disorderly behaviour**

Acts of anti-social behaviour were seen as inherently suspicious by officers through a process of equivalence, and sometimes resulted in a stop or informal warning. Common signals included breaches of local byelaws (e.g. street drinking), inappropriate behaviour (e.g. jumping over roadside barriers), acts of aggression or hostility (e.g. being "gobby") and challenging the authority of the police (e.g. making pig noises).

The observations of the s60 operation in Leicester highlighted the importance of signals of disorderly behaviour in police practice. The relatively small number of searches observed during the operation were all because public order incidents had been noticed by police. While the s60 authorisation had ostensibly been sought to allow officers to search people for offensive weapons because of a reported increase in knife crime, there was limited evidence to suggest searches were carried out for that express purpose. Decisions to carry out a search tended to be based, instead, more on signals of disorder and general demeanour. Threats of violence, abusive behaviour, and acts of criminal damage were key triggers, and those responsible were put in the back of the van to be searched.

[The officers] say that it doesn’t look like a fight and that the man is just drunk – so they won’t pull him. Then the man kicks security barrier of a shop – ‘Right we’ll have him for drunk and disorderly’. (Obs/LC/N4/2)

Officers were selective in their use of searches, and predominantly used the power when a person’s behaviour fell short of an arrestable offence: "[P]eople who aren’t worth pulling “cause they haven’t done enough” (Obs/LC/N4). Their inevitable focus on low level public order incidents, seen as a legitimate use of the power, was reflected in officers’ talk about s60 searches. In response to a question from the observer about how he decided who to search,

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67 The colloquial name given to a HORT/l form that required a person to 'produce' his/her vehicle documents at a police station.
the officer implied that searches were used as an act of censure against behaviour that was regarded as an affront.

You don't search everyday people — you don't want to cause them any bother... You don't want to wind people up - so you're going to search people out for a spot of bother — people who are shouting out: 'Fucking wanker'. (Obs/LC/N4)

There was some evidence to suggest searches were also specifically carried out as a response to signals of insubordination - direct challenges to the status and authority of the police. In one example, a drunk man who shouted, “I’m going to bust you” at the police van, was initially threatened with arrest, but was only searched by officers because he showed sufficient levels of contrition: “I’m really sorry officer. I was really out of order - I’m sorry — I don’t want to ruin anyone’s night” (Obs/LC/N3/3). The idea that people who challenged or failed to respect police authority were held to be in ‘contempt of cop’ is well-established in the literature (see: Black 1980; Reiss 1971; Waddington 1999b).

Overall, the targeting of the s60 searches was poor at an individual level, and largely used for order maintenance purposes. The nature of the signals that prompted police actions during the operation are a particular concern given that 30 per cent of all recorded searches in Leicester during the study period were carried out under s60 - a much higher proportion than any other site.

**Criminal behaviour**

Compared to signals of disorder, coherent signals relating to criminal behaviour tended to be harder to discern. Many officers talked about these signals in general, abstract terms. They often talked about a particular activity signalling criminality because it had been flagged up in recent intelligence reports. Robbers using pedal bikes as means of getaway was one of the more defined examples offered by some officers. During the interviews, the strongest signal for the police was a person passing a package over to someone, throwing an item away, or hiding something. Situated in an area known for drugs, these were taken as direct and unquestionable signals that a person was either a dealer or a user and should, therefore, be stopped. The following description of a plain clothes operation on a crack house was notable because of the strength and directness of the signalling and framing processes.

We watched the occupant come from his flat, it looked like a drugs deal went on with two [people in a car]... ’You’ve been seen coming from a known crack address, I witnessed you talking to the male occupant, it looked as though you sold something or bought something, I’m going to search you for drugs.’ ...[A] strip search was authorised back here in custody... and I found a small piece of what looked like crack. (Int/HK/15)

This account was relatively unusual because it contained specific behavioural signals unlike most of those examples provided in the interviews.

Even the accounts of recent encounters officers gave during the interviews contained imprecise and multi-channelled suspicions. One officer, for example, talked about a vehicle crime initiative on a housing estate in Leicester (Int/LC/2). He had searched a ‘regular’ for items for going equipped because they were “acting suspiciously”. Despite the operation’s focus, the officer “thought burglary”. However, drugs were found on the suspect which resulted in an arrest. The officer said he also “expected drugs” and would have had sufficient grounds to search for drugs “even if [the suspect] hadn’t been seen around cars”. Despite the fuzziness of the officer’s account and the imprecision of the signals, the written record
presented a more coherent picture: “Behaviour of associate in veh around parked veh and unattended veh in area of high veh crime”. It was possible that recall issues may have affected the officer’s account during the interview, or that he had reframed the encounter, after the event, to focus more on drugs in order to provide a stronger justification for his action.\(^{(6)}\)

In contrast, the observed stops and searches based on behaviour tended to be grounded in very specific behavioural patterns. During the patrols, it was more common to see suspicions formed as a result of resemblance (rather than equivalence). For example, in Sefton, two men were stopped on different occasions because they were seen late at night in areas ‘known’ for burglary while carrying, what was referred to locally as, a ‘burglar’s handbag’. The full bin-liner resembled the archetypal ‘bag of swag’.

Many of the behavioural signals - like the carrying of bin-liners - gained significance because of the highly situated nature. As Rubinstein (1973) highlighted in his study of the Philadelphia Police Department in the 1960s, officers had to acquire a sophisticated territorial knowledge - particularly discerning ‘bad spots’ from ‘good places’ - in order to identify behaviour as suspicious. A person walking out of a house was not inherently suspicious, unless the address was known for drug dealing. Such behaviour, which gained its signal value by virtue of its location, was used by officers to justify a drugs search (although there were no specific markers in the quoted example to indicate the man was likely to be in possession of cannabis the officer eventually found).

20:00. [The officer] points out a flat of a known drug dealer. As we talk, a figure comes out of the flat says goodbye to someone within and then scurries along the walkway and down the stairs. There is a pause, [the officer] says something about having just done a deal...

(Obs/IP/L3/1)

The situated nature of behavioural signals related to criminality was also seen to have a biographical quality, in that they could be person-specific. Behaviours were seen to generate suspicions because they were related to particular individuals.

At about 2.40, [the officers] stopped and searched two young men who were walking down a road, one of whom appeared to have a clenched hand. They told him [Man 1] that they suspected he was hiding drugs in his hand (he wasn’t)... Both were known drug users. Man 1 had a sharps’ container in his pocket. (Obs/NW/L3/6)

If an ‘ordinary’ citizen was seen in this scenario instead, it is unlikely to have held any meaning with officers. The clenched fist invited officers to follow a particular course of action. It signalled to them – however weakly – that the normal appearance of the drug user was discreditable. The principal reason for the search was because the man ‘had previous’. The officers’ actions were most probably unlawful. There was nothing to indicate the man was specifically holding drugs and, even if there were sufficient grounds, only a search of one of the men’s hands would have been justified.

Behavioural signals situated in the right context usually triggered police action, although some officers were sceptical about what a search could achieve. In Chapeltown and Hackney, there was a suggestion that drug deals and robberies were carried out in a way so that officers could not find anything.

\(^{(6)}\) There were reasons to suppose the search was unlawful beside the weakness of the grounds. The search record revealed drugs were found in the nearby car. The reasons for searching that car was unclear, when the signals pointed towards the man. Code A stated that the extent of a search must be limited to what was suspected by the officer which, in this case, would have been the person, as a suspected thief.
He said that in the bottom-end you get a lot of people waiting in the shops near the [red-light district] for deals. Once they get a call they go up to [name of street] to do the deal. They don't carry much on them. If you search them, they won't have anything on them. If they did, it would only be enough for possession. (Obs/CT/L4)

While such a viewpoint may be 'wise', it can also be regarded as cynical and one that justified the pervasiveness of police suspicions on the basis officers need not find anything to claim their interpretation of the signals was correct. A similar comment was mentioned by one officer in Bourneville. The officers said it was “fairly pointless” searching a suspected drug user “because, invariably, drugs would be secreted somewhere secure” or would already have been taken (Obs/WM/N1). Such logic was immune to question, and would have reinforced officers’ beliefs that their suspicions were right.

**Signals of criminal intent**

Given that officers used signals to decide whether someone was engaged in criminal activity and, at the same time, whether that person was actually carrying something prohibited, suggested that the focus of police suspicions encompassed motivation as well as practice.

Officers were also seen to respond to a looser set of behavioural signals that, once framed, indicated, in a more general sense, that someone might be criminal or deviant. It was relatively common for officers to observe a pattern of behaviour, and to make broad and unsubstantiated inferences about a person’s intentions or ‘projects of action’ (Goffman 1972). As Rubinstein noted in his earlier US ethnography: “The patrolman believes he learns something about [people’s] inclinations just by watching them” (1973: 245 emphasis added). Minor infringements could be taken as a signal of something potentially more serious. “At about 1.15am, [the officer] stopped... a boy in his late teens who was riding a bike with no lights... [and] explained that he could have been deliberately trying not to be seen” (Obs/NT/N1/2).

Ironically, the absence of any discernable behaviour was regarded by the police as worthy of their attention. Officers often talked about people who were hanging around or walking aimlessly as arousing suspicions.

> You can tell what people are doing at this time of day. You can see the people going down the road to the shop. They walk with purpose – they don’t hang around. (Obs/HL/L2)

In this example, as seen above, a person did not simply stand out through incongruence. While police may have been uncertain about what the person was doing, the lack of purpose meant they were probably ‘up to no good’. Loitering, for example, was thought typical of a burglar or thief. Sometimes the interplay of other signals was seen to be important such as a person’s perceived race and proximity to a vehicle: “[The officer] says that the young black man nearby was fine too – but, if he was standing near some sort of car, that would be different” (Obs/WM/N2). In this example, being next to the car would render the black man as ‘matter out of place’ (Douglas 1966). The inclusiveness of suspicions meant, however, officers could elect to read almost any behaviour that stood out as a signal of criminal intent, through a form of abductive logic. One man, seen in a car park rubbing a vehicle down with a cloth, was stopped by the police: “That’s odd – is he wiping his fingerprints off?” (Int/NT/8). Invariably, these types of signals had to be seen in the right context for them to gain significance. The signals tended to be enhanced — and were more likely to prompt an
encounter – if they were observed late at night\(^69\) and/or near a perceived crime hotspot.

While officers often believed a person’s behaviour could reveal hidden criminal intentions, they also had to be alert to the possibility that seemingly criminal or disorderly behaviour might not be all that it seemed. There were a small number of examples where the police had to decide whether someone was behaving in a deviant way or just putting on an act. In one particular example from Leicester, the police noticed what was thought to be a drunken brawl across the other side of the street. The city centre night-time economy and the frequency with which such fights occurred meant the officers initially adopted a ‘public order’ frame. It soon became clear, however, that the behaviour of those involved was keyed and that they were only pretending to fight.

As we drive around, there are a couple of ‘play fights’ which attract [the police’s] attention until it is obvious that it just friends ‘being stupid’. [The officers] said that people get quite distressed by seeing people mucking around in that way because they don’t realise what they are doing. (Obs/LC3/N3)

What was notable about this example was that the decision to initiate an encounter hinged on the perceived intent of those participating in the fight. These signals were presumably absent, and possibly substituted by normalising cues, such as punches being pulled and a lack of aggression or pain. The officer’s comments during the incident were interesting because they attempted to differentiate police from bystanders, and marked out their awareness of behavioural subtleties as being highly skilful. Goffman (1972) made a similar point, arguing that those with formal responsibility for social control were unlikely to react with alarm to warning signals in the same way others might.

Concealment and ‘real’ intentions

How someone reacted under surveillance was often thought by the police to reveal a person’s ‘real’ intentions. Most officers were attuned to the possibility that members of the public, and particularly criminals, would try to stage-manage the information they gave off about themselves. As Goffman previously noted, a person “may come to feel that normal appearances are the most suspect appearances of all” (1972: 328). The police tended to believe they could work out whether a person was trying to conceal social information, and present a normal appearance, by how successful a person was monitoring their own actions. Officers were seen to draw conclusions about someone’s ‘true’ inclinations from a series of behavioural cues (furtiveness) and verbal cues (lying), which were manifested through interaction.

Furtiveness

The view that a criminal would be furtive in the presence of an officer was widespread, although it was rarely seen to occur during the observations. The behavioural signals that suggested someone was being secretive were fairly imprecise in that they implied someone was ‘up to no good’ in a general sense, rather being engaged in specific criminal act. Moreover, the signals were sometimes contradictory and all-inclusive in the sense that any behaviour could almost have been regarded as suspicious. Both looking at, and looking away, from the police were, at different times, regarded as furtive. Despite its broad and imprecise nature, a number of concrete examples of furtiveness were identified. First, suspected street

\(^69\) While officers talked about crime being committed at night, the relevance of time was as much about officers being better able to identify targets because there were fewer people and public calls, and about what was regarded as ‘normal’ or legitimate at that time.
robbers were thought to use particular tactics to avoid being identified by the police in one site: “It is noted that [the offender] has changed his clothes and that this was probably because ‘he’d been seen earlier by us’” (Obs/HK/L1). Second, people were generally thought to try to avoid contact with the police when they had done something wrong. Those who turned, walked, or ran away from the police to escape attention, ironically attracted it.

You go on to the estates and... people run away from you. Why are you running away? If you’ve done nothing wrong and you’ve got nothing to hide, you’ve got nothing on you, why are you running away? (Int/HK/16)

Third, there was a widespread view that people would inadvertently draw attention to themselves either by making eye contact with the police, or by trying to monitor whether they had been spotted (although this could be an example of people deliberately ‘playing to type’).

There are two types of people who look at the police — off duty bobbies or people up to no good. Most ordinary people are too self-conscious to look. (Obs/HL/L2)

The ability to notice acts of furtiveness appeared to be a highly valued skill. Beyond the frequency with which furtiveness featured in police talk, a rare example from the observations illustrated its importance. An officer became especially confused, embarrassed and annoyed with himself when he realised that a car he had been standing next to, and which had contained a group of teenagers, had in fact been stolen. While the car and the young people were noticed when he first attended the scene to deal with another matter, he did not stop them at the time because they “didn’t show the panic when we arrived” (Obs/HK/N1). This comment could even be seen as way of ‘saving face’ in front of the observer.

Attempts at concealment or secretiveness were not universal prompts for suspicion, and these signals were sometimes reframed to mean something else. Officers realised furtiveness could be fabricated on purpose in a deliberate attempt to attract their attention. Many seemed to believe that teenagers, in particular, would intentionally play out certain behaviours as part of a game of ‘cat-and-mouse’. This was especially the case in Chapeltown and Hackney. Groups of young people, who had been seen by the police to walk off or put their hoods up, were sometimes thought to communicate overt signals of furtiveness in an act of brinksmanship, orchestrated to ‘draw in’ the police. In one encounter, the police believed someone was trying to break down a front door when, in fact, some children had just been kicking a ball against it: “...[H]e said he was just playing a game with us” (Int/HK/22).

Lying

Once a face-to-face interaction was underway, officers were also alert to verbal signals and subtle behavioural cues that suggested the other person might have been trying to conceal information about themselves. There was a general sense, from across the interviews and observations, that officers anticipated members of the public would lie to them, and thus distrusted anything they were told (see Rubinstein 1973). There was a fairly widespread view that people were unable to maintain a convincing front, and that the police were skilled at ‘seeing around’ this presented information to reveal their hidden character: “[P]eople find it difficult to hide whether they have something they shouldn’t, or have done something – they are bad liars” (Obs/MS/L1). The police said they would sometimes look at how a person responded to questioning as an indication of whether they were telling the truth.

[I had a] suspicion about girl’s story... [She] didn’t know how to answer... Girl changed stories, completely fabricated [the] story. [So I had] a suspicion of theft. (Int/HL/8)
Crucial interaction signals were the level of eye contact made, fidgeting, and the person’s competence and believability when answering questions: “People who have something to hide will look away or scratch their nose” (Obs/CT/L3).

In framing the interaction, signals that indicated a person was lying affected how encounters played out. They tended to confirm the officer’s interpretation that something was not right: “We weren’t happy with the [man’s] response. We ended up searching him” (Int/NW/4).

Lying was also seen by officers as a breach of the tacit ‘rules’ that were supposed to guide police-public interactions. Some officers felt they should always be told the truth because they were in a position of authority. Rule-breaking was met with censure. “[Being told false details] angers him and he warns the man to toe the line as he doesn’t expect to be lied to” (Obs/NT/L3/1).

Techniques for uncovering fabrications

Wise to the possibility that members of the public might try to ‘put one over them’, the police were seen to use a range of techniques to help find out whether the information presented to them was a fabrication. For Goffman (1971), interactions were information games that were contingent on the ability of a person to control the setting of the interaction and project a particular impression to their audience. The police’s use of strategic devices to uncover the ‘truth’ was consistent with this view of social interaction.

When there was distance between officer and suspect, the police would sometimes ‘eye-ball’ the person to see how they reacted.

We slow slightly and [the officer] looks at them. ‘Just giving them the eye’... We don’t stop because they have moved away. (Obs/MS/L2)

This practice might be universal as Rubinstein previously found that US officers used “specialized forms of staring to test the flight and concealment intentions of suspects” (1973: 240).

When contact had been initiated, and people engaged in close proximity, officers were able to frame the interaction by exerting control over how it was staged. There were a small number of encounters where officers separated people to talk to each individually. The physical separation supposedly minimised the risk of assault to the officers, but also prevented the suspects from getting their stories ‘straight’ and facilitated a ‘prisoner’s dilemma’ situation. In effect, the technique involved officers using different information sources to frame a situation, and then seeing if they had developed similar interpretations in isolation: “You know, if we’re not happy, we’ll see if the stories marry up, and see if things aren’t quite right” (Int/NW/6). If the resulting frames were not the same, it would indicate an attempt to conceal information, and a sense of order and meaning was established through reframing. This practice was used with some success during the observations. In one such encounter, a screwdriver had been found on two teenagers who had been searched following a call about intruders on an industrial estate just after midnight (Obs/IP/N1/2). One of the boys said he had used the screwdriver on his own car earlier that day, whereas the other revealed they had actually come to take a battery from one of the abandoned cars nearby. Neither boy was arrested.

Officers were also observed to pay special attention to other signals during the interaction which might indicate the person had ‘slipped up’ and enable that person to be discredited. To
understand how such encounters could play out, detailed examination of a encounter from Hackney is required (Obs/HK/N2/2). The stop took place close to midnight and involved a group of young black men who had been spotted by the police in a street where there had been a report of people stealing alloy wheels off a car. The young men denied any involvement from the very beginning, but the police asked them repeatedly to recite what had happened until inconsistencies emerged in what was said (a tactic also used by lawyers). The police emphasised differences within the group, and looked for physical signals.

As we turn the corner, we see a group of about five or six young men crouching down by two cars. They stand up and two start to walk off down the road, leaving three standing by the cars. There is a rather beaten up white Escort next to a newer looking red Fiesta with a couple of wheels on the pavement, and a clearly smashed-up abandoned Vauxhall. There are three boys -- all black or mixed race -- one with a hoody, his friend, and one with a radio phone who says little.

There was a high degree of signal coherence, and a strong pattern of resemblance, because of the speed of the police response and the level of detail in the original report. The group had, in effect, been caught red-handed. The boys’ actions, their location at the scene, and the presence of cars all served to support the officers’ frame. Although not explicit, their attire and perceived race may also have corroborated the officers’ frame. There was, after all, a strong view among many of the Hackney officers that young black males were often involved in street crime.

I think [Officer 1] starts off by saying that they have had a report of people stealing wheels off a car. I think that the one with the hood protests saying that they've not done anything. Both the cars are on jacks and there are a couple of wheels missing off both cars. They are quite relaxed and appear a little nervous. The two boys who walked off watch from the other side of the street.

The opening gambit of Officer 1 was to state what had been reported. While the officer did not directly ask the boys to explain what was going on, there was an implicit expectation that an account should be given. The young man who protested his innocence became the focal point during the exchange. The police paid him more attention because he was more vocal than his friends. It is also likely they suspected a fabrication, which they could exploit as a resource during the interaction, because of the strength of the signalling and framing processes.

[Officer 1] asks what he has been doing then. He tries to explain that he was putting new wheels on the car, but that they weren’t from the other car. This goes on for some time. [Officer 2] looks around the vehicles and checks them with his torch... [The young man] is asked again what happened, after [Officer 1] puts it to him that he has been taking the alloys off the other car. His friend smiles and tells him to tell the truth. He is asked what happened too. The boy with the radio laughs and dances, and [Officer 1] says that even his friend doesn’t believe him... He says repeatedly that he was not taking the wheels from the other car.

The boy was seen to keep up the fabrication while under pressure to repeat his version of events. The officer also presented his own interpretation of events to demonstrate the implausibility of the boy’s account. Cracks then started to appear. Drawing on Goffman’s (1971) analogy of performers and members of the audience being on different ‘sides’ and having their own ‘line’, the second boy’s laughter and comment undermined his team’s

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70 This may have been an example of the police trying to ‘get round the rules’ through the careful staging of an encounter, because Code A stated that a written record was required whenever an officer asked someone to account for themselves.
ability to maintain a unified front. These inconsistencies were exploited by Officer 1 in order
to get the teenager to re-key events.

[Officer 1] then talks cars to the boys, and says he's not stupid and has seen this before. [The
boy] eventually says that he was taking the wheels off the other car. He doesn't see what is
wrong with that because he said that the other car was abandoned. [Officer 1] asks whether
the other car is stolen – they say no.

While the encounter stayed good-natured, it started to change in tone slightly with the officer
losing patience with the situation. The comments of the officer suggested that he held the boy
in 'contempt of cop' for not admitting his involvement when given the opportunity. The
young man, having changed his story, can be seen to use 'techniques of neutralisation' to
legitimise his actions (see Sykes and Matza 1957).

Both cars are put through the PNC. [The boy] is asked to show his hands at some point – they
are dirty with grease. His friends are too – and so [Officer 1] says that he has been helping
him. The boy-with-the-radio's hands are clean. He starts laughing.

Once a confession had been received, a confirmatory strategy was used to identify further
physical signals to tease out who may or may not have been involved.

The boys want to know what's happening, and whether they are to be arrested. They think it's
a small crime... [Officer 1] thinks things over and says that if the car comes back with a
registered keeper then they will be arrested for theft from a motor vehicle – and they may go
to court – but if not they will be asked to put the wheels back... The PNC comes back with no
reports. The boys seem relieved. [The young man] is then told to start putting the wheels
back. This all gets very funny because his friends don't want to help and he is pissed off.

The conclusion of the encounter was interesting because the police found a pragmatic
solution to keep the peace, despite having been tested by the young man. Instructing the boy
to put the wheels back on the car can been seen as 'payback' for the fabrication. Overall, the
officers' positive use of discretion could be interpreted as an act of reciprocity in return for
the teenagers' good demeanour. The police avoided bother in their interaction with the group,
and in not having to make an arrest. The positive relationship also enabled the officers to ask
about an expected gang related shooting. One of the teenagers gave the street name of
someone he knew who might be involved, which could have been encouraged by the fairness
with which the police handled the situation.\footnote{This is potentially an example of the effect of 'procedural justice' in practice (see Chapter 10).} Perhaps, in this instance, fair treatment was a
technique used to reveal information that otherwise would have remained concealed. The
stop was also characterised by its good-humoured and controlled nature, which could have
been framed by preceding events. The stop took place soon after the violent interaction
described in Chapter 8 in which one of the officers pushed a drunk black man in the face. It
was possible the encounter was deliberately handled by the non-violent officer as a
counterweight to give a different impression to the observer. The previously aggressive
officer played a very marginal role in the exchange.

Demeanour and the process of interaction

The good nature of the interaction between the police and the black teenagers can be partly
explained by the demeanour of the suspects. Even though one of the teenagers tried to keep
up a pretence, they were 'as good as gold' (to use a typical police expression). How members
of the public conducted themselves generally played a critical role in how interactions were
framed by the police. From the way a person behaved in close quarters, officers would build up a set of expectations about that person. In this respect, demeanour can be seen as similar to Goffman’s notion of ‘manner’, which he regarded as “those stimuli which function at the time to warn us of the interaction role the performer will expect to play in the oncoming situation” (1971: 35). Officers were seen to adjust their own performance in response, which determined the flow of the interaction and, in some cases, its outcome.

In the following example from the interviews, it was possible to identify the subtle behavioural signals, garnered through interaction, that would have been important to the officer in how they handled the exchange and whether they would have taken the matter further in terms of carrying out a search. The example is also illustrative of how grounds may in practice be built-up once contact had already been made (see Chapter 6).

You’ll stop [a person] and have a little chat with him, see what his mood’s like, see what his body language is like, what he’s telling you, and you find out that he’s decent... I would escalate that to a search if we pulled over and stopped him and he’s a bit edgy, looking from side to side, shifting away from the officers, a bit evasive towards us, a bit anti-police, digging his hands in his pockets, is looking around and not at all happy to be talking to the police, very evasive with our questions, can’t tell us where he’s come from, that would certainly start solidify grounds for a search for me. (Int/HK/16)

In contrast to this example, the demeanour of a suspect was generally seen to have a greater effect on the process of the interaction (see also: Reiss 1971; Black 1980). Most, but not all, of the observed stops and searches were well-handled by the police (in part, no doubt, because of an observer effect). Officers usually had a formal, business-like manner, and were often seen to be friendly and reassuring to those they had stopped. Occasionally, officers adopted an authoritarian tone, but were rarely provocative, brusque, or belittling. This was confirmed during the interviews for the national pilot. Using an appreciative approach, many officers described ‘good’ encounters in terms of the quality of the process – those that went smoothly and were trouble-free, rather than those yielding a ‘result’ (see Quinton et al. 2000). In other words, they had prepared for all the possible ‘disruptive contingencies’ (Goffman 1971).

In general, officers looked to commence an encounter with a relatively neutral manner and adjust their style in response to demeanour signals presented by the other person. Goffman (1971) described a similar process in ordinary social interaction, whereby people were concerned about ‘getting off on the right foot’. The neutral stance initially adopted by officers was used as a means of keeping the peace during an encounter, and ‘saving face’, as it prevented officers from losing self-control.

You have to measure your response to the actual incident you’re dealing with. Some incidents need a firm hand from the outset, whereas others don’t. I can’t remember which American President it was that said: ‘Talk quietly and carry a big stick’...[Y]ou’ve only got the ability to go up another level, but if you go straight in at factor nine, you’ve got nothing else to go up to. (Int/NT/16)

Officers were often observed to adopt an overtly friendly manner with the public to help ensure interactions passed without trouble. This strategy was primarily used to ensure that the officer maintained order within an encounter, in a way that was proportionate to the level of disorder being expressed. While officers might have initially adopted a calm appearance, if they were faced with signals of resolute aggression, they could go ‘up a level’ in order to exert control over the situation (e.g. through raised voices, a more authoritarian pose, drawn batons, or the threat of arrest). Because the person’s demeanour was seen as a direct
challenge to the officer’s authority, the police response would usually involve becoming more abrupt, again, in order to save face: “Cut the attitude!” (Obs/LC/N3/2). Sometimes, a more physical reaction was observed.

[The arrested boy] is put in the car – he becomes abusive: ‘Fuck your mother you skinny twat – I ain’t done nothing’... He tries to get out the car and makes [it] a few feet away. [The officer] stops him – grabs him and shoves him in the car forcefully. (Obs/HL/L1)

This strategy was markedly different to the one identified in London during the early 1980s. Smith and Gray (1985) found the police tended to emphasise self-assertiveness and dominance, but for the similar reasons about control and retaining dignity.

The response of a member of the public occasionally broke the expectations the officers had built up about that person. Negative or hostile responses sometimes disrupted their interaction frame, and the ritual all participants were expected to abide by. On a small number of times, officers made an appeal for give-and-take when faced with an disrupted exchange: “Come on, I’ve treated you alright, haven’t I?” (Obs/IP/L3/7). In these situations, officers were dealing with acts of ‘interaction vandalism’ where the other person in the encounter deliberately did not respond to cues which orderly interaction required, in order to undermine and threaten (Duneier and Molotch 1999).

In most sites, there were no obvious differences in the way encounters were handled due to the perceived race of the suspect. Most encounters with people from minority ethnic groups were calm and civil, which was in accordance with earlier studies (see Norris et al. 1992). This issue notwithstanding, there was a widespread view throughout the fieldwork that black people, and to a lesser extent Asians, would challenge the police during encounters. The officers claimed that it was increasingly common for people to say they were only being stopped because they were black. While this view has been expressed by people from ethnic minorities in interviews and focus groups (Stone and Pettigrew 2000), no one was seen to accuse the police of racism during the observations (although some were unhappy about being asked to define their ethnicity). Overall, officer performances were found to be of comparable quality with people from a different backgrounds. As mentioned elsewhere, Hackney was the exception. In the site, there was some differences in the way contact was handled (see Chapter 8). The picture was not entirely bad and there were examples, from both the interviews and observations, of well-handled encounters where officers actively went about easing tensions.

[There] was a group of black Jamaican lads, all about 19 or 20, hanging around the post office which is known for robberies [and close to a crack house]... The other guys we spoke to started off being a bit anti-police: ‘You’re only doing this because we’re black. Why can’t we hang around this area? I’ve got no job, so I can stand around and do what I want.’ But once we’d calmed the situation and just explained to them, because of the robberies, known drugs address, we haven’t seen you before in the area, and explained we will record [the stop]... they did calm down and were then quite open. Some of them were having a laugh and a joke with us, one of them still remained quite anti-police, but he was calm. (Int/HK/15)

The rationale for adopting such a strategic device was not entirely clear in this example. While the officer’s approach may have been due to an awareness of heightened tensions on the area (the decision field) or public concerns about policing (the surround), there may have been more instrumental concerns such as minimising trouble and the prospect of gathering intelligence from the teenagers.

Adjustments to the police’s performance were observed in reply to normalising signals. The
emergence of these signals during the interaction required the officers to reframe the situation and to change tack. Normalising signals would result in officers taking a less authoritarian tone or, in less extreme situations, shifting from a formal to a more reassuring, or even light-hearted, approach.\footnote{The presence of normalising signals was also seen to affect officers' willingness to accommodate policy reforms. One officer asked a 'respectable' victim—a well-spoken Asian architect injured in an assault—to define his ethnicity in a straightforward way. The same officer asked the same question to those he stopped in a more contemptuous tone: “The Home Office have now deemed that I can no longer say what ethnicity you are, and that you have to choose” (Obs/HK/N3).} The normalising signals were not, as expected, solely to do with the demeanour of the person stopped. In a fairly typical traffic stop in Leicester, the officer's business-like manner was buoyed when he was found out the group of young men who had been driving home late at night attended a well-known local public school (a categorical signal of respectability). A similar pattern was evident in the following encounter prompted by passengers leaning out of a car window and not wearing seatbelts. The normalising signal, the shared nationality of officer/driver, rendered the exchange more familiar and cooled the police's authoritarian tone. In both cases, new frames came to the fore that changed the way the officer proceeded because their expectations about the encounter had shifted. In neither case, it was not clear whether the change in approach was intended to minimise risk, or simply to create a more relaxed exchange.

After driving a little way they stop. [Officer 1] gets out to talk to them whilst [Officer 2] leans across and shouts at them: ‘When you see a blue light you stop!’ …[Officer 1] takes a look at [the driver’s licence], and suddenly asks: ‘Were you born in Australia?’ ([Officer 1] is Australian). The boy says he was, and a light-hearted discussion ensues… (Obs/IP/N4/2)

‘Momentary realignments’ (Goffman 1971) by officers were also seen to affect how encounters played out. There was an indication from one stop that, because the person remained civil and provided a good explanation for not wearing a seatbelt (it was broken), discretion was used positively. “[The officer] said that he could have issued him with a £30 fine, but he decided not to (I think he said because the guy’s attitude was OK)” (Obs/NW/L2/1). Normalising signals based on a person’s demeanour were fairly fragile and, depending on how cynical the officer was and the strength of other signals, their role could be subverted and interpreted as fabrications.

... [T]he fact that [the two people who were stopped] were cooperative made him suspicious—that something was up. ‘Most people would say: “Fuck off, you pig”. And that would be fine, but because they were so cooperative makes me wonder’. (Obs/LC/N1/1)

The above extract provided a good (albeit rare) example, and illustrated the contradictory and inclusive nature of suspiciousness.

**Controlling the interaction**

Members of the public were at a distinct disadvantage in their interactions with the police. While suspects could display resistance, and had some control over the social information they revealed, the police officers could use their status, the law, or even force as resources to stage encounters and manage their flow. The level of control the police were able to exercise over the social information they had access to was critically important as well. Officers were seen to manipulate the signals they gave off in order to direct the interactions they had with people. A range of staging techniques were deliberately deployed by the police to see what sort of response they received. The way the suspect reacted during the encounter was a major influence on how these encounters played out. Goffman identified similar practices within everyday life.
If they do not know that he suspects, they will continue in a tack that is, after all, partly being dealt with by him; but if he lets them know that he knows things are not as they seem, then they are likely to change tack, which could worsen his situation. His signs of suspicion could make them suspicious. So after he has discovered something is up, he must model his conduct and actions according to how someone like himself would act, were he to feel that the situation was normal. (1972: 317-318)

In a sense, the way the police behaved in these types of interactions was keyed in that they were not being ‘genuine’ but were ‘putting on an act’ to conceal information. In Goffman’s earlier work, the police’s control of information during an encounter would have been referred to as a ‘strategic secret’ (1971).

There were three ways in which police behaviour during stop and search encounters was keyed in order to stage an interaction:

- Officers sometimes did not reveal the reason for stopping someone.
- The reason that was given to the person stopped was sometimes not the ‘real’ one.
- Occasionally, officers were seen to attach too much importance on marginal (or non-existent) signals for seemingly presentational purposes.

The first two ways were closely related, and primarily about how officers presented themselves to citizens during interactions in terms of how much information they made available. As will be discussed, the third was more ambiguous and it was not clear from the data whether the technique was consciously deployed.

Concealed reasons

Officers were often careful not to reveal the real reason why they had stopped someone. This fairly routinised practice – which was common in traffic stops – was designed to put a suspect ‘on the back foot’. In the work of Rubinstein, a similar practice was identified but was based on a different working assumption: “The patrolman is reluctant to reveal his reasons for stopping people because he sees his cues as private knowledge which, if were generally known, would aid criminals and make his work even harder than it is” (1973: 264).

The concealment of reasons, as a staging device, was evident throughout the observations and interviews, but was rarely acknowledged by officers, which suggested it was a tacit part of the police repertoire. That said, for one officer, the use of this technique was conscious: “[He] uses traffic issues as an excuse to get people out of their cars to pursue criminal offences” (Int/IP/9). As such, the officer’s actions mirrored earlier police practice noted by Wilson: “A traffic ‘stop’ serves purposes other than enforcing the traffic laws... [and] gives the officer the chance to glance inside where he may notice ‘suspicious’ people or merchandise” (1968: 54).

Several encounters were observed from different sites where police would stop a vehicle and casually ask the driver whether they knew why they had been stopped (or similar). This staging technique not only hid the officer’s frame from the person, but also offered an opportunity for that person to ‘slip up’. For example, it allowed people to fabricate events (e.g. by denying any wrong-doing), or to show contrition or deference (e.g. by apologising or ‘coming clean’). As such, there was scope for the keyed police action to influence how encounters played out, in terms of the positive use of police discretion or if a person was found in ‘contempt of cop’. The outcome of the following traffic stop from Leicester was partly due to the reaction of the driver to the officer’s initial opening question.
'We've been following you - can you tell me why we stopped you?' 'No officer.' 'Well you know when you turned left in town - that's a restricted area.' 'Sorry officer - I didn't realise - I thought that was just for the day time. I work in the city centre.' 'Well there was a big sign - so look next time.' 'Sorry officer - I will. I live in London and don't know the roads.' 'That's okay - just be careful next time.' [Afterwards, the officer] says that a form should have been completed but there is an issue of whether the person admits to what they have done and apologises.

The staging technique also enabled officers to identify new forms of deviance or provide a stronger rationale for the stop _ex post facto_, if it allowed them to pick up on new verbal or physical signals (e.g. the smell of alcohol on the breath of a motorist). In one encounter, for example, a Chapeltown officer had a short, friendly conversation with a teenager which, ostensibly, was about what he had been doing since they last met (Obs/CT/L4/2).

Unbeknownst to the young person, the police suspected him of having snatched a bag nearby only a short time beforehand. The boy, however, maintained an orderly front and the issue of the bag snatch was not moved to foreground.

The concealment technique required officers to make subtle adjustments in their demeanour and presentational style to keep their suspicions back-stage. There was a suggestion from one observed incident that a friendly tone might have been deliberately deployed by the police to give off a normal appearance, thereby giving the impression that the member of the public was not suspected of anything serious, thereby deflecting the officers' intent.

[The officers] look out on the estate for drug dealers coming down from Liverpool. They use nice cars, and the officers do not recognize them as locals... At about 10.30am, they followed a car. The driver stopped the car. They asked the man (in this early 20s), what his name was and where he lived. He is in fact a local... They are civil and 'matey' with him, he is neutral in his behaviour. (Obs/NW/L3/1)

The impression the officers were trying to give off was that the stop was entirely innocuous, and that the driver had not been singled-out for attention, but had been stopped because he was incongruous. In other words, they sought to present their suspicions as routine, normal and generalised, whereas they claimed they actually thought the driver's appearance and pattern of behaviour fitted the frame of an out-of-town drug dealer. That no further signals of drug dealing were identified during the interaction allowed the officers to maintain their front.

It is worth briefly situating this example in the context of the discussion about framing in Chapter 6. Interestingly, the officers did not reject or revise their longstanding frame about drug dealing, despite the lack of corroborative signals and the suspect being a false-positive. Their 'hunch' - a more abductive form reasoning likely to be based on prior experience or 'assumed' characteristics (see Shank 2001) - was not open to refutation, and did not allow hypotheses to be falsified empirically. Important questions about the durability of frames are raised, particularly in terms of whether they are sustained by experience or become cultural artefacts.  

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73 Officers in Wrexham talked extensively about looking for 'scousers', travelling criminals (mainly drug dealers) from Liverpool.
74 Conversations with front-line officers carried out by the author on other studies suggested the notion of the 'enemy without' was widespread among the police. Migratory criminals from other places (usually Liverpool) were often blamed for local crime problems. Indeed, during the Home Office's Crime Reduction Programme in the early 1990s, it was claimed that a burglary problem in a poor part of Plymouth was due to unemployed Liverpudlians who preferred to live at the coastal resort during low-season.
Fabricated reasons

Although much less common than concealment, there were a few cases where police gave a fabricated reason to someone who had been stopped, and managed the encounter as if the reason was genuine. In these situations, the officers had another reason for initiating contact, which they did not want brought out into the open.

The following encounter which occurred in Bournville around midnight during a quiet night shift provided a good illustration of this strategy. On the face of it, the incident played out like a typical traffic encounter with the police checking a driver’s documents following a traffic offence (Obs/WM/N1/1). However, the police revealed that a ‘drugs’ frame motivated their actions.

As we pass [a known criminal’s] house down a small cul-de-sac with a roundabout at the top, a car reverses from the house and speeds round the roundabout really quickly. [Officer 1] speeds off straightaway saying he wants to check it out—he later says that the car had committed an RTO [Road Traffic Offence]... We follow the car quickly for only a few hundred yards. It feels like the car is trying to shake us, by speeding round corners quickly.

The officers’ frame was highly situated and informed by their knowledge that an offender who had been subject to a well-known police investigation lived in the house. However, it was likely that the officers would have responded to the ‘traffic’ signal regardless of the location because the driving was seen as impudent. Nonetheless, the situated nature of the police suspicions in this instance, along with a series of signals that could be presented as being unconnected, meant the officers were able to use the fabrication technique.

The officers were required to control the staging of the interaction because the driver had jumped out of the car and was being aggressive. This involved keeping him ‘on the stage’—because he was heading towards the front door of another house—and getting him to calm down. It was possible that a conciliatory tone was not only used to minimise risk, but also to steer the interaction down an intelligence, rather than enforcement, route.

[Officer 1] says that the man committed an offence by driving the wrong way round the roundabout. The man says that everyone does it and that he should be there during the daytime. [Officer 1] replies by saying that doesn’t matter and that he would speak to anyone if he sees them do it. The man at first seems quite nervous, and doesn’t want to be with the police. Without being asked he starts to tell the officers what he was doing—I think he says he’s just visiting friends. He also says that he has driving documents in the vehicle, which he is in hurry to show [the officers]...

Here the police were seen to key their behaviour, by only telling the driver about the traffic offence. Officer 1 emphasised this point by indicating he took a blanket approach to such offences. This comment served a dual purpose. It was an attempt to signal that the driver had not been singled out (to conceal his situated knowledge), and that the officer was reasonable (he only gave warnings to drivers). The traffic matter, therefore, provided the police with a front and enabled them to steer the encounter without revealing their ‘real’ motivation. The driver’s reactions potentially indicated that he too was willing to keep the encounter on this level (for whatever reason).

Afterwards, [Officer 1] explains that they would have stopped him without the RTO to establish who he was because [the resident of the first house] is a known dealer in ecstasy and the address he was going to was also... known for drugs(?). [Officer 1] says he has a gut-feeling that the man had drugs on him, and that is why he made straight for the house.
‘Gut-feelings’ notwithstanding, the man’s status as a drug dealer can be questioned because there were no specific signals to indicate he had drugs on him. The officer’s verbal account of the stop, however, excluded other explanations for the driver’s actions. The interpretation of events was made more complicated by the potential effect of observer.\textsuperscript{25} On the one hand, police talk about the high profile offender, and the claim they would have stopped the driver anyway, might just have been bravado. On the other hand, police action may have been constrained by a third party watching events (e.g. the cautious and conciliatory approach that was adopted): “[The officer said] they didn’t have enough to search the man”.

\textit{Fabricated signals?}

The analysis revealed a third way in which police behaviour could be regarded as keyed. There was a suggestion that officers sometimes attached significance, at a presentational level, to signals whose status – or even presence – was ambiguous. In other words, there were occasions when participant-observers questioned the existence of the cues used by officers to justify an encounter. While the data were sufficient to support a close examination of this practice, its unspoken and infrequent nature meant it was not possible to unpick whether this was a technique \textit{intentionally} deployed by police. Officers may have ‘made up’ the reason for searching a person. Equally, the researchers may have lacked the necessary skills to detect the signals, or could have simply missed them.

The two principal examples, upon which this finding is based, were very similar in nature. On both occasions, the police carried out a drugs search because they claimed to be able to smell cannabis. The observers, however, disputed the police interpretation. Indeed, during one incident, a police colleague also stated he could not smell cannabis. The observation notes also indicated there were no other signals present to suggest the people who had been stopped either had drugs on them or had been using drugs.

Regardless of whether claims about smells were fabricated, what is critical to the discussion about keyed behaviour is the way in which a weak signal of drug use was given such an important presentational role within the encounter, and was instrumental in how the interaction played out. Despite numerous versions of Code A having emphasised the importance of objective ‘facts’ in the construction of RS, the ‘cannabis smell’ signal reminds us that all evidence has a perceptual basis, and that sense-data is not unmediated and value-neutral. As Ashworth noted: “We are not conscious of meaning-free sensation” (1979: 65). The signal’s character also emphasised the point that police accounts of the evidence are not always open to challenge and can be hard to disprove. It would not be feasible, for example, to mount an irrefutable counter-claim that the smell of cannabis did not exist.

Both encounters involved groups of young people. The first was a vehicle stop from Sefton which resulted in four teenagers being searched (Obs/MS/N2/1). The car was pulled over because the officers thought the car looked “a bit dishevelled” and had a driver who was “a bit young” – both were common signals for police to pick up on. However, despite the interaction being focused on the car’s absent tax disc, an officer said he could “smell weed” which led to the boys being searched. There was a possibility these two aspects of the encounter were not completely unrelated. Indeed, the teenagers may have been searched because the driver had been found in ‘contempt of cop’, having revealed to the officers that

\textsuperscript{25} It can also be difficult to reconcile the perspectives of the police and observer. There were important differences between the official record and the fieldwork notes such as the time of the stop, the vehicle’s colour, and the suspect’s age. These disparities revealed the challenges of ethnographic research in terms of the observer’s ability to recall events, take notes, and assess subjectively a person’s social characteristics. The official record should not, however, have pre- eminent status, or be treated as an accurate version of events.
he had been stopped earlier that day for not having a tax disc, and issued with ‘a producer’.
This interpretation was given some credence by the fact the police locked the car and took the
keys away from the driver, and gave a cool response to the teenagers’ friendliness. The
official police data was not revealing. Despite four written records being completed at the
time, the searches were not found in the police data (searches were conducted using date,
time, and age variables in combination).

The second example was observed in Hounslow and followed the pattern of a consent search.
The incident took place before Code A was changed to prohibit the use of so-called
‘voluntaries’, and illustrated how keyed behaviour could be used by the police to negotiate
and manufacture consent. While legal, the reasons for the search were shaky and based on
questionable signals. The underlying rationale for the search was less clear than in the
preceding example. The two girls were not obviously in ‘contempt of cop’ and, because the
encounter took place during a live incident during a moderately busy shift, there was likely to
be less need for the officer to ‘create’ some action. It is possible the teenagers’ age and
perceived race may have influenced the officer’s decision to search.

5.55pm. Call to service about criminal damage in the car park opposite Hounslow police
station. We arrive... [Officer 1] notices a smell – I think it smells of gas... We go up a spiral
staircase to get to the first floor level. However, there is a locked gate at the top and there are
two girls sitting at the top of the steps... One of the girls is Asian, the other is black, possibly
Somalian, they are 17. [Officer]: ‘What are you doing here?’ Asian: ‘Nothing – we’ve just
come up here to smoke – we know a lot of people down town and if our parents find out that
we smoke – they’ll kill us’. [The officer] looks around the floor for cigarette butts – there are
no roll-ups there, and no real smell. ‘I can smell cannabis really strongly – is that all you’ve
been smoking?’ Asian: ‘Yeah – of course. Look, I don’t smoke that shit’. She shows [the
officer] her cigarette packet – just fags. ‘You can look in my pockets if you like’. She turns
her pockets out on the stairs. There is nothing there. [The officer] turns to the Somalian girl:
‘Do you mind if I look in your bag?’ ‘What for?’ ‘Drugs’. ‘You’re joking aren’t you? We’ve
only been having a fag’. [The officer] starts looking through the girl’s bag – he finds
nothing... [Later on] on the way back to the car, [Officer 1] spoke to [Officer 2]: ‘Did you get
a strong smell of cannabis over there?’ ‘No’. ‘I’m certain that I could smell cannabis’, as if he
was trying to convince himself of the grounds. (Obs/HL/L4/3)

The interpretative frame in this example was weak and appeared to be more about the
imposition of the officer’s viewpoint, rather than a corroborative interplay between signals
and the ‘codebook’. The discovery of the two teenagers was at odds with the original call for
service and did not have strong coherence with a ‘cannabis smell’ signal, especially as the
girls’ story was plausible and provided an opportunity for the situation to be reframed by the
officer. The relative lack of experience on the part of the officer – a probationer – may have
been critical to the elevated status given to the smell of cannabis. There was a chance the
officer was keen to develop his craft skills, assert his authority, and/or demonstrate his
competence to the accompanying researcher. These biographical and interactional factors
would have, in effect, served to outline the options open to the officer. Indeed, the
probationer and his partner were observed to have conducted a search based on weak grounds
(the search of Mitch described above (Obs/HL/L4/1)).

How the officer described the situation to his colleague immediately after the incident
illustrated how behaviour could have multiple keys in order to give off different impressions
to different audiences. The observational fieldnotes contained no record of the probationer
telling the other officer about the search. He only asked whether his colleague smelt cannabis
too. Information about the search was stage-managed and, because the second officer did not
share his assessment about the smell, was kept back-stage. Thus, while significance was
attached to a signal in one context for presentational purposes (to justify a search), it was also downplayed in another context for similar presentation reasons (to disguise a search). It was not possible to examine the significance given to the signal in the officer's official account of the consent searches because the encounter took place outside the time period for which Hounslow data were available.

**Interaction, impression management and observer effects**

Thus far, the chapter has largely focused on how behavioural signals were conferred significance by officers, and how information exchanged by both the police and public during face-to-face interaction shaped the nature of encounters. All the observed encounters, however, were markedly different to everyday police contact with the public in that a third party was always present, watching what the officers were doing and asking questions. To varying degrees, the stops and searches involved a three-way interaction between the observers, suspects and police. Even though the observers may have tried to stay in the background, they were another audience to whom the release of information was to be controlled. Above all, there was clear scope for police actions to have been keyed to give off particular impressions to the researchers. Throughout the thesis, specific references have been made to the inevitable effects of the observer on police (and public) practice. However, given that this chapter has examined the role of interaction signals and the management of information within encounters, it is important, in this last section, to examine how officers were seen to stage-manage events.

A small number of incidents were observed where there was some indication that the police were deliberately 'going by the book' in order to present their actions as lawful. While the observers could not be completely certain about their interpretations, they identified telling signals that suggested certain practices, which might have otherwise been tacit and routine, were in fact expressive and deliberately put on display. Subtle behavioural cues were important, particularly as they often revealed the manner of the officer. Goffman (1971) found that jazz musicians, for example, would play corny music in a way that was more corny than necessary to show contempt, as well as to display their ability to 'toy' with the audience.

One of the strongest examples followed the search of two teenagers who were thought to have tried to break into a house. The encounter went smoothly despite one of the boys being known to be "quite lippy and loud", and their general lack of cooperation (e.g. not providing names and giving 'wrong' answers when asked to define their ethnicity). The impression given to the observer was one of a well-managed encounter based on reasonably solid grounds. A comment made by one of the officers while discussing the searches back at the police station, however, raised the possibility of a performance: "I clocked the GOWISE, nice one" (Obs/IP/L3/3). GOWISE was a mnemonic given to officers during training sessions to help them to remember how to conduct a search lawfully and, specifically, what information to provide the member of the public. By drawing attention to the use of GOWISE, the officer perhaps inadvertently highlighted the usualness of his colleague's behaviour and indicated that the process followed by the officers was keyed.

Keying was evident across the sites and manifested in several ways. For example, officers asked questions of the public sarcastically, were unfamiliar with the forms, and volunteered...
reasons for why things were not done as they should have been. Much of the keyed behaviour that was thought to have been observed was associated with the completion of stop and search forms. This finding is unsurprising given the main purpose of the Home Office studies was to evaluate the introduction of a new requirement to record all police stops. While the operation of new forms is not directly relevant to this thesis, keying around the creation of official accounts is germane because it may explain how and when officers are constrained by legal rules, and the extent to which this is an active process.

There was clear evidence to suggest the completion of official records was sometimes symbolic, providing a presentational (rather than routine) form of accountability. One example from Hackney, above all, brought this practice to the fore (Obs/HK/N2/3). On this occasion, it was difficult for the two accompanied officers to stage-manage events directly, having been called to help colleagues with a search already in progress. Nonetheless, the interaction among the officers suggested an attempt was made to alert the main players to the presence of a new audience, given they had no prior knowledge of the researcher’s role.

From a dramaturgical perspective, the movement of the two officers suggested an attempt to conceal an exchange of information. As Goffman noted, the back-stage, which was away from the audience, was the place where “illusions and impressions are openly constructed” and often contradicted by performers (1971: 114). Moreover, the way in which the encounter between the police and the suspects played out – which was strangely formal and insincere – indicated the off-stage prompt had been to ensure the appearance of legality and due process was maintained. Indeed, Goffman pointed out that “reality may become reduced to a thin party line” in interactions involving larger teams (1971: 91).

The remark made by one of the suspects about how unusual it was for the police to complete a form was particularly revealing. The suspect – who was ‘not in on the act’ – made it more difficult for impressions to be maintained by the police. Drawing a defensive response from the officer, he almost inadvertently discredited the police’s version of events.

While it is difficult to draw firm conclusions from the observational data, performances directed towards researchers that were intended to display a normal appearance were probably more evident in Hackney and Ipswich. There were a small number of examples in these sites that led to the typicality of the processes under observation to be questioned (including a patrol car pulling up during an encounter to hand over some stop forms to officers (Obs/HK/N2/3)). It was not possible to disentangle whether the use of such strategies was due to the specific officers who were observed, or was more site-based. However, given the confrontational style seen in Hackney, it is possible keying was used to present a better image of the local police to the researcher.
In addition to their methodological relevance, the examples where the police put on overt displays of rule-following behaviour also inform our understanding of how legal regulation operates. In ‘playing to the audience’, the police offered a resemblance of ‘normal’ lawful practice, which suggested they have an active role in determining when, and how, they are constrained by the law.

Officers do not, however, have a complete free-hand. While there were some shows of bravado during the fieldwork, most of the observer effects were ostensibly about inhibiting officers. The observations, therefore, showed that the legislative constraints were activated by officers, sometimes because of immediate external triggers (e.g. the presence of an observer), or for more diffuse contextual reasons. During the interviews, officers regularly said they took care to have good grounds before searching someone. While some made general remarks about changes having been made to the ‘rules’, respondents were not largely talking about specific revisions to Code A. The idea that there was an increasing need for officers to ‘cover their backs’ was, in contrast, pervasive and unambiguous. The interviews were permeated with comments about how, following the SLI, there had been a growth in complaints and that the police were under more intense scrutiny. Given that the actual changes made to Code A around the time of the fieldwork were marginal, and did not substantially change the way RS was defined or its enactment regulated, the officers’ remarks suggested the law had ‘more bite’ because of changing external circumstances. The triggers that were more likely to result in officers consciously enacted constraints were located in the decision field or surround, rather than the extant legal framework.

**Summary of key points**

The behavioural and interactional signals described in this chapter revealed the inclusive and contradictory nature of police suspicions. Under the right circumstances, and with sufficient scrutiny, almost any form of action could be construed as suspicious and used as a resource by officers to justify a stop. As McConville et al. previously noted: “Police working rules relating to ‘suspicion’ can be rather like proverbs or canons of statutory interpretation: for every maxim there is an opposite, thus justifying virtually any course of action” (1991: 28).

Even when behaviour had a normal appearance, there was scope for the police to regard it as a fabrication to conceal a person’s ‘true’ intent. Decisions to initiate contact may, therefore, be regarded as determined, in part, by the willingness of the police simply to take any form of action. There was a sense certainly with vehicle stops – because traffic infringements were commonplace – that the interests of the officer, their policing style, and the other demands on their time, were important influences on decision-making. Such latitude may have been more prominent in traffic stops, but was likely to have been present in all encounters to varying degree. From a systemic perspective, other pressures were likely to have had an influence, such as the cultural importance attached to being able to spot a drunk-driver or the competitive environment of the canteen.

What was notable from the analysis of behavioural signals was the relative infrequency with which officers came across specific acts that were, directly or indirectly, associated with crime. Beside traffic and public order offences, the archetypal encounter involving a police officer having observed someone acting in a way to suggest they were engaged in crime (as assumed in Code A) was a rarity. As a result of the safeguards preventing the general use of physical and categorical signals, Code A emphasised the importance of behavioural signals in the formation of suspicions yet, in so doing, failed to grasp and regulate police work in practice. Where behaviours were seen to trigger suspicions, they tended to be based on a
loose collection of actions that were used to draw inferences about a person's motivation, which were effectively moral assessments based on normative expectations.

Finally, police-public encounters were found to be highly controlled and skilful interactions. Officers were generally adept at adjusting their interaction style and managing their front. Face-to-face exchanges entailed intricate information games between the police and suspects. There were examples where each side tried to give off a particular impression to the other, and attempted to disguise their 'true' projects of action. The police were cynical in their outlook and expected people to conceal information, lie, and pretend everything was normal (which sometimes resulted in 'all-clear signals' attracting suspicion). Members of the public were at a disadvantage in these games because, while they held some control over information, and could put up some resistance, officers had access to the law and the use of force.
PART III – CONCLUSIONS
Chapter 10 – Suspicion, legitimacy and compliance

Suspiciousness and police encounters

The thesis has been modest in scope and sought to explain important aspects of police patrol work, such as why officers regard some people as suspicious and thus initiate contact with them. The analytical focus has been to understand social action and interaction at the micro-sociological level while, at the same time, appreciating the embedded nature of decision-making which led to social action being situated, and influenced, by wider organisational and social conditions. In attempting to draw together the main findings and implications from the study, this concluding chapter returns to the three overarching aims that introduced the thesis.

Aim one – the development a conceptual framework

One of the main objectives of this thesis has been to develop a conceptual framework with which to understand the practical exercise of suspicion. It has been argued that police suspicions emerged from two related processes. On the one hand, framing explained the organisation of experience and involved the police interpreting, usually on tacit level, the social information they received on patrol via pre-existing schema, which were learnt 'on the job' and supported by experiential knowledge. On the other hand, signalling focused more on the actual experiences of officers by referring to the fleeting communicative process by which social information was transmitted and received. As such, signalling helped identify which pieces of physical, categorical and behavioural information generated suspicions. The point at which these processes started to converge – signification – was seen to be when the signals identified by the officer were ascribed meaning, and the situation rendered meaningful. In some cases, this emerging interpretation was supported by confirmatory strategies, which were deployed to build a more coherent picture.

Of critical importance to the overall argument has been the idea that the signals and interpretative frames required to generate suspicions were both situated in wider environments. The information responded to by the police was patterned temporally and geographically, which would have been affected by prevailing economic and social conditions. Likewise, acts of interpretation were likely to be influenced by the immediate organisational setting, and contextualised within the socio-political surround. Together, the situated nature by which suspicions were formed, tentatively pointed towards a dynamic and systemic understanding of police decision-making in which changes in one area could have affected change elsewhere.

Figure 8 (below) attempts to provide a graphical representation of the emerging model for understanding the formation of police suspicions.

Aim two – understanding what prompts police suspicions

The second major aim of the thesis has been to explore what prompted police to conduct stops and searches, and to identify the relative importance of these signals. The signals that were critical to police decision-making during the fieldwork have been described in detail in Part II. Taking a step back, it has been possible to discern from that empirical richness, clear patterns within police suspicions.
On the whole, there was evidence to suggest that methodical suspicion (Matza 1969) and categorical suspicion (Marx 1988) were the pre-eminent modes of operation for the police. Taking into account both the frequency with which particular signals were seen to prompt a reaction, and the resonance that these signals had with officers (i.e. their signal strength), a small number of signals appeared to play an important role in the formation of suspicions (Figure 9). Young people, being black, and the wearing of sports clothes, were all found to be common categorical prompts for action through the use of cognitive simplifications, but the suspicions they generated tended to lack specificity. In contrast, identifying a person as a known offender – an example of methodical suspicion – was found to occur less regularly overall, but invariably was highly meaningful to officers, and tended to result in a stop being initiated. Likewise, signals of drug use had high currency with officers, but were not very frequent.
Examples of incidental suspicion (Matza 1969), where there was a strong connection between the suspect and the incident — through a process of equivalence — were rare, but powerful. It was very unusual for officers to come across offenders red-handed, or to find someone who exactly matched a description, but when they did so, action was usually taken. More commonly, officers were seen to respond to weaker behavioural signals or description matches, where taken-for-granted categories were able to play a greater role.

Taken together, the thesis has suggested that police suspicions were likely to fall disproportionately on the socially marginal who needed to be kept 'in order' — particularly young men, those from ethnic minority backgrounds, and people who were ‘known’ to the police. As such, the thesis echoes Ericson’s (1982) earlier conclusion that the collective effect of routine patrol decisions can be to reproduce the social order.

Aim three — weighing-up the role of organisational, social and political influences

The third, and final, aim of the thesis has been to take account of the embedded nature of legal decision-making, and consider the extent to which broader influences shaped police practice. With its focus on the episodic ‘here-and-now’, there are inevitable limits to the extent to which firm conclusions can be drawn about the relative importance of influences in the decision field and surround.

The most immediate organisational influence on police practice was found to be information, predominantly in the form of calls for service and, to a lesser extent, from intelligence briefings and via other technological means (e.g. ANPR). Compared to other studies on the police which were focused on larger urban police forces (Young 1994; FitzGerald 1999), the role of public calls was found to have less of a direct influence on the exercise of stops and searches. Evidence from Chapeltown and Hackney also seemed to indicate that, in general, the operating environment within the BCU moulded action on the ground. Of primary importance was the predominant policing style that had been fostered, and which was likely to have been affected by management decisions and approach, longstanding relationship with the local community, the performance culture, and the nature of the local crime problem.

In terms of wider influences, the empirical evidence suggested the legal framework, at the time, seemed to play only a minor role in officer decision-making. The law had limited practical meaning beyond officers testing the surface plausibility of their judgements and perceiving a threat of sanction should a citizen complain. The logic of Code A required the police to survey the material facts around them, and weigh up the likelihood that a person was carrying a prohibited item. The precise legal formula may have altered over time but, at its heart, RS was founded on the idea of deduction. The practical exercise of suspicion was not based on a deductive logic. In practice, the ‘facts’ were not neutral and the information that was available was incomplete. The role of the patrol officer was, thus, one of an interpreter, trying to make sense of the partially accessible and complex world around them. In this context, abductive processes and cognitive simplifications became the instruments by which officers negotiated their way through the volumes of information they came across. As a legal abstraction, RS did not help officers to make better decisions, because it was too far removed from the operational. Moreover, the perceived threat of sanction was not realised, and largely operated on a discursive level among officers. The prospect that a decision to carry out a search would be questioned after the event was limited, because of the privacy in which it was made and the presentational nature of police records.

The law was not, however, a complete irrelevance. Some officers sought to work within their
own understanding of the rules (in as far as those rules had meaning and could be articulated). Even though the law may have had been ‘misunderstood’, it could still be used as a resource and have some sort of constraining effect (albeit one which was actively triggered by the officers themselves). Some officers were found to be more careful than others in reaching a decision to initiate contact, and took greater care at different times depending on the nature of the situation. Also, there was also a widely held perception that the rules around stop and search had been tightened, and that officers would face stiffer penalties were a member of the public complain. The fact that the rules were largely unchanged during the study suggested the any effect the law had had was mediated by other organisational and social influences in the field and surround. There was some evidence to suggest that conscious attempts to comply with the law were prompted by the media’s reporting of the SLI, and related ‘war stories’.

Limitations of the study

There are, inevitably, a number of limitations with the approach adopted in this thesis. First, the conceptual framework could be criticised for its lack of precision. For example, the notion of the categorical signal, as distinct from other sorts of signals, is potentially problematic. It could be argued that physical and behavioural signals involved officers making some categorical distinctions, while some categorical signals could be seen to have ‘physical’ attributes (e.g. gender and age). Similarly, categorical signals imply the use of typifications, and are perhaps more defined by how they come to gain significance than by the type of cues they represent. Second, it could be argued that the overarching processes of framing and signalling used to explain how police interpret their social environment, are themselves a result of interpretation on the part of the researcher. Critics could, therefore, claim that the analysis slips into relativism. Such challenges would, however, miss the point of the analytical approach that has been used in this thesis. Concepts have been developed to make sense of the empirical world and are not ‘things-in-themselves’. They enabled the user to derive meaning from the social processes and phenomenon being studied, but are not constitutive of them. To do so would be to elevate the status of an abstract schema above that of the empirical evidence. The perspective that has been developed to understand the social world of the patrol officer attempts to be empirically grounded and takes account, to some extent, of the broader social and political context upon which the observations of policing were contingent. If such an approach is regarded as relativistic, then this is because, to claim otherwise, would fail to appreciate that understanding has an emergent quality (Rock 1979).

Broader implications of the study – procedural justice and legitimacy

To conclude the thesis, I want to return to one of the themes raised by one of the original Home Office studies based on the national pilot. Quinton et al.’s (2000) initial examination of police decision-making was situated in a broader discussion about legitimacy. The authors argued that the legitimacy of stops and searches rested on three elements: public trust and confidence, legality, and effectiveness. For an individual encounter to be more legitimate, it must be carried out: fairly, respectfully, or for a good reason; within the law; and targeted in way to reduce crime. Rather than suggest these three elements were in direct opposition to one another – as might be the case in a traditional ‘due process’ versus ‘crime control’ model – the research pointed towards a relationship of mutual interdependence (Dixon 2007).

Since the publication of the Home Office study, the work of Tom Tyler and colleagues on ‘procedural justice’ has become increasingly influential and provides a more sophisticated conceptual apparatus for understanding the legitimacy of the police (see also: Bradford et al.)
2009; Jackson and Sunshine 2007). As a social psychologist, however, Tyler has been less interested in understanding police practice, and more concerned with explaining why people obey the law and cooperate with the police. In essence, his theoretical and empirical work has shown – to use Bottoms’s (2002) language – that normative compliance is more effective than instrumental compliance or self-interest, and represents a much less costly policy option. In arguing against a deterrence model of justice, Tyler has pointed out that policing style can influence public views about the legitimacy of the police as an institution, and that, in turn, legitimacy can promote public compliance with the law (1990) and lead to greater public cooperation in terms of reporting crime and acting as witnesses (Tyler and Huo 2002).

There are two key arguments underpinning Tyler’s self-regulatory model of compliance. First, Tyler has shown that social values can help shape behaviour, and that voluntary deference and willing cooperation are more likely if the law is seen to be legitimate, and consistent with a person’s values. In support of this argument, empirical evidence, based on a panel survey of New Yorkers, has demonstrated that public perceptions of police legitimacy were more important in motivating compliance and cooperation, than both perceptions of police effectiveness in fighting crime and the perceived risk of being apprehended (Sunshine and Tyler 2003). Second, Tyler has also shown that social values can be shaped by agents of formal social control, because values are inherently linked to assessments about how these agents act and maintain order, and exercise their powers. ‘Procedural fairness’ has been found to be particularly influential, leading to a process-based approach to regulation. Fairness in this context refers to fair decision-making (e.g. decisions that are transparent, consistent, neutral) and fair treatment (e.g. respectful and courteous contact). Empirical research has shown, for example, that people’s experiences of fair and unfair policing can, respectively, enhance or erode the legitimacy of the police (Tyler and Fagan 2008). There is, however, some evidence to suggest that these patterns may not be symmetrical and there may be greater scope for the police to lose legitimacy or public confidence (Skogan 2006; Quinton and Morris 2008; Myhill and Beak 2008). Overall, procedural justice is regarded as a key antecedent of legitimacy, in that if people see the police as fair, they are more likely to see the police as legitimate (Sunshine and Tyler 2003).

The procedural justice thesis has ‘external’ and ‘internal’ implications for the police, in terms of their use of stops and searches. From an external perspective, there are potential longer term benefits to the police in the way they interact with the public, well beyond simply making an arrest or maintaining order. If public compliance and cooperation is to be fostered through the legitimacy of the police, there is a premium on officers treating members of the public fairly and with respect, and ensuring their decisions are open, neutral and consistent. The evidence from this thesis indicated that, overall, interactions between the police and public were well-handled. In all but a few encounters, officers did not take an authoritarian approach. The more aggressive style of policing evident in Hackney, however, could pose a localised problem to the public’s acceptance of, and deference to, the police, and the right of officer to exercise their authority. Fair decision-making perhaps represents a more general problem across the study sites. While most people were seen to cooperate with the police during the encounter, it was not clear whether they thought their treatment was fair and the reasons they were given for being stopped were good enough. Given that police suspicions appeared, in many cases, to be based on weak processes of signification, and often resulted in people at the margins of society being brought into contact with officers, it is highly probable that police legitimacy is at its most fragile amongst these social groups. Given that both

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77 Bottoms described four mechanisms underpinning legally compliant behaviour: normative, instrumental, situational (or constraint-based), and habitual compliance.
offending and victimisation are also likely to be concentrated in these groups, the actions of officers may exacerbate the very problems they seek to address, if they indirectly encourage people not to comply with the law or cooperate with the police.

The procedural justice thesis also has implications for the regulation of stop and search, in terms of helping to explain officers' compliance with the legal rules. One conclusion that could be reached is that a continuing policy focus on the legal framework would have limited benefits. Tyler’s model, for example, would suggest that harsher penalties for breaching Code A would be ineffective in securing greater rule-following behaviour among the police. The evidence presented in this thesis suggests that the law does not feature strongly in officer decision-making, and that compliance with the rules is itself a fairly loose concept given the nature of the legal thresholds around searches. If officers are not to have complete disregard for the rules (however poorly specified), and are to demonstrate fair treatment and decision-making when they initiate encounters with the public, the procedural justice model might point to policy interventions that: ensure officers are, themselves, treated fairly within the organisation; focus on organisational learning and risk management (rather than discipline); and seek to foster shared values about the purpose and nature of policing. While it is beyond the scope of this thesis to describe what such a programme might look like, there would seem to be some merit in the police engaging more directly with communities – at a very local level – about their use of stops and searches. Care would be required to ensure that such an approach does not place the public at a disadvantage, create confrontation, or simply legitimate existing practices. Adopting the language of human rights more explicitly across the police service may also help officers to determine when and how to act (Neyroud 2003; Sanders and Young 2007). Concepts such as ‘necessity’ and ‘proportionality’ potentially offer an alternative framework which officers might be able to apply more readily in an operational context. There is an irony in recommending self-regulation given that the present, largely self-regulatory system appears to be ineffective. One of the main findings from this study, however, has been that regulations can have a constraining effect when officers are willing to activate those constraints (i.e. due to the conclusions of the SLI or the presence of an observer on patrol). The focus on fostering shared values, via community engagement and human rights, can be seen as an attempt at stimulating officer’s agency.

The potential for self-restraint is further enhanced as police officers are rendered increasingly visible, and as the front-region of police-public interaction gains a wider audience. The recent G20 demonstrations and Iranian protests have illustrated that the extensive ownership and use of digital camera technology now mean that police action, which would previously have been unreviewable and out-of-sight, can be captured and subject to public scrutiny. The longer term prospects for ‘sousveillance’ (Mann et al. 2003), or the watching of the watchers, is unknown. There may be some reasons to be agnostic about its impact, given the ability of people to adapt to their surroundings and to stage-manage the information they give off about themselves (e.g. removing collar numbers, hiding their faces, deleting images). However, there is scope for some of these technological developments to be adopted by the police service themselves to regulate officers through surveillance. The use of helmet-mounted cameras, which enable the police to gather evidence on criminals, has recently been established (Guardian, 12 July 2007), and has the potential to be used in the future as means of recording police-public encounters for accountability or training purposes.
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Appendix — The interview schedules

1. National pilot interview schedule (round one)

Biography

- To begin, can I just ask... do you work on a team or sector?
- And how many years service do you have?
- Have you always been based in xxxx?

Training

Before we talk a bit about your experiences of the pilot, I’d like to start by asking some questions about the training you’ve received to prepare for it.

- So, can you describe the training you were given before the pilot began (in July)?
- Did this training include anything about: PACE search powers? Community and race relations? The Macpherson report?
- What did you think of this training?
- If 'no' for any, then ask: Had you been given training before this (say in the last year or so) on: PACE search powers? Community and race relations? The Macpherson report?
- What did you think of this training?
- And who delivered this training?
- Overall, were you satisfied with the training you received?
- If not: What bits of the training were unsatisfactory?
- Did it give you all the information you felt you needed to be able to do the pilot?
- What are the main changes to stop and search that are being piloted?
- Are you supposed to complete a record every time you stop someone?
- So when (in what circumstances) are you supposed to make a record: If you stop a vehicle? If you stop someone on foot?
- Are there any circumstances when you don’t have to make a record? For pedestrians / vehicles?

General experiences

I’d now like to ask you some questions about your experience of the pilot since it began. Thinking first about ‘stops’ (i.e. not a search) that you have recently carried out...

- How many times have you conducted a stop over the past fortnight? (a stop under the pilot)
- Did you complete a stop form at the time for all these stops?
- If not: Why not?
- How many of these stops did you record later, back at the station for example?
- How many of these stops did you not record? (a lot / a little)
- Is there a particular kind of stop / What sort of stops do… you tend not to record?
- Why?
- Thinking now about recent ‘searches’ you have carried out...
- How many have you conducted over the past fortnight?
- Did you complete a form at the time for all these searches?
• If not: Why not?
• How many of these searches did you record later, back at the station for example?
• How many of these searches did you not record? (a lot / a little)
• Is there a particular type of search / What sort of searches do... you tend not to record?
• Why?
• What are your views on the new form? Prompt as necessary: Is it easy to use? Have you had any particular problems with the form? What problems?
• What has been the reaction of the people you have stopped when asked to describe their ethnic origin / background?
• In general, thinking about your own experiences of the pilot, has this question caused many problems?
• What has been the general reaction to the form (and the pilot) from people you have stopped or searched?
• Have they tended to take a record of the stop / search?
• Again, thinking about the ‘stops’ and ‘searches’ you have done in the past fortnight, how long, on average, has it taken you to fill in the form for a search? And for a stop?

Overview of the pilot

• It has been shown recently that the overall number of stop and searches conducted in London had decreased dramatically over the last year or so.
• Would you say you use stop and search less than you used to?
• Why is that? (probe on ethnicity)
• Thinking now specifically about the period since the pilot began (Dec 1)...
• Do you feel that the changes to stop and search in the pilot have changed the way you do things? Prompt as appropriate:
  – Has it changed the amount you search people / stop people? More / less?
  – Has it changed the way you conduct searches / stops?
  – Have the changes affected the way people react to being stopped / searched?
  – In what way?
• In your view, have these changes to the way you record stops and searches had any positive impact?
• Have they had any negative impact?
• Overall, how would you summarise your reaction to the changes? Prompt: Broadly positive or negative?

Examples of recent ‘stops’ and ‘searches’

I’d now like to ask some questions about a couple of specific examples of stops and searches that you have recently carried out. It will be helpful to get as much detail as you can remember.

• Can you remember the last time you carried out a stop (not search)?
• What happened? Prompt for the following as appropriate:
  – Who did you stop?
  – Why did you stop them? (What prompted you to stop them?)
  – What happened during the encounter?
- Did you ask them to describe their ethnic origin?
- How did they react to this question?
- Did you complete a record of this stop at the time?
- If not...why didn’t you?
- Did the person take a copy of the record?
- If not...why didn’t they?
- What was the person’s overall reaction?

- Can you remember the last time you carried out a search?
- What happened? Prompt for the following as appropriate:

  - What was the origin of the search? Possible prompt: call for service / intelligence / prom-nom / self-generated
  - Who did you stop?
  - Why did you stop them? (What prompted you to stop them?)
  - What happened during the encounter?
  - Did you ask them to describe their ethnic origin?
  - How did they react to this question?
  - Did you complete a record of this stop at the time?
  - If not...why didn’t you?
  - Did the person take a copy of the record?
  - If not...why didn’t they?
  - What was the person’s overall reaction?

Reasons for stops

As part of our research we are also interested in understanding how officers make decisions about whether or not to stop someone in particular circumstances.

- Could you describe the ways in which searches come about are generated / prompted / originated?
- Are there any other things like this that can prompt a search?
- Of these things, where do most of your searches come from?
- Why is this?
- How much of your searches do you generate yourself?
- How do you generate these?
- Do you do tend to focus on a particular crime / criminal / area?
- What things do you tend to search for?
- Overall, how much would you say you use stop and search compared to your fellow officers?
- Is there anything that would stop you doing a search? (assuming reasonable suspicion)
- How would you define a good stop / search?
- How would you define a bad stop / search?
- Thinking about your colleagues / the other officers on you team - could you identify some of them who are obviously good at / better at using stop / search then the rest?
- What are they like? What is different about their approach / the way they use it? What makes them better than the rest?
2. National pilot interview schedule (round two)

Introduction
- To begin, can I just ask... are you still in the same job as you were when we came in November?
- Could you briefly tell me what impact the pilot has had on the way you do stop and search?
- Has this been the case throughout the pilot?
- Has using the form changed the way you do stops or searches in any way?

Thinking about your use of the new form in just the past few weeks...
- How have the people you have stopped or searched in the last few weeks reacted to the form?
- How did most of them react to being asked their ethnic origin?
- At the beginning, it seems some officers had difficulties asking people's ethnic origin. Do you feel comfortable now about asking people this question?
- Overall, what has had the biggest impact on the way that you carry out stop and search during the pilot? Why? Prompts: media coverage; training; complaints; new form; public knowledge; supervisor?

Supervisory input
I'd just like to ask a couple of questions about the role of the skipper and Inspector on your team.
- Who do you tend to have most contact with - your skipper or the Inspector?
- Do they tend to spend a lot of time out with the team or do they spend more time in the station and tend to leave you to get on with it?
- Has your skipper or Inspector said much to you about the pilot in the last couple of months? (or have they just left you to get on with it?)
- Do they tend to check whether you are completing your forms or just leave you to it?
- Do they check how well you have completed them?

Overview of the pilot
Based on your experiences of the last six months in this pilot, I'd now like to talk a bit about what the Macpherson report said about stop and search and about the changes it proposed (and that you have been piloting).

To start with, I'd like to get your opinion on the specific changes that you have been piloting, based on your experience. The Macpherson report recommended that the form be completed at the time of the stop.
- Based on your experience, do you think it matters if the form is filled out later?
- Do you think it is useful to ask people to define their own ethnic background?
- Do you think people should have the right to get a record if they are searched? At the time? Why?
Do you think people should have the right to get a record if they are just stopped but are not searched? At the time? Why?

What problems do you think the changes proposed by Macpherson you have being piloted are supposed to address?

Do they work?

The Macpherson report highlighted the view that people from ethnic minorities are more likely to be stopped and searched than people from other groups. It also highlighted the view that discrimination played a part in this.

Do you think that is a fair criticism of how stop and search has been used by the police? (Has stop and search been used discriminately?)

The report also highlighted the view that this was the case in relation to other types of stops, such as traffic stops.

Do you think that is a fair criticism?

Do you think there are any other problems with the way stop and search is used?

What would you suggest to solve this problem?

**Summing up**

To sum up, based on your experiences of the pilot...

- What is the positive impact of the changes?
- What is the negative impact?
- Overall, how would you summarise your view of these changes?
- Should they be brought into force across the police service?
- Why?

**Utility**

I would just to like to finish the interview by getting you to think about stop and search and the impact it has on crime...

- What are the best / most effective ways of using stop and search to address crime problems?
- Overall, how effective is it compared to other methods of addressing crime?
- Is stop / search more effective at detecting past crime or preventing future crime? Why?
- Do searches generate useful intelligence that could not be generated by conversations / stop-checks or sightings of people (without searching them)?
- Do the briefings at parade provide you with much up-to-date and useful information for stop and search?
- Does your local intelligence system provide you with much useful information?
- What types of crimes are you more likely to get suspect descriptions for? How accurate are they?
- From your experience of policing in xxxx, do you think that different ethnic groups commit different types of crimes?
- If so, do you think that this is reflected in the suspect descriptions you get?
3. Phased implementation interview schedule

Training

Before we talk a bit about your experiences of recording stops, I’d like to start by asking some questions about the training you’ve received to prepare for it.

- Briefly, can you describe what the training covered? SLI, community views, encounter handling, new Codes of Practice, reason for introduction
- How long was the training input you received just on stops and the recording requirement?
- And what about the training you received on how to use the computer equipment?
- Overall, were you satisfied with the training you received?

Recording requirement

I’d now like to ask you about the new recording requirement that’s been introduced.

- If you stop someone, but don’t search them, when are you supposed to make a record?
- How clear-cut is this – is it easy for you to know when to make a record of a stop?
- Are there any situations when you wouldn’t be expected to make a record?
- How easy is to record stops (that don’t result in a search)?
- And how easy is to use the new computer equipment (that don’t result in a search)?
- What are the practical issues about using the new computer equipment?
- How much extra time do you think recording adds, on average, to the length of a stop?
- I’ll ask you about the self-defined ethnicity question later, but I’d like to ask you about the other information you have to record for just a stop. Do you have any views on the amount you to record, or the way you have to record it?
- Briefly, what do you think about the design and layout of the screens and the print-out?

General experiences

I’d now like to ask you some questions about your experiences over the last few weeks.

- Roughly how many times have you carried out a stop over the past fortnight?
- How many times did you complete a record at the time of the encounter?
- If not: What were the reasons?
- How many of these stops did you record later, back at the station for example?
- How many of these stops did you not record at all?
- Are there any particular types of stops you tend not to record, but probably should?
- Why?
- Is there anything which would to make you more likely to record those types of stops in the future?
- For the stops you recorded at the time, did the person receive a print out of the record?
- And how many received a record later, through the post or via email?
- In general, how have people reacted to the new equipment?
- And what about receiving a copy of the form?
- Thinking about the self-defined ethnicity question… How often do you ask people to describe their own ethnicity?
• And how comfortable do you feel about asking them that question?
• What’s your approach – how do you introduce it when you’re speaking to someone?
• How have people tended to react when you ask them about their ethnicity?
• How often have you experienced problems? Were these confrontational encounters anyway?
• Do you ever leave it blank or just fill the answer based on what you think, simply to avoid asking the question?
• What do you see as being the reasons for having to ask people about their ethnicity?

**Supervision**

I now like to change tack and ask you about your supervisor

• Has your supervisor said much to you about the new requirement since it started?
• Do they check how well you have completed them?
• And do they check whether you complete a record or encourage you to do so?

**A recent example of a stop**

• It would be really helpful if you could talk me through a recent stop which didn’t lead to a search. Can you remember what happened in as much detail as possible? **Prompts:** Who did you stop? Why did you stop them? What happened during the encounter? Did you ask them to describe their ethnicity? Did you complete a record of this stop at the time? If not, why?
• Did the person take their copy?
• If not: Why? What was the person’s overall reaction?

**Wider impact**

I’d just like to move on to ask you about some broader issues...

• What impact has recording had on the way you stop and speak to the public – perhaps the number you do or your approach?
• If fewer stops: Is it that they don’t stop people or don’t record?
• Has it changed the way you think about who to stop, and why you want to stop them?
• Has recording affected what you tell the person who’s been stopped?
• And what about the dynamics or flow of the interactions you have with the public – have they changed?
• Do you think recording stops has changed public confidence in the police?

**Targeting and crime**

• To what extent are your stops targeted towards particular people or place? **Prompts:** Specific intelligence; own knowledge; experience; calls for service; tasking.
• How do you know where to target them?
• What impact do stops have on crime?
• And what value do they have as a tool for intelligence gathering?
**Summing up**

I’d like to draw the interview to a close now, and to summarise your views…

- In your view, what has been the positive impact of recording stops?
- And, what has been the negative impact?
- Overall, how would you summarise your reaction to the new recording requirement?
- And, finally, is there anything you would change if it was rolled out across the country – perhaps in terms of what you have to record, the equipment, or the guidelines?