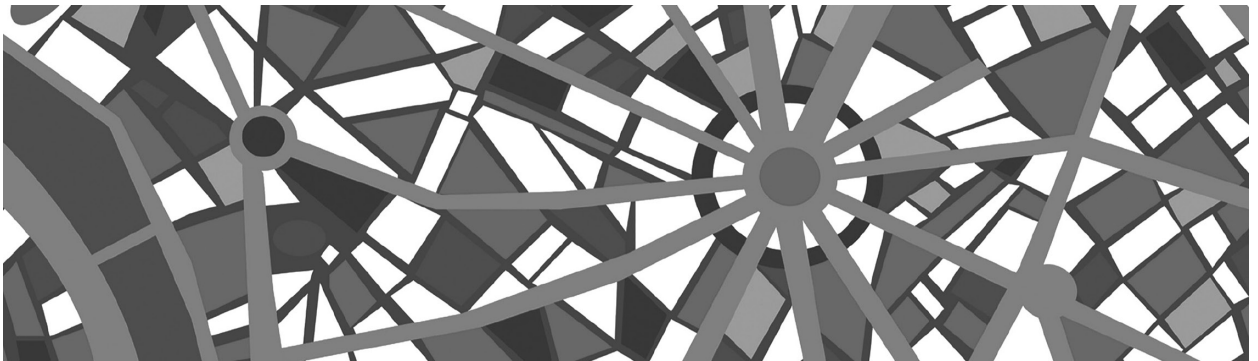


The SAGE Handbook of Global Policing



Edited by
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Police, Crime and Order: The Case of Stop and Search

Ben Bradford and Ian Loader

INTRODUCTION: WHY STOP AND SEARCH?

What is the social purpose of the police and how does and should this purpose relate to the ways in which police power is controlled and governed? How central to that purpose is the control and investigation of crime? Or are the police invested with a more omnibus function pertaining to the reproduction of social order – whether that be a ‘specific order’ protecting class and other sectional interests and/or a ‘general order’ from which all citizens of a polity benefit (Marenin 1982)? One view is that the primary activity of the police is crime – investigating offences and apprehending offenders. This is a conception of policing that saturates cultural representations of the police across the world – the stuff of crime dramas, detective novels and everyday storytelling. It also looms large in dominant governmental claims – made in interior ministries and by police chiefs – about the purpose of the

police (e.g., Bratton 2005). It has in short the backing of a powerful, emotional resonant ‘common-sense’ – if the police are not in the business of catching criminals what an earth are they for (Loader 2013)? Yet this piece of doxa about policing sits uneasily with what we know about the social practice of policing. Across several decades and numerous jurisdictions, researchers have repeatedly found that ‘crime’ is not high on the list of troubles for which citizens call the police and that dealing with crime takes up only a small part of most officers’ working time (Brodeur 2010: ch. 5).

An alternative conception is that order, security and civil peace are the basic organizing concerns of the police. This view concedes that the police have a significant part to play as one among a range of social institutions that prevent crime. But it contends that dealing with crime forms only one aspect of a wider police mandate that is concerned with the regulation of social conflicts and the management of order. In respect of these tasks, the police’s unique resource is the capacity,

if required, to wield non-negotiable coercive force in order to produce temporary, situational resolutions of conflict. It is for this reason that – in Bittner’s (1990: 355) famous formulation – the police are called when ‘something-is-happening-which-ought-not-to-be-happening-about-which-somebody-ought-to-do-something-NOW’. Given this, Bittner contends, there are few problems that cannot, in principle, become the subject of police intervention. On one view of this conception, the police have a vital civic role to play in sustaining conditions that enable people to pursue their life projects and in ensuring equal access to the basic good of social order. However, there are many societies across the world where the police are implicated in protecting the political order of a particular regime or in preserving social order that benefits sectional much more than general interests.

In this chapter we want to revisit – and extend – this discussion about the relation of the police to the key political concepts of ‘crime’ and ‘order’ using the case of the police power of stop and search (or frisk). The power to stop citizens, to check their identity, demand that they account for their movements/actions, and to search their possession is a ubiquitous capacity of police organizations around the world (Weber and Bowling 2012). Every day, across the globe, people are stopped by police: outside their homes, on the streets, in shopping centres, in their cars; these encounters can take place in almost any of the contexts within which police and public interact. All ‘stops’ result in verbal questioning, while a significant proportion result in an on-the-spot search of the individual or vehicle concerned.

In England & Wales – our main focus here – the police power of stop and search is legally mandated, wide-ranging, and backed, as are all police actions, by the ultimate threat of coercive force. Various forms of the power are enshrined in law, the most important of which is Section 1 of the Police and Criminal Evidence Act 1984, otherwise

known as PACE. PACE applies a ‘reasonable suspicion’ test, meaning police must have a justifiable reason for stopping someone with a view to searching them – but other pieces of legislation do not, notably Section 60 of the Criminal Justice and Public Order Act 1994, which allows officers to search a person without suspicion. Searches under these powers, although they occur in public spaces, can be relatively invasive; certainly, many are more than a quick pat down. Individuals stopped are required by police to stay for the duration of, and acquiesce to, any search that follows, and officers can use force to ensure they do so. In essence, people who are ‘stopped and searched’ are *detained* by the police, albeit usually for a very short period of time.

Despite, or perhaps because of, the extent of the power it grants to police, stop and search is one of the most commonly used formal police powers in England & Wales. Some 1 million people were stopped and searched under PACE and associated legislation in 2012/13, a figure roughly equal to the 1.1 million arrested over the same period (Home Office 2013). Once ‘stop and accounts’ that do not result in a search, of which there were 2.2 million in 2008/09 (Bridges 2015 – data on stop and accounts ceased to be collated centrally in 2011), as well as traffic stops and an unknown number of less formal contacts are taken into account, the number of people stopped by police far exceeds the number of people arrested. This is perhaps hardly surprising, but what it means is that stop and search, and the wider category of ‘police-stops’, is one of the more common ways in which citizens come into contact with police, and probably the most common form of contact that is both initiated by the police themselves and constrained, albeit often loosely, within a legal framework.

Stop and search is also one of the most contentious powers employed by the police in England & Wales; cognate practices in other national contexts, such as stop and frisk in the United States, are often equally as hotly debated. In addition to being a temporary

deprivation of liberty, it is an incursion into individual privacy and an impediment to freedom of association. Its repeated use can have serious effects on the quality of life of those subjected to it. It is also a resonant case in point of the police being able to perform actions that would be illegal if conducted by citizens. There is a seemingly endless debate about the fairness, probity and usefulness of stop and search, that spills from the airwaves, pages of newspapers and blogosphere onto, on occasion, violent discord on the streets. Nothing seems to drive a wedge between police and community, or between supporters and critics of the police more generally, than perceptions of the inequity of stop and search, on the one hand, and stubborn, sometimes strident, defence of the practice on the other. Stop and search is, in sum, a power that stands in need of justification – a power, we argue, whose exercise is laden with implications for how we understand the overarching purpose of the police and how we might seek to control and govern police work.

The official rationale for stop and search locates it squarely within a crime control model of the police function. This conception of stop and search grounds the power in two legitimating claims. First, that it is a reactive, crime detection power – an indispensable tool assisting the police in investigating crime. As Bowling and Phillips (2007: 938; emphasis in original) argue: ‘It is important to remember that the power to stop and search is an *investigative* power used for the purposes of crime detection or prevention in relation to an individual suspected of a specific offence at a specific time’. Second, that the power to stop can be subject to effective restraint and regulation using external legal and internal disciplinary frameworks. The grounds of ‘reasonable suspicion’ that typically constrain the power to stop serves to bind these two claims together. Reasonable suspicion signals that this power is to be targeted *only* at individuals about whom the police have ‘objective’ ‘facts, information or intelligence’ pertaining to their involvement

in crime (PACE 1984, Code of Practice A). Here reasonable suspicion serves as a proactive constraint, limiting the power to crime detection uses. It also enables internal and external monitoring of the appropriateness of the power’s deployment. In this regard, reasonable suspicion (and the record officers have to make of the grounds for such suspicion) offers a framework for retrospective oversight – and the opportunity for redress if the power has been abused.

The question we want to ask in this chapter is whether these claims are fictions – necessary fictions, but fictions nonetheless. The *prima facie* reasons for posing this question are as follows: in respect of the first claim, the evidence (from across time and jurisdiction) is of repeated ethnic and other disproportionalities and endemically low ‘hit rates’ – suggesting that the power to search may be driven by some other factor than an evidence-based effort to investigate crime and apprehend individual suspects.¹ In respect of the second claim, is a commonplace to note the ease by which officers are able to circumvent the constraint of ‘reasonable suspicion’ on the ground – by requesting permission to conduct a search (permission that is unlikely to be denied), or by ‘legalizing’ a stop with a claim such as ‘I suspected drugs were being used’ – and thereby evade effective management oversight or legal control.

In the light of these ‘facts-on-the-ground’ two puzzles emerge about the power to stop and search:

- Given its failings as a crime detection tool (persistently low rates of ‘successful’ stops) and its consistently damaging impact on relations with minority communities why do the police cling so tenaciously to this power, and why have governments not moved to abolish it?
- Given what appears to be the endemic failure of law to subject this power to effective control why does stop and search seem perpetually to elude a variety of attempts to legally regulate it?

In what follows we set out to resolve these puzzles. Our resolution indicates that stop

and search is intimately entangled with some deeper questions to do with the purpose and governance of policing – and is productive of some surprising, indeed, troubling answers to those questions. At stake is a wider understanding of the nature of policing, what it is for, the criteria against which its success might be measured, and the processes that sustain, or undermine, police legitimacy in capitalist democracies.

THE SOCIAL REALITY OF STOP AND SEARCH

There are two possible resolutions of the first puzzle: why do the police cling so tenaciously to the power to stop despite its evident failings as a crime detection tool? The official resolution extends the crime control function of stop and search to include prevention and deterrence, rather than simply investigation. This rationale comes itself in two forms, each of which possesses a weakness that limits its capacity to solve the puzzle. One version holds that stop and search offers a specific deterrent against those actively minded to engage in illegal activity. The shortcoming here is again the endemically low ‘hit rates’: does such an inefficient practice really provide deterrent threat? A second version holds that stop and search exercises a general deterrent effect over the population. On this view, low ‘hit rates’ are no evidence of failure – even an ‘unsuccessful’ stop will have served a deterrent purpose. This view, however, is impossible to reconcile with the basic idea that legal stops have to be grounded in objective evidence against individuals. Given these difficulties, we suggest there is a second possible resolution of our puzzle – namely, that stop and search is not first and foremost a crime control tool but has a wider social purpose to do with the keeping of order, and the management – and indeed creation – of social marginality.

To arrive at this resolution we focus not on the official picture of stop and search (as recorded in England & Wales via the ‘police-recorded’ stop and search data), nor with the detailed legal framework and debate that surrounds the use of power, but rather with the empirical reality of stop and search ‘on the ground’ and in the lives of those subject to this form of police intervention. We begin with the case of England & Wales, then look, more generally, at evidence concerning the distribution of police ‘stop’ activity from a range of other jurisdictions. We are interested, particularly, in the social and spatial distribution of stop and search, and in gleaning from this an understanding of the uses to which the power is put. There are in this regard two important theoretical accounts that might explain the distribution of stop and search activity. Both have been developed primarily in the United States, and both, in large part, are attempts to explain why so much police activity is concentrated on minority groups and on other disadvantaged and marginalized individuals and communities.

The first account is provided by *consensus theories* of police activity, which Renauer (2013) describes as structural functionalist in nature. Consensus theories assume a broad level of agreement on society’s aims and objectives, and, specifically, on the need for police to direct activity toward dealing with issues of crime and disorder (which are themselves envisioned as unproblematic social categories). On this account, police will be drawn to areas with high levels of crime, primarily by the reports of residents, and, irrespective of their race, ethnicity or other characteristics, people living in these areas will therefore be more likely to experience tactics such as stop and search (Gaines 2006; Novak and Chamlin 2012). It is the fact that they tend to live in high crime areas, therefore, that explains why stop and search is disproportionately aimed at ethnic and other minority groups. This is of course the account of stop and search provided, at least in formal settings, by the police themselves,

and consensus theories are broadly consistent with the common sense view of policing as crime detection/prevention outlined above. And indeed it does not, in a general sense, seem unreasonable to suggest that all else being equal police activity might well be concentrated in areas with higher levels of crime, or at least higher levels of 'street' or volume crime, and that this concentration will have an impact on people living in those areas.

The second theoretical account is provided by *conflict theory* (Chambliss and Seidman 1971; see Petrocelli et al. 2003 for a summary). Here, the suggestion is that the police, as a bureaucratic agency, will like all other such organizations tend to gravitate toward policies and practices that minimize strains and maximize rewards. Given that police agencies are dependent on extant political structures and processes for funding and legitimacy, there is an in-built incentive for them to engage in behaviours that minimize friction with the politically powerful while at the same time focussing on groups who (a) lack such power (police are motivated to take the path of least resistance when deciding who and what to police) and/or (b) pose a threat, whether social, economic or criminal, to the interests of those who do wield political influence. A key distinction between consensus and conflict theories is that while the former assume crime is concentrated in specific areas, the latter tend to assume that while offending is more evenly spread across different social groups and categories, police will often ignore or tolerate offending among the powerful and concomitantly concentrate on those with less status and influence. This idea has particular resonance when one thinks of the way drug use is policed in a country such as the UK, where white middle class users do indeed seem to be policed differently, and less, than their (often minority) working class counterparts (Release 2014).

According to conflict theory, then, police activity will be concentrated on poorer areas with (for example) large minority

populations not because there is more crime in those areas but because it is *easier*, from an organizational perspective, to police those with low levels of social, political and economic capital. Additionally, the police gain rewards from those who do have such capital when they are seen to be policing people and places that constitute a 'threat'; specific conflict theories, such as group position (Bobo and Tuan 2006), social threat (Liska 1992) and similar approaches underline that it is minority populations, in particular, which are seen as 'threatening'. Accounts of the motivation behind police activity that broadly complement conflict theory are also provided by Choongh (1997) and Waddington (1999), who stress that policing is in a central sense directed towards maintaining existing social categories and boundaries, and disciplining those who are perceived to be actual or potential transgressors of those boundaries. Importantly for what follows, however, these authors concentrate largely on individual-level factors – police deal with those *individuals* that officers have defined as out of place, less than respectful, problematic or 'difficult' in ways only loosely connected to where those people live.

Conflict and associated theories of police activity therefore resonate with (a) the notion that police activity is about maintaining a certain vision of social order, (b) that this order is predicated on maintaining existing social hierarchies, and thus (c) that people from marginalized and excluded groups will *by dint of their low social status* be the special objects of police attention. Moreover, unlike consensus theories they also complement, rather than contradict, claims that the reason why police activities such as stop and search are disproportionately directed at ethnic and racial minority groups is overt, covert or subconscious bias on the part of police officers (Glaser 2015). No account of stop and search in England & Wales – or, as we discuss below, in many other places besides – could be complete without recognition of evidence that at least some of the reason why this power is

disproportionately directed at ethnic minority groups is the existence of various forms of bias, stereotyping and institutional racism within police organizations (Bowling and Philips 2002; Correll et al. 2002; Glaser and Knowles 2008).

We have taken the time to outline these theories of police activity because they neatly frame the empirical analysis that follows. Specifically, consensus and conflict theories suggest contrasting hypotheses in terms of the likely social and spatial distribution of police stop and search activity. According to the former, stops will be concentrated *in* high crime areas and *on* offenders, largely irrespective of other characteristics; whereas on the latter account stop/searches will be concentrated on disadvantaged and excluded individuals and neighbourhoods, largely irrespective of actual levels of offending.

Evidence from England & Wales

In this section we use data from the Crime Survey of England & Wales (CSEW)² to explore the social and spatial distribution of stop and search. Survey data from three years – 2008/09, 2009/10 and 2010/11 were combined into one dataset to boost the number in the sample who experienced police contact. Respondents were asked if they have been stopped on foot or in a car by the police in the last 12 months – those who had been are then asked if this resulted in a search of either themselves or the vehicle they were travelling in.³ The CSEW data files available allow us to bring two important sets of variables to the analysis. First, we obtained a geocoded data file, meaning area level variables from the 2011 Census could be added to the survey data.⁴ Second, the CSEW contains a self-report module on drug use – this was merged into the main file, meaning we have a measure of self-reported offending (around half of all stops under PACE are made with drugs as the grounds for suspicion – Release 2014).⁵

Who, then, is more likely to be stopped and searched by police? Table 15.1 shows the distribution of stop/search experiences across a range of socio-demographic variables. The general pattern is hardly a surprise – younger people, men, those from ethnic minority groups, the unemployed and students, and single people were all more likely to have been stopped by police in the past year. Notably, the proportions of people with black, Asian Muslim and mixed ethnic identities who reported being stopped and searched were substantially higher than the proportion of white people reporting such encounters – the CSEW data, like the police recorded data, suggest for example that black people are around six times more likely to be stopped than their white counterparts. Yet variation is equally stark elsewhere: people aged 16–18 were around eight times more likely to have been stopped and searched than those aged 35 and above; the unemployed were also eight times more likely to have been stopped and searched than those in employment.

Naturally, these bivariate associations cannot probe the relative usefulness of consensus and conflict theories – since each and every association has a range of possible confounders – but they do demonstrate the empirical reality that, for whatever reason, people from minority groups and those socially marginal in other ways are more likely to be subject to this form of police power.

What people do, as well as who they are, may also predict their chances of ‘coming to the attention of the police’ (Miller 2000; Waddington et al. 2004). Table 15.2 shows the distribution of stops by what might be loosely termed routine activity variables. We find people who spend more time out of their homes, who visit pubs and clubs, who have been victims of crime and use drugs were all more likely to have been stopped and searched. Those living in rented accommodation were more likely to have been stopped/searched than owner-occupiers; and the stop and search rate was twice as high in London as in other parts of the country.

Table 15.1 Experience of stop and search: by socio-demographic characteristics, 2008/09–2010/11

Percentage stopped and searched at least once in the past year

	%	Unweighted n		%	Unweighted n
Age					
16–18	8	770	Economic activity status		
19–21	5	703	Employed	1	15,695
22–24	4	919	Unemployed	8	853
25–34	2	4,007	Student	5	690
35–44	1	5,151	Looking after family	.	1,493
45–54	1	4,702	Long term sick	1	1,306
55–64	.	4,846	Retired	.	8,215
65–74	.	3,971	Educational attainment		
75 plus	.	3,637	First degree or higher	1	6,955
Gender					
Female	.	15,802	Below degree level	2	17,927
Male	2	12,904	No qualifications	1	9,353
Ethnicity					
Asian Muslim	6	401	Social class (NS-SeC)		
Asian – other religion	1	581	Professional	1	9,517
Black African	5	296	Intermediate/self-employed	1	8,772
Black Caribbean	7	297	Routine and semi-rout	2	8,096
Mixed (Black and White)	4	106	Never worked/long term unemployed	4	1,015
Mixed (Other)	3	115	Not classified	4	1,306
White	1	26,517	Relationship status		
Other ethnic group	2	356	Single	4	3,308
Country of birth					
UK	1	25,593	Married/cohabiting	1	25,398
Other	1	3,067	Health status		
			Good/very good	1	21,575
			Fair	1	5,290
			Poor/very poor	1	1,788

Source: Crime Survey of England and Wales, 2008/09 to 2010/11

. indicates cell value <.05

A number of individual level variables – both socio-demographic and behavioural – are therefore associated at a bivariate level with people's chances of being stopped by police. Yet, consensus and many conflict theories are equally if not more interested in area level factors. By combining the CSEW data with census level measures aggregated at the LSOA level, we were able to add a set of low-level geographic indicators to the analysis.⁶

Accordingly, Table 15.3 shows results from a series of multi-level binary logistic

regression models predicting the probability of having experienced a police stop in the previous year. These models contain only area level predictors – they take no account of an individual's personal characteristics, but consider only the statistical effect of where people lived on their chances of being stopped/searched. When included individually (models 2 to 8) all the level 2 (LSOA) variables tested were significant: people living in areas with more young people, more black residents, more deprivation, higher

Table 15.2 Experience of police foot stops: by routine activities, 2008/09–2010/11

Percentage stopped and searched at least once in the past year

	%	Unweighted n		%	Unweighted n
Housing tenure			Visits to pub/bars in last month		
Owner/occupier	1	19,760	None	1	14,709
Socially rented	2	4,662	1 to 3	1	7,920
Privately rented	3	4,284	4 to 8	2	4,499
			9 to 12	2	902
			More than 12	4	675
Hours out of home average weekday			Lives in Rural area?		
None	0	673	No	2	21,391
Less than 1 hour	1	1,342	Yes	1	7,315
1 to 3	1	6,506	Lives in London?		
3 to 5	1	4,912	No	1	26,180
5 to 7	2	2,890	Yes	2	2,526
7 hours or more	2	12,323	Access to a car/van?		
Visits to clubs in last month			No	2	6,000
None	1	26,056	Yes	1	22,706
At least 1	3	2,650	Drug use in last year?		
Victim of crime?			No	1	16,598
No	1	21,970	Yes	7	1,426
Yes	2	6,736			

Source: Crime Survey of England and Wales, 2008/09 to 2010/11

Table 15.3 Multi-level binary logistic regression models predicting the probability of having been stopped and searched in the past year

Odds ratios

	Model 1	Model 2	Model 3	Model 4	Model 5	Model 6	Model 7	Model 8	Model 9
Year (ref. 2008/09)									
2009/10		1.05	1.05	1.05	1.06	1.06	1.06	1.1	1.08
2010/11		1.02	1.01	1.01	1.01	1.02	1.04	1.06	1.03
LSOA level variables									
% aged 15–29			1.03***						0.99
% born in UK (logged)				0.11***					0.34*
% Black (logged)					1.69***				1.19
Deprivation						1.51***			1.20*
Victimisation (CSEW estimate)							4.58***		2.18**
Disorder (CSEW estimate)								2.03***	1.35*
IICC	0.04	0.04	0.04	0.04	0.03	0.03	0.04	0.04	0.08
N	27150	27150	27150	27150	27150	27150	27150	27150	27150

Number of level 2 units = 14,787

* p<0.05, ** p<0.01, *** p<0.001

levels of victimization and more disorder were more likely to have been stopped and searched.⁷ Perhaps surprisingly, people living in areas with fewer immigrants (i.e. more people born in the UK) were also *more* likely to have been stopped and searched.

When all the area-level variables were included together in model 9, however, only some retained significance. Holding constant all the variables in the model, those living in areas with more deprivation, higher levels of victimization and more disorder were more likely to have been stopped and searched. The finding that stop and search is higher in areas with a greater proportion of UK-born residents also persists.⁸ The notable conclusion here is that the data appear to support both conflict and consensus theories, in that there is an independent association between stop activity and both levels of victimization, on the one hand, and deprivation, on the other.

Finally, Table 15.4 presents results from regression models that bring together individual and area level factors. Three models are shown. The first was estimated using the full sample to whom the 'stop and search' questions were fielded; the second used only those from the subsample of this group who responded to the self-report drug use module; while the third used the same subsample but this time includes the item on drug use in the previous year. This presentation allows comparison of identical models estimated on different groups of individuals, all respondents (model 1) and those who replied to the self-report module (model 2). A forward stepwise selection method was used to generate Model 1. All the variables shown in Tables 15.1, 15.2 and 15.3 were tested, with only those that proved significant at the 5 per cent level retained in Model 1 – given this model, none of the omitted variables were significant when added.

The findings are striking. While many of the socio-demographic variables proved to be consistent 'unique predictors' of an individual's chances of having been stopped this

was true for very few of the routine activity or area level factors. Controlling for the other variables in the models men, younger people, those from black, mixed and Asian Muslim ethnic groups, the unemployed, those not in good health, and those not in the managerial/professional social classes were all more likely to have been stopped and searched. Of the behavioural variables only access to a car and recent drug use were significant. Recent victims of crime were also more likely to have been stopped/searched. Finally, of the area level factors, once individual characteristics were taken into account only whether the respondent lived in London retained significance at any conventional level.

These results again seem to support both consensus *and* conflict theories of police activity. Stop and search was directed towards those who used drugs – that is, at offenders. Yet, equally importantly, it was *also* directed towards those from marginal social categories – minority groups, young people, recent victims of crime, the unemployed, those not in good health – the 'usual suspects' of police (McAra and McVie 2005), who lack the social, political and economic capital to 'fight back' against their targeting and who, it might be argued, provide various forms of threat to those who do command such capital. The extent to which the data provide support to two seemingly conflicting theories is intriguing. Notable also, of course, is that ethnic disproportionality is not 'explained away'. Even taking account of a range of personal and behavioural characteristics, people from most minority groups (non-Muslim Asians were a significant exception) were still more likely to have been stopped and searched than their white counterparts. This analysis thus provides significant evidence for continued stereotyping by police and, perhaps, institutional racism.

Based on the analysis presented above we might conclude that while stop and search activity is not *unrelated* to crime, it is at least as importantly a tool used by the police to keep tabs on the usual suspects, to let people

Table 15.4 Multi-level binary logistic regression models predicting probability of stop/search in last 12 months

Odds ratios)

	<i>Model 1</i>	<i>Model 2</i>	<i>Model 3</i>
Survey year (ref: 2008/09)			
2009/10	1.09	1.06	1.11
2010/11	0.97	0.92	0.92
Area level factors			
Lives in London (ref: no)			
Yes	1.95**	2.09**	2.09**
Individual level factors			
Gender (ref: male)			
Female	0.20**	0.21**	0.23**
Age	0.87**	0.83**	0.84**
Age squared	1.00**	1.00**	1.00**
Ethnicity (ref: White)			
Asian Muslim	2.10**	2.63**	3.28**
Asian other religion	0.54	0.64	0.71
Black African	2.35*	2.57*	3.25**
Black Caribbean	3.95**	2.63*	2.68*
Mixed	1.81	2.08+	2.43*
Other	1.34	1.35	1.75
Victim of crime (ref: no)			
Yes	1.78**	1.66**	1.49**
Access to a car (ref: no)			
Yes	0.73*	0.63**	0.67*
Self-assessed health (ref: good)			
Fair	1.54*	1.53*	1.43+
Poor	2.05*	1.68	1.62
Economic activity status (ref: all others)			
Unemployed	2.01**	2.15**	2.00**
Social class (ref: Managerial/professional)			
Employees	1.82**	2.00**	1.83**
Routine/semi-routine	1.34+	1.43*	1.36+
Never worked/not classified	1.85*	1.64	1.79+
Self-reported drug use (ref: none in last year)			
Used drugs in last year			3.07**
ICC	0	0	0.08
N	28662	18006	18006

Number of level 2 units: Model 1 = 14,603; Models 2 and 3 = 11,243

* p<0.05, ** p<0.01, *** p<0.001

know who is in charge, and/or to exercise discipline over individuals and communities. If it was primarily related to crime, we would expect a stronger correlation between area level disorder and crime rates

and stop/search, and for more of the behavioural variables – notably going to pubs and clubs – to be significant in the models. Moreover while this form of police activity is differentially distributed across physical

space – stop and search rates are higher in areas with more crime, larger minority populations and more deprivation – it seems to be the characteristics of the people living in those areas that is the important factor. Once individual level variables were taken into account, most of the area level factors lost significance in the models. Stop and search is, in other words, a power used against particular types or groups of people in ways that do not closely relate to where they live nor, necessarily, to what they might do.

Evidence from Other Jurisdictions

If our contention that stop and search is emblematic of the wider practice and process of policing, and that both tend to be directed not towards crime so much as marginality, is to be believable this emerging picture of stop and search in England & Wales should find resonance in other contexts. If stop and search is systematically focused on types or categories of person then disproportionalities of the kind described above should be identifiable in the behaviour of police in other countries, at least those that are broadly similar to England & Wales socially, economically and politically. And, while outside the UK, US and a few other cases detailed research is limited, this does indeed appear to be the case (Bowling and Marks 2015; Weber and Bowling 2012). In fact it often seems that *wherever* police use powers similar to ‘stop and search’ these are directed primarily at disadvantaged, marginalized and ‘difficult’ individuals and groups.

However, before reviewing the evidence, we should note the uneven role that stop and search seems to play in structuring relations between police and minority and marginal groups across the world. Some variant of ‘police stops’ is pervasive across advanced capitalist democracies. It appears however to be a less common practice in the policing of post-colonies and countries across the global south. Policing research in these settings has

reported analogous practices – for example, police check-points (e.g., Belur 2011). But enquiry and debate about the governance of marginality in the global south is not focused on stop and search, and it does not appear to be a primary police power or tactic. Explaining these differences is beyond the scope of this paper. It may be, however, that stop and search only comes to prominence in settings where order is already established and where the police enjoy ‘base-line’ legitimacy. Where order is precarious and police authority contested (see, for example, Steinberg 2012), the practice of stop of search risks inviting too much occupational trouble – hence a preference for collective displays of force such as check-points (Marks 2011).

The relevant evidence therefore is focussed on advanced capitalist democracies. One interesting example comes from a jurisdiction that is similar in many ways to England & Wales, yet which has its own legal system, police service and, to an extent, set of social strains and fractures – Scotland. Recent research in Scotland has demonstrated widespread use of statutory and non-statutory powers to stop and search. There are several notable indicators of this pervasiveness: in 2010, the rate of stop and search per capita in Scotland was nearly four times higher than the comparable rate per capita in England & Wales (Murray 2014a: 3) – 64 searches per 1,000 of the population compared with 17 per 1,000 in England & Wales (Murray 2014b: 164). In 2012/13, Strathclyde Police – then Scotland’s largest force⁹ – had a search rate of 276 per 1,000 people, over four times higher than the stop and frisk rate for New York City Police in 2012 which stood at approximately 64 searches per 1,000 (Murray 2014b: 170). What is notable in the Scottish context is the extent to which the power is directed towards young people (*ibid.*: 177–188) and the fact that widespread use of stop and search was (a) occurring in a country with a very small ethnic minority population (4 per cent, according to the 2011 Census) and (b) without much apparent

evidence of ethnic disproportionality in its application.¹⁰ Rather, in Scotland, it seems stop and search is used primarily against those marginalized and excluded on the basis of a combination of age and social class. In 2010, for example, Strathclyde Police carried out 37,233 searches of 16-year-olds: a figure that only becomes notable when one realizes that the resident population of 16-year-olds in Strathclyde in 2010 was 26,476. It appears, moreover, that the police in Scotland do not understand themselves to be exercising a *power* to stop and search young people. Rather stop and search has become both a matter of explicit force *policy*, and part of an occupational common-sense about how the lives of young working class males in Scotland ought to be disciplined.

Another key group of examples comes from continental Europe. In many European countries police lack powers equivalent to stop and search in the UK, but rather rely on what is ostensibly a quite different power – the ID check – to produce results that look very similar to those described above, particularly in as much as significant evidence for ethnic disproportionality in the impact of police practice has been uncovered (Open Society Justice Initiative 2009a, b). Research in Spain, for example, has shown that visible ethnic minorities and non-Spanish citizens are more likely to be stopped in the street than their ethnic majority, Spanish counterparts (Garcia-Añon et al. 2013). Despite the official ban on collating statistics on race and ethnicity, there is evidence that in France police ID checks on Muslims, travellers and gypsies are disproportionate in nature (Open Society Justice Initiative 2009a). A study conducted at Paris Metro stations by the Open Society Justice Initiative (2009b) found that people from visible minorities were more likely to be stopped by police; but, notably, so also were young people wearing clothing identified with various youth sub-cultures (i.e. there were, again, *other* disproportionalities in the application of the police power to ‘stop’ people). Further examples

of these sorts of findings can be identified in the Netherlands, Hungary and elsewhere (Barker, this volume; Weber and Bowling 2012). Finally, the extent to which ID checks are used in many European contexts – and beyond – to police a particular marginal population, immigrants, is striking (Mutsaers 2014; Open Society Justice Initiative 2009a; Weber 2011), and this form of ‘advanced marginality’ (Wacquant 2007) of course looks set to become increasingly the object of particular attention from police.

Finally, research in the United States has inevitably concentrated on issues of race, which seems to almost over-determine this type of police stop activity (Glaser 2015). For example, a precinct level analysis of data from New York City (Geller and Fagan 2010) found that marijuana stops were concentrated in neighbourhoods with higher proportions of black residents in a way that could not be explained by other factors; indeed, proportion black was the *only* significant positive predictor of stops (and marijuana stops were negatively correlated with past crime rates and marijuana arrests). Similarly, Petrocelli et al. (2003) found that while only crime levels predicted the traffic stop rate in Richmond, VA, stops were more likely to result in searches in areas with more black residents (measures of poverty had no effect). There are many other examples, and, while it has not been our explicit focus here, in the US – and elsewhere – stop and frisk has inevitably also to be interpreted in the light of wider structures of racial oppression (see Simon, this volume).

STOP AND SEARCH AND THE POLICE POWER

What then does the evidence, taken from the England & Wales, and so far as we have it from other jurisdictions, tell us about the power of stop and search? What does the social and spatial distribution of this power

have to say about wider questions of the purposes of policing and the relation of police to categories of crime and order? What *kind* of power is stop and search? The evidence, in our view, invites the following conceptualization: namely, that stop and search is not just about crime, nor simply about targeting ethnic minorities. Rather, it is about control and the assertion of order, and the effort to do this implicates not only ‘fighting crime’ but also regulating and disciplining marginal populations defined not simply by ethnicity but also by other key socio-demographic characteristics.

Accepting that stop and search has multiple, intersecting causes, justifications and outcomes, provides, it seems to us, an answer to the apparent conundrum that the CSEW data support both consensus and conflict theories, and for that matter the ideas of Choongh, Waddington and others. Seen from this perspective the stubbornly low hit rates that form a key and routine component of the debate around stop and search are of only limited relevance to a proper understanding of the practice, at least from a sociological perspective. People from socially marginal categories are more likely to be stopped and searched even controlling for their actual level of self-reported drug offending (nor do crime levels in the areas in which they live seem to be particularly important). Positioned thus, stop and search is less about crime control and more about controlling recalcitrant, ‘difficult’ or threatening populations; at its root, about doing what is deemed necessary to maintain the particular version of ‘order’ that such individuals threaten or transgress. Perhaps crucially, while the discussion here is framed in relatively abstract terms, not least because the models we present in the previous section show effects averaged out across the population as a whole and therefore cannot be taken to apply in any one particular case, this is in fact what police officers will often say in private. Any discussion of stop and search will quickly move away from its purported crime control potential to a much

broader consideration of the need of the police to assert order and send strong messages of control to those who police consider a threat to that order.

Viewed like this stop and search starts to seem less like a police power in the legal or constitutional sense, and more like a police power in the terms analysed by Marcus Dubber (2005). Dubber describes the origin of the police power as both stemming from and comprising the effort of the state to maintain a diffuse notion of social order defined by a need to reproduce existing power relations and extant normative conceptions of propriety and right. His conception harks back to pre-19th century definitions, where ‘police’ was seen not only as a regulatory power that constrained citizens but also as directed toward promoting the ‘happiness’ of the population (Reiner 2010: 5). Dubber (2005: xii) himself quotes *Blackstone’s Commentaries on the Laws of England*:

By the public police and œconomy I mean the due regulation and domestic order of the kingdom: whereby the individuals of the state, like members of a well-governed family, are bound to conform their general behaviour to the rules of propriety, good neighbourhood, and good manners: and to be decent, industrious, and inoffensive in their respective stations.

The power to police, and the range of objects and events over which this power can claim interest or influence, is therefore essentially undefinable. To police is to produce and reproduce both good order and ‘orderly people’, and to patrol not only the boundaries of what constitutes acceptable behaviour but also the social status (included/excluded) of the policed (Bradford et al. 2014; Waddington 1999). We should note that what Dubber, and indeed Blackstone, mean by police is something broader than our use of the word here, which is confined to the uniformed, public police. The good ordering of the state was accomplished by a whole range of institutions and actors, from night-watchmen to tax inspectors – all were police (Harcourt 2011),

and seen in this light the activity of policing is inherently caught up in the endless task of reasserting a particular version of social order that, on an ideological level, benefits both the state and the individual citizen. Yet the uniformed police are, if nothing else, professionals and specialists in this role.

Stop and search, and the wider category of 'police stops' (Bowling and Marks 2015), seem to us to be an important element in the exercise of this 'undefinable' power. Indeed, this may always have been the case, given the origin of the police organization in the office of the night-watchman and institutions such as the 17th century *prefecture de police* in Paris, which were concerned with regulating the entry into, exit from and flow of populations within the city, and with maintaining the sense and actuality of order conducive to 'good governance'. The modes of policing implied and instantiated by stop and search – intercepting people, asking them to account for themselves, temporarily detaining them, searching them for illicit goods and substances – have been fundamental to the practice of police from these earlier periods right up to the present day, and are deeply inscribed in institutional structure and organizational behaviour – part, if you like, of the DNA of policing. Seen in this light, stop and search becomes a multi-purpose tool that can be turned to almost any purpose: crime control, order maintenance or the simple assertion of power and authority. Street stops also, of course, actualize the power and authority of police (as do other practices such as arrest), making visible and real the ability of the state to 'order' the lives of citizens, and to intervene in and re-constitute a particular social environment.

Yet despite diversity in both the contexts of its use and the ends toward stop and search is turned there are also regularities. To police in the sense outlined above is, precisely, to attempt to 'make' orderly people; to redirect behaviour, and to discipline both in the sense of punishing and of training. It follows that groups and individuals defined as

disorderly are the special targets of policing, and thus of stop and search: the socially marginal, minority groups, and those who 'don't belong'. The historical resonance here is again strong. Policing, or in Dubber's sense 'police', was directed against vagrants, the work-shy or itinerant, 'scolds' (women who stood up to men), misfits; those who threatened existing social hierarchies and proprieties in a way that was at once often relatively trivial and fundamentally disturbing. Trivial, because these were common social categories, and the activities being 'policed' were often mundane; threatening, because their very existence represented an unacceptable derogation from the existing social order (vagrants seemed unproductive, placeless and 'lordless', scolds undermined closely guarded gender roles, and so on). It is notable, then, that in the analysis presented above less 'productive' individuals (the unemployed, the ill, victims of crime) appear disproportionately affected by stop and search. Yet so too are young men (controlling for the types of things young men do), who may not be unproductive or marginal in the same sense but who might well be considered in need of disciplining. Stop and search has, in short, to be located in wider processes of governing social marginality and reproducing its categories (cf. Wacquant 2009; Fassin 2013).

STOP AND SEARCH BEYOND LAW?

If we think of stop and search – and its connection to the broader social purpose of the police – in these terms, what are its implications for the control and governance of police work? What does stop and search tell us about the relationship of police practice to law and politics? And why, to return to the second puzzle we raised above, does stop and search seem perpetually to elude attempts to legally regulate it?

For many decades and across many jurisdictions the question of legitimacy has lain

at the heart of the debate and discord that revolves around stop and search (Bowling and Philips 2007; Delsol and Shiner 2006; Jackson et al. 2012). A significant body of research supports the idea that such encounters are important moments in which the legitimacy of the police is tested, reproduced or diminished (Jackson et al. 2012; Tyler and Fagan 2008; Tyler et al. 2014). Stop and search thus raises normative questions of distributive fairness and accountability that throw into doubt the legitimacy of police power and the wider set of police practices it represents (proactive, police-led, coercive criminal justice interventions). When is the use of stop and search legitimate? Against which yardsticks should the number and distribution of stops be assessed? Who should decide whether there are too many (or indeed too few) and whether they are targeted correctly? Moreover when the exercise of a legal power ends short of arrest – as most stop and search encounters do – this raises particular issues of accountability, and this is especially true in the context of street policing, an inherently low visibility zone within which frontline practitioners are granted significant – some would argue excessive – discretion (Brodeur 2010). In England & Wales, one outcome of these concerns is the requirement placed on police forces to record the stop/searches conducted by their officers – a form of administrative accountability that has produced records now stretching back nearly 20 years. These forms record the age, gender and ethnicity of those stopped and searched, the reason for the stop, and immediate outcomes. Yet, despite the existence of what by global standards is a highly unusual record of who is stopped, why and with what outcomes (see, also, Wortley and Owusu-Bempah 2011, on Canada), establishing a set of generally agreed, objective, criteria against which the reality of stop and search practice can be judged has proved an elusive goal (although see Equality and Human Rights Commission 2010). In short, it remains unclear whether, first, current use of the power to stop and

search is justified, and therefore legitimate (or indeed legal), and, second, what would constitute a justifiable level of use.

The empirical legitimacy of the police is, as a consequence of the perceived unfairness with which the power is used, also challenged by the use of stop and search. Survey research over many years (Smith and Gray 1985; Fitzgerald et al. 2002; Skogan 2006; Jackson et al. 2012), as well as qualitative and ethnographic work (e.g. Sharp and Atherton 2007), has shown that people who have been recently stopped and searched tend to trust the police less, grant less legitimacy, and are less willing to cooperate with officers in the future. This is thought to have important implications for the individuals concerned, and their communities, who suffer estrangement from the police and thus a diminished capacity for drawing on the resources police offer; and for the police themselves, whose job is made more difficult by the withdrawal of community support and assistance.

Much of the ensuing debate about closing the legitimation deficit faced by stop and search has centred on the prospect of subjecting this power more closely to legal control (see, generally, Dixon 1997). The strategy of legalism holds that stop and search can (and should) be made fairer and more effective by closing the discretionary space within which officers operate or by tightening the criteria that trigger the operation of stop powers, thereby making the practice more rule-bound and amenable to greater (internal and external) oversight and redress. The broader aspiration is to render stop and search compatible with a liberal state that governs through law. However, part of the point that Dubber makes in *The Police Power* is that modern democratic states do not only govern through law. They also manage through police via the aforementioned slippery, elusive power to regulate people and things so as to maximize the welfare of a community – to do what is necessary to produce and sustain (what is considered to be) good order. This, Dubber suggests, is a power that diverges radically

from the conception of limited, rule-bound, constitutional government imagined and defended by liberal legalism (cf. Shklar 1964) – and one that disturbs and offends liberal sensibilities. The police power is, in Dubber's view, *indefinable* (and thus radically discretionary), *ahuman* (in the treatment of subjects as things to be managed), *hierarchical* (in terms of the relation it posits between governor and governed), and *alegitimate* (answering to dictates of efficiency in ways that render any wider insistence on its legitimacy a category mistake). The police power is in these respects:

... by its nature free from principled constraint. Policing is an art, even a science. But it is not a matter of moral legitimacy. Moral questions are inappropriate because morality, in the modern sense, governs interactions among persons ... Police, however, doesn't deal with persons, but with resources and threats. An object of police governance is either a resource for the welfare of the community or a threat to that welfare. The job of the policer is to classify everyone and everything properly, and to treat each according to its classification. (Dubber 2005: 85)

It bears repeating that Dubber is not solely or even primarily concerned here with the functioning of the modern uniformed state police. His theory does, however, make sense of the data on how police forces use stop and search, as well as accounting for the repeated failures of efforts to subject stop and search to effective legal control – and thereby render it a power in the liberal legal sense of that term. Read in Dubber's terms stop and search forms part of the reserve power of government to do what is necessary to ensure good order and the welfare of the population as defined in a particular socio-historical context. As such it is governed principally by the imperatives of efficiency in this task, something that helps to explain why over many decades stop and search has refused to succumb to the demands of moral legitimacy and the strictures of law.

If this account is right, why does the idea of stop and search as a tool in the management

of social marginality not feature in official justifications of the practice? One answer to this question is that it does, at least in the anaemic language of deterrence – though this is said to be a beneficial by-product of targeting people 'known to the police'. This is also what some police officers will say in private – that they use stop and search to 'keep control of the streets' and to 'remind the scrotes who's in charge'. Outside the UK, it seems police and government might be ready to admit police stops are a way of controlling a particular form of marginality – immigrant status (e.g. Weber 2011). But for the most this is a justification that dare not speak its name. Why?

The reason, we suggest, is that any public acknowledgement of this rationale would have to concede two things that (should) make citizens of a liberal democratic polity decidedly uncomfortable: firstly, that stop and search is routinely deployed in ways that are illegal and close to impossible to regulate via law; and secondly, that it has a purpose that is almost impossible to evaluate – absent field experiments that the police are deeply reluctant to let anyone undertake. This is why the crime control and legal fictions that surround and support stop and search are necessary – they form part of a legitimisation strategy which maintains that stop and search is in principle controllable and measurable, and that the will exists to control it and assess its effects. These fictions 'work' not only because they are trumpeted by police chiefs and from interior ministries. They are also effective because the logic of these fictions has been accepted and championed by critics who insist that stop and search can and should be transformed into a reactive, investigatory tool and that its application can, as such, be made less ethnically disproportionate and subject to law (e.g., Delsol and Shiner 2006).

If we strip stop and search of these fictions, the social reality of this police power becomes much less palatable. In our view, the data on stop and search discloses a disturbing claim about social order in capitalist democracies:

namely, that such order is made possible because the police are given potentially limitless, uncontrollable, and extra-legal powers to do what is necessary to monitor and control marginal populations, whoever they happen to be – blacks, Muslims, white working-class youth, Roma, migrants and so on. Seen in this light, stop and search is not, and is unlikely ever to become, a power fenced-in by a narrow investigative purpose and effective legal oversight: it is one of liberal democracy's illiberal, undemocratic spaces.

If this analysis is right, then what follows? What regulatory paths are open to us? Let us conclude by highlighting, in broad brush strokes, four lines of possible flight. First, we need to stop hiding behind the fiction that stop and search (and the police purpose more widely) has principally to do with crime and find ways to facilitate open public discussion of stop and search understood as order-keeping and social management. In our view, this discussion of 'order' should be premised on the understanding that police need to shift away from policing 'disorderly people' towards policing disorderly behaviours. It was a particularly disturbing finding of our analysis that people seemed to be stopped and searched based on who they were, not the types of activity they might engage in.

Second, we should abandon law as the principal tool through which we seek to control the use of stop and search. We should be clear that this does not mean turning away from law entirely, still less simply accepting that stop and search is often practised in ways that are illegal. Nor does it mean giving up on the idea that law can affect change and constrain police behaviour. The recent *Floyd* case in the US – a successful class action brought against New York City Police in 2014 alleging that NYPD engaged in racial profiling and suspicion-less stop and frisks in a manner which breached the fourth and fourteenth amendments of the US Constitution – demonstrated again that law can be a vehicle for making stop and search less unjust and racially-targeted (Meares, this volume).¹¹

It does, however, mean letting go first of the belief that stop and search can ever become a police power in the narrow liberal-legal sense, and second of the associated strategy that privileges law as the site of control. This is a myth that we no longer need to live by.

Third, we could simply recommend the abolition. Under the conditions that currently obtain, however – the social marginality produced by capitalist democracies and police forces constituted in part to reproduce relations of domination in those democracies – we doubt that this is either a feasible or even a desirable approach. As many critics have pointed out, removing the power to stop and search will do little to prevent 'informal' stops while making it likely that 'formal' ones are replaced by greater numbers of more intrusive arrests. This is not to say, however, that we cannot imagine social and political arrangements, or broader settlements of the struggle for racial justice (Simon this volume), which result in the 'demand' for stop and search disappearing or being radically reduced.

Fourth, absent those conditions, we need a strategy which permits stop and search but which recognizes it as something akin to a necessary evil – a practice that discomforts and troubles members of democratic polities, and the use of which we should seek to minimize. This demands a regulatory approach situated not in law but in agonistic, democratic politics. The aim should be to surround stop and search with as much monitoring, exposure, argument and contestation as possible (outside but also inside police organizations – Bradford and Quinton 2014; Sklansky 2008) and to make practices of suspicion and scrutiny a condition of its continued use. This approach is precisely that which is increasingly being taken by pressure groups such as Stopwatch (see Delsol and Shiner 2015), and we take it to be the central lesson to be drawn from the contrasting experience of stop and search in England & Wales and Scotland over recent decades. In the former, stop and search has been a site of especially black political mobilization and public contest – which has

claimed some degree of success, for example the formal abolition of s.44 stops and the *de facto* abolition of s.60 stops (Bridges 2015; Delsol 2015). In the latter, by contrast, the practice of stop and search became pervasive in a context of elite indifference and public silence, a situation made possible because its targets – white, male working class youth – have no effective political voice (Murray 2014b). It is under such conditions that the intimate connection of the police to order, and the constitutive role of stop and search in police understandings of what ordering demands of them, is given the greatest freedom of expression.

NOTES

- 1 See Smith and Gray (1985); Keith (1993); Bowling and Philips (2002); Medina-Ariza (2013).
- 2 See <http://www.ons.gov.uk/ons/guide-method/method-quality/specific/crime-statistics-methodology/guide-to-finding-crime-statistics/crime-survey-for-england-and-wales-csew/index.html>
- 3 The CSEW fields a complex modular design that means not all respondents are asked all questions. The full dataset used here contained 137,677 respondents – of these, 28,706 were asked about stop and search.
- 4 The Census data thus relate to the very end of the period covered by the survey data. On balance, though, we do not believe this will introduce significant bias into the analysis.
- 5 A total of 84,883 respondents completed the self-report module, which is fielded only to those aged under 60. Among those asked about stop and search, 18,024 completed the drug use questions.
- 6 LSOA stands for Lower Super Output Area. This is a Census based unit – there are over 30,000 LSOAs in England & Wales, each with a population of between 1,000 and 3,000 people. Because the CSEW uses a stratified sampling technique respondents are not spread evenly across the country but clustered within LSOAs; this makes multi-level modelling of the data a viable proposition. Within the full dataset used there were on average 6 respondents per LSOA (minimum 1, maximum 50); within the subsample asked questions about police stops there were on average around two respondents per LSOA.
- 7 The first four measures shown were generated from Census data: three straight from standard

Census output while the last, *deprivation*, was derived from factor analysis of key indicators of social deprivation at the LSOA level (percentage unemployed, percentage never worked, percentage lone parent households, percentage of households with no car, percentage living in social rented accommodation). The remaining measures were calculated from the full geocoded CSEW dataset used (n=133,677) – *victimization* was the proportion of respondents per LSOA who reported victimization; *disorder* was the mean of an individual level factor score derived from five survey items referring to perceptions of low-level disorder; *drug use* was the proportion of respondents who reported any drug use in the previous year.

- 8 This seemingly odd finding seems to arise because areas in which there are fewer immigrants are more rural. A significant proportion of the stop and search encounters recorded in the CSEW involved cars, and car use is more common in rural areas, resulting in a complex interaction between immigrant population, area type and stop and search rates. Within urban areas only, stop and search was *higher* in locales with more immigrants.
- 9 Scotland's eight police forces were amalgamated into a single force – Police Scotland – in April 2013.
- 10 It is also striking that (c) until recently the extensive use of stop and search occurred in the absence of almost any public controversy. This has changed largely as a result of the brave and indefatigable efforts of one Edinburgh University PhD student, Katherine Murray, upon whose research we rely here – see, <http://www.heraldsotland.com/politics/scottish-politics/how-the-single-force-and-the-scottish-government-tried-to-hamper-pioneereri.119017730>
- 11 See <http://ccrjustice.org/floyd>

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