



An Evaluation of the Northamptonshire Police
Reasonable Grounds Panel

REGULATING POLICE STOP AND SEARCH

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JUSTICE INITIATIVE

ACKNOWLEDGMENTS

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Cover photo: Northamptonshire Police

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EXECUTIVE SUMMARY

The Reasonable Grounds Panel (RGP) developed by the Northamptonshire Police is an innovative approach to regulating police use of their stop and search powers. The Panel engages members of the public directly in determining whether individual officers have met the legal requirements for 'reasonable grounds' when using their powers, and provides the basis for follow-up action where it is deemed that this requirement has not been met.

Police stops, including stop and search (or stop-search), vehicle stops, and identity checks, are one of the most common forms of adversarial contact between police and public. These encounters are notoriously asymmetric and have profound implications for police / community relations: for the officer, conducting a stop is routine and generally unremarkable, while for the person stopped, it may create considerable stress and anxiety. For people who are stopped frequently, and for those who are then searched, often in public view, the experience may be embarrassing and can generate mistrust in the police. The overuse of police stop and search powers, particularly among minority ethnic communities, has been a catalyst for public disorder and riots in the United Kingdom and elsewhere. Given the damage done to community relations, there is surprisingly little regulation of stop practices in many countries.

Police use of stop and search has a long and contentious history in England and Wales, shaped by an ongoing cycle of crisis and reform. During the aftermath of the Brixton riots in 1981, the Scarman Report identified the mass use of stop and search as the immediate trigger of the unrest. Lord Scarman called for safeguards to ensure that police exercise stop and search with reasonable grounds for suspicion and that local communities have oversight of these powers. The Police and Criminal Evidence Act (PACE) of 1984 enshrined these recommendations in law. Despite the introduction of new legislative controls, the number of stop-searches grew enormously over the next quarter of a century and arrest rates declined. Policing continued to focus disproportionately on black and minority ethnic groups, while public concerns about accountability and oversight of stop and search remained. Such oversight typically involves a power imbalance, with little diversity amongst community participants, and lacks independence from the police: senior officers¹ are required to give account for the use of stop and search powers, but are not under any legal obligation to act on critical responses from the public.

The RGP addresses many of the weaknesses associated with past scrutiny mechanisms. It was introduced in 2014 as part of an internal process of organisational change that was implemented in the context of greater government scrutiny and an emerging national reform agenda around the use and regulation of stop and search. The Panel provides a

model for community involvement in the regulation of police conduct, one that provides useful lessons for other jurisdictions dealing with concerns over the lawful and fair use of discretionary powers.

BACKGROUND AND CREATION OF THE REASONABLE GROUNDS PANEL

In 2011, resentment and anger over police stop and search contributed, once again, to the outbreak of serious public disorder in cities and towns across England. A subsequent inspection by Her Majesty's Inspectorate of Constabulary (HMICFRS) found that over a quarter of stop-searches conducted by police did not meet the legal requirement for reasonable grounds and that many forces were not implementing public scrutiny as required by PACE.

The legislative controls laid down by PACE require: (1) officers must meet a threshold of genuine and objective reasonable suspicion before they may use their stop and search powers; (2) the mandatory recording of all stop-searches (unless there are exceptional circumstances that make this wholly impracticable); (3) that supervisors and senior officers monitor the use of stop and search; and (4) that forces arrange local community scrutiny of stop-search records and use of the powers. The PACE Code of Practice states that stop and search powers must be used fairly, responsibly, with respect, and without unlawful discrimination. The RGP was designed to ensure that the requirement for reasonable grounds is met, while also fulfilling the requirement for public scrutiny. The Panel incorporates two key innovations: firstly, it involves members of the public as equal partners in decisions about whether individual officers have met the legal requirement for reasonable grounds; and, secondly, it establishes an escalating process of professional development where officers and their supervisors are found not to have met the required standard.

The RGP represents a form of coproduction, bringing police officers and members of the public together in a process of joint decision making. Panel meetings are held in community venues to help reduce the status differences between police and community members, to encourage diverse public participation, and promote open dialogue. Two police officers (including a senior officer) participate alongside a minimum target of five members of the public: some panel meetings have included as many as 15 community members. Public participants are not vetted or required to provide personal details, and no record of participants is kept. Decision-making authority is shared equally, with each member voting on the adequacy of the grounds put before them, meaning that the balance of power lies with community members rather than police. Although a third police officer—the panel coordinator—facilitates the process, s/he does not have a vote. The approach emphasizes collaboration and collective decision-making, reducing suspicion and highlighting common interests, creating greater proximity between police and public.

During the evaluation period, from October 2014 to March 2017, 22 panels reviewed grounds from 348 stop-searches. The panels concluded that 81 per cent of the grounds they reviewed failed to meet the requirement for reasonable grounds, and issued

THE REASONABLE GROUNDS PANEL PROCESS IS STRUCTURED IN THREE STAGES:

- A. **Prepare:** the panel coordinator reviews all grounds recorded by officers and approved by supervisors during a set period of time and identifies any that might be thought to fall short of the requirement for reasonable suspicion. The records are anonymised before they are presented to the Panel.
- B. **Examine:** the Panel examines all the grounds selected by the coordinator and determines, through a vote, whether the requirement for reasonable grounds has been met.
- C. **Respond:** where grounds are deemed to be deficient, the response to grounds deemed deficient is based on an escalating scale of developmental support for both the searching officer and their supervisor:
- 1) *First Reasonable Grounds Panel identification:* An email is sent to the searching officer explaining the Panel's decision. It includes a link to officer guidance and offers training or input on request. If the supervisor did not address the issue before the search form was submitted, she or he also receives an email explaining the decision, referencing officer guidance and offering training or input on request.
 - 2) *Second Reasonable Grounds Panel identification within 12-months:* An email is sent to the searching officer and supervisor, explaining the Panel's decision; both are assigned a coach to receive one-to-one input.
 - 3) *Third Reasonable Grounds Panel identification within 12-months:* The searching officer is sent an email explaining the Panel's decision and is asked to refrain from using their stop and search powers until they have completed a development plan. The supervisor receives a similar email, and is asked to refrain from conducting or supervising stop-search until a bespoke development plan has been completed. The third identification is noted in officers' Performance Development Reviews.
 - 4) *Fourth Reasonable Grounds Panel identification within 12-months:* The officer is referred to the strategic-lead for stop and search to discuss a range of possible outcomes, including referral to the Professional Standards Department, depending on the circumstances of the case.

identifications to 247 officers, including 164 front-line officers and 83 supervising officers (covering approximately 15 per cent of regular officers across the force). The vast majority (87 per cent) of these officers did not proceed beyond the first-level identification. Of those who received further identifications, 41 officers (18 searching and 23 supervising) were given a coaching requirement, and 5 officers (4 searching and 1 supervising) were instructed to refrain from conducting or supervising stop-searches until they completed a development plan. No officers had progressed to a level four identification by the time the evaluation came to an end.

IMPLEMENTATION, ACCOMMODATION, AND RESISTANCE

The RGP was introduced into a challenging environment. Nationally, the government was implementing substantial funding cuts, while forces struggled to cope with increased demand. The Panel was designed to be cost neutral and the implementation process sought to minimise the anticipated resistance. Advance consultation engaged key stakeholders, including the local Police Federation, the Professional Standards Department, and the Stop and Search Working Group. The Panel was introduced without a force-wide announcement or official launch in an attempt to avoid triggering a defensive reaction and to ensure that the process could be assessed on its merits without being hamstrung by internal politics.

The support of the Chief Constable and other key stakeholders was crucial in overcoming early opposition. Some officers expressed concern that the lack of consultation had left them feeling unprepared, creating a vacuum that was filled by ‘rumour’ and ‘gossip’. By the time of the evaluation, resistance had largely given way to accommodation: most of the officers interviewed accepted the Panel as a routine feature of the force’s working practices. The most important factors in moderating resistance included the fact that the Panel was developed internally; that it focused on the relatively uncontroversial aim of ensuring compliance with the legal standard of reasonable suspicion, rather than the more politicised issue of ethnic disproportionality; and the outcomes concentrated on professional development rather than discipline.

An important additional factor in overcoming resistance was the positive experience officers had of engaging with the Panel. Those who took part found the Panel to be less threatening and more productive than anticipated and shared their experiences with colleagues. A senior officer who admitted to feeling sceptical at the outset said he came away from a panel feeling ‘really positive’. He expressed surprise at the poor quality of the grounds that were presented, and said this reassured him that the process was necessary and useful.

Hostility to the Panel was not entirely eradicated and residual resistance coalesced around the proactive teams, which were tasked with deterring crime in designated areas by targeting key individuals and crime types. Officers in these teams made extensive use of stop and search, and felt particularly threatened by the Panel. As the evaluation was coming to end, a core member of one of the proactive teams refused to comply with a direction from the Panel and petitioned senior officers to the effect that he and his immediate colleagues should not be held to the same standard as the rest of the force. The challenge to the Panel’s authority was not formally resolved and members of the proactive team effectively withdrew from the process. Although the Panel continued to operate, it was surrounded by considerable uncertainty.

IMPACT OF THE PANEL ON POLICE PRACTICE

The introduction of the RGP led to marked improvements in the quality of the grounds recorded by officers when using their stop and search powers. A total of 98 grounds were found to be deficient during the first six months of the panel process, covering the second

half of 2014/2015. This compared with 142 grounds during the whole of 2015/16, and 43 grounds during the whole of 2016/17. Expressed as a monthly average, this represents a reduction from 16 to 12 and then four. The independent assessment by HMICFRS found that almost all forces have seen marked improvements in the quality of recorded grounds, but the improvement has been especially pronounced in Northamptonshire. This pattern of striking improvements in Northamptonshire was confirmed by the assessment of grounds undertaken by the evaluation team: the proportion of records that were judged to have established reasonable grounds increased by a third following the introduction of the Panel, while the proportion judged to have moderate or strong grounds almost doubled, and the proportion judged to have strong grounds trebled.

The improvement in the quality of the grounds recorded by officers in Northamptonshire was accompanied by a sharp reduction in the number of stop-searches and a marked increase in the arrest rate. This pattern indicates that officers generally became much more discerning in their use of the powers. The number of stop-searches in Northamptonshire fell by 90 per cent between 2010/11 and 2016/17, outstripping the reduction of 75 per cent across England and Wales as a whole. Adjusting for the size of the population, the rate of stop and search in Northamptonshire fell from 18.7 per 1,000 residents in 2010/11 to 1.7 per 1,000 in 2016/17. In relative terms, this meant falling from above to below average for all forces in England and Wales. The arrest rate was fairly stable in Northamptonshire before the Panel was introduced, ranging from six per cent to eight per cent between 2010/11 and 2013/14. With the introduction of the Panel, the arrest rate almost trebled from seven per cent in 2013/14 to 20 per cent by 2016/17, climbing above the average for all forces.

INCREASING CONTACT AND TRUST

The involvement of community members was a sharply contested feature of the RGP, but proved to be one of its core strengths. Although the Panel was organised and effectively owned by the police, it addressed many of the shortcomings that are often associated with community engagement. Panels engaged a wide range of constituencies, bringing diversity of thought and experience to the process, including people who had been stopped and searched or had other interactions with police in the past. Panels supported a deliberative process and promoted collective decision-making. Community participants took their responsibility seriously, recognising that their decisions could have significant repercussions for officers, and were at pains to demonstrate balance and fairness.

Some community concerns remained about the residual power imbalance and the police-led nature of the process, including the potential for bias. Overall, however, community participants welcomed the opportunity to engage with officers and participate in decision-making. They agreed that the Panel improved public understanding of stop and search, promoted trust in police, and encouraged greater cooperation. There was anecdotal evidence that these benefits might have extended beyond the immediate membership of the Panel into the wider community. Three community participants from one panel estimated they had spoken directly to approximately 120 people about the experience as well as posting about it on social media.

The Panel promoted police trust in the public as well as public trust in the police. Officers who took part in the Panel spoke positively about the experience, often expressing surprise at the nature of community engagement. They noted that the public were much less hostile than anticipated, and often claimed that that police panel-members judged the grounds more harshly than community members.

THE ENTRENCHED PROBLEM OF DISPROPORTIONALITY

The Panel was not designed to address the disproportionately high rate at which black and minority ethnic groups are subject to stop and search. But there are reasons to think that it might do so. With greater scrutiny, we might suppose that stop and search powers will be deployed more objectively, promoting greater fairness and reducing unlawful discrimination. While the number of stop-searches has fallen sharply across all ethnic groups in Northamptonshire, ethnic disparities have widened. Black people were stopped and searched at 2.2 times the rate of whites in 2010/11, increasing to 8.7 times the rate of whites by 2016/17. The rate at which Asian and 'mixed' groups were stopped and searched relative to whites also increased.

Widening ethnic disparities are not a direct consequence of the Panel and have been evident in other police forces across England and Wales. The disproportionately high rate at which black people are stopped and searched in Northamptonshire remained broadly in line with the average for all forces in England and Wales from 2010/11 to 2016/17. This broader pattern suggests that increased disproportionality is a more general feature of reductions in stop and search. The growth of ethnic disparities in Northamptonshire has been facilitated by a shift away from searches targeted at going equipped and criminal damage offences, and onto searches focused on drugs. While the number of stop-searches has fallen sharply across the whole force area, use of the powers has become increasingly concentrated in the county town of Northampton. This greater geographic concentration has had particular implications for people from black and minority ethnic groups because they have relatively high rates of residence in the town.

The increased arrest rate from stop and search has also had a disproportionate impact on black and minority ethnic groups. In 2010/11, the proportion of stop-searches that led to an arrest was the same for white, black, and mixed groups at six per cent, whereas it was four per cent for Asians, and 10 per cent for the 'other' group. By 2016/17, black people, in particular, were being arrested at a substantially higher rate than whites: 28 per cent compared with 19 per cent (the arrest rate was 23 per cent for Asians, 20 per cent for the mixed group, and 11 per cent for the 'other' group). For black people, the increase in the arrest-rate more than off-set reductions in the volume of stop-searches, so that the number of resultant arrests actually increased. The heightened arrest rate among black and minority ethnic groups in Northamptonshire was not simply a function of detections or items found during searches. While black people were arrested at a higher rate than whites, they were given out of court disposals (cannabis warnings, cautions, and penalty notices or fines) at a lower rate—13 per cent compared with 16 per cent in 2016/17.

PROACTIVE POLICING AND RESISTANCE

The Panel highlighted the teams and roles where the use of stop and search is most problematic. Following the introduction of the Panel, the use of stop and search was increasingly dominated by a small number of officers. By 2016/17, the 10 most active officers, representing less than one per cent of the total complement, were responsible for more than a third (36 per cent) of all stop-searches across the force area. The majority of these officers were in proactive teams and their activity was concentrated in Northampton Central, focusing on drug enforcement. Proactive officers were also particularly disproportionate in their use of the powers on black and minority ethnic groups. Eight of the ten most active officers in 2016/17 were given identifications by the Panel for grounds that fell below the required standard: seven received multiple identifications, and three received a coaching requirement, indicating a failure to learn from the initial identification. For proactive officers, in particular, the Panel seemed to clash with their understanding of their role and experience. For example one commented, 'I was a proactive officer, I was supposed to go out and harass criminals and I was punished for it'. Hostility to the Panel reinforced and sustained resistance to change among these officers.

CONCLUSION

Despite the difficulties it faced, the RGP achieved significant results. Reductions in the number of stop-searches, improvements in the quality of the grounds, and an increased arrest rate all point towards a more careful and considered use of the powers by officers across the force as a whole. The Panel also created a structure and process for genuine community oversight, increasing trust among participating members of the public that was communicated more widely. These results should be of particular interest to police agencies seeking to understand how to increase public trust and confidence.

For all of the Panel's achievements, there are clear limitations that come with the focus on individual officer conduct. A lack of strategic leadership limited the Panel's impact, which meant some of the most entrenched problems with stop and search remained unchecked. Ethnic disparities have not been reduced but the Panel has shed valuable light on the dynamics driving disproportionate policing. Northamptonshire's experience demonstrates that it is possible to increase regulatory procedures, improve the quality of officers' grounds for suspicion, and establish a more circumspect approach to stop and search, yet fail to reduce ethnic disparities. This is partly because disproportionality is not simply a product of individual officers' decision-making, but an inevitable result of policies that focus high discretion stop and search on areas with a large proportion of minority residents. By highlighting pockets of resistance within the force, the Panel presented an opportunity to review the proactive teams' activity and interrogate the value—or otherwise—of its use of stop and search. This opportunity had not been taken by the end of the evaluation period.

It remains an open question as to whether the Panel could be used to address disproportionality. The evaluation's findings suggest that with a more strategic approach, including greater willingness to assess operational practices and the tasking of proactive teams, the Panel could meet this challenge.

Northamptonshire police's experience of introducing the Panel suggests that organisational change should be conceived as a two-stage process, whereby the initial implementation phase is followed by targeted interventions that address residual resistance. Such interventions would allow the police organisation to assert its formal values, encourage greater internal cohesion, and engage more strategically with the challenges of delivering an equitable service.

Although the RGP was designed to address a particular problem in a specific jurisdiction, it has important lessons for the regulation of police conduct more generally. Debates about the kind of policing that is consistent with democratic principles are often framed in terms of values such as trust, justice, and legitimacy. The Panel operationalises these values and provides a practical template for regulating the use of police powers, particularly where there are concerns about discretion and fairness. It demonstrates that the public can be directly involved in assessing individual officer performance and highlights the value of establishing an escalating scale of professional development for officers whose conduct has been found wanting. These are important innovations and provide an example that should be explored, developed, and adapted to regulate stop and search as well as other facets of police practice.

RECOMMENDATIONS

GENERAL RECOMMENDATIONS

- 1) Findings show that officers' conduct responds to regulation when outcomes are clear and the process is perceived as fair. Regulatory systems should include processes with clear and enforced outcomes for officers who do not follow standards.
- 2) Procedurally, well-designed regulatory systems should include an escalating response, providing feedback and professional development opportunities for officers before advancing to disciplinary measures in the event that officers fail to correct their behaviour.
- 3) Interventions should anticipate resistance. Defensiveness and resistance are common, if not inevitable, responses to organisational change, especially when it addresses sensitive issues like discrimination and bias. This can be mitigated by:
 - (a) Including officers in the design and development of new oversight mechanisms.
 - (b) Including two phases of implementation—the first to implement new mechanisms and the second to address residual resistance and embed the mechanism.
 - (c) Supporting officers who risk personal and professional isolation by introducing unpopular reforms.
 - (d) Clear and consistent support for the intervention from senior leaders and middle managers within the police organisation.
- 4) Addressing ethnic disproportionality in police use of stop and search and other powers requires specific innovations, focus, and safeguards that are explicitly designed to address the issue. As the experience of the Reasonable Grounds Panel demonstrates, generic improvements in the use of police powers do not necessarily lead to reductions in disproportionality. Initiatives must identify and target specific drivers of disproportionality and be clear about the mechanisms through which they will take effect.
- 5) The principle of coproduction should be built into community engagement, creating systems that share power and decision-making between police and public. The experience of the Reasonable Grounds Panel demonstrates that proximity and involving the community in joint decision-making around the regulation of stop-search builds trust.
- 6) Panel meetings should be held in community settings, not police venues, and should use locations that engage diverse sectors of the community, particularly those most subject to stop and search.

RECOMMENDATIONS FOR NORTHAMPTONSHIRE

The following recommendations would support improvements in the Reasonable Grounds Panel and the use of stop and search in Northamptonshire.

- 1) Appoint a panel coordinator from the local community to serve alongside the police coordinator. The coordinators should share all aspects of the role, including jointly identifying grounds to go in front of the Panel and helping to organise the hosting of panels meetings by different community groups across the county. This would address current community concerns about the potential for bias in the design of the Panel, and would support wider understanding of the process and its outcomes amongst local communities.
- 2) Situate the Reasonable Grounds Panel within broader regulatory mechanisms to ensure strategic oversight of stop and search (and other police powers) in Northamptonshire. Operating in isolation, the Panel cannot respond to broader concerns beyond the quality of the grounds, but if tied to strategic leadership within the force it could be used to respond effectively to such concerns, including persistent disproportionality, and the proportion of searches focused on drugs. The Panel could, for example, be used to review all drugs searches or all stop-searches on members of specific ethnic groups.
- 3) Reaffirm the Chief Constable's commitment to the Reasonable Grounds Panel, and communicate this commitment to every officer in the force. Active resistance has weakened the authority and limited the effectiveness of the Panel. All officers and teams should fall equally under its authority.
- 4) Review the role, effectiveness, and tasking of the proactive teams, developing policies and procedures to reduce their particularly high rates of ethnic disproportionality.

1. INTRODUCTION

Northamptonshire Police introduced the Reasonable Grounds Panel (RGP) in 2014 to address long-standing concerns about the use of stop and search. The Panel brings police personnel together with members of the public in community settings to assess whether individual officers met the statutory requirement for ‘reasonable grounds’ before using their stop and search powers. Where the Panel decides that grounds do not meet the legal standard, officers are required to undergo a process of professional development and may be effectively suspended from using their powers until they have completed this process. The direct involvement of the public in assessing individual stop and search encounters, supported by tangible follow-up actions, represents an innovative response to one of the most controversial areas of policing in England and Wales.

Stop and search is a specific power or set of powers laid out in legislation that enables police to detain members of the public and search them for prohibited or stolen items.² The primary purpose of stop and search is to allow officers to allay or confirm their suspicions without exercising the power of arrest. Depending on the circumstances, a stop and search may involve the removal of an outer coat, jacket or gloves, and a ‘superficial examination’ of outer garments whereby an officer places his or her hand inside the pockets; feels round the inside of collars, socks and shoes; and/or searches a person’s hair.³ Her Majesty’s Inspectorate of Constabulary⁴ (HMICFRS) has described stop and search as one of the ‘most intrusive’ and ‘contentious’ powers available to police, noting that: ‘For decades the inappropriate use of these powers, both real and perceived, has tarnished the relationship between constables and the communities they serve, and in doing so has brought into question the very legitimacy of the police service’.⁵

The RGP was developed to provide greater oversight of officers’ use of stop-search powers, and represents a form of coproduction. Community members and police officers work together to determine whether individual officers met the requirement for ‘reasonable grounds’, and engage in a process of collective deliberation and decision-making.

The Panel also embodies principles of organisational justice and is designed to be fair, consistent, and impartial, with an explicit focus on professional development rather than discipline. If officers and their supervisors continue to conduct and supervise stop-searches without reasonable grounds, however, their powers may be effectively suspended and disciplinary intervention may follow. The Panel establishes meaningful

incentives to comply with established standards and tangible costs for non-compliance. As such, it seeks to influence officers through persuasion, reinforced by the threat of punishment if standards are not met.

STOP AND SEARCH IN ENGLAND AND WALES

Stop and search has a long and contentious history in England and Wales.⁶ Tensions over the use of the powers have boiled over into public disorder more than once, fueling a broader cycle of ‘crisis and reform.’ Lord Scarman characterised the Brixton riots of 1981 as ‘essentially an outburst of anger and resentment by young black people against the police’ and identified the mass use of stop and search as the immediate trigger of the disorder.⁷ Scarman called for specific safeguards to ensure that stop and search is conducted on the basis of reasonable suspicion. This recommendation was enshrined in the Police and Criminal Evidence Act (PACE) 1984, which has been billed as ‘the single most significant landmark in the modern development of police powers’.⁸

As well as explicitly granting powers of stop and search to police, PACE lays down a series of requirements governing their use. The accompanying Code of Practice (Code A) emphasizes that stop and search must be used fairly, responsibly, with respect, and without unlawful discrimination. PACE includes two principal safeguards: the requirement that officers have reasonable grounds for suspicion as well as requirements for mandatory recording (unless there are exceptional circumstances that make this wholly impracticable) and monitoring of all stop-searches. Recording requires officers to articulate the basis of their suspicion, provides ‘on-the-spot’ accountability to the person being searched, and creates a written record that facilitates monitoring by supervisors, police authorities, and local communities. PACE requires supervisors and senior officers to monitor the use of stop and search, taking action where necessary to ensure compliance with the regulations. It also requires police forces, in consultation with local police and crime commissioners, to make arrangements for representatives from the local community to scrutinise records and the use of the powers.⁹

The introduction of PACE did little to restrain the use of stop and search. The number of stop-searches increased enormously over the next 25 years or so, alongside a steadily declining arrest rate and a stubbornly disproportionate focus on black and minority ethnic groups.¹⁰ When rioting broke out in towns and cities across England during the summer of 2011 there was a palpable sense of *déjà vu* as stop and search was, once again, widely implicated. Pointing to evidence of a ‘breakdown in trust between some communities and police’, the Riots, Communities and Victims Panel recommended that stop and search ‘needs immediate attention’. Thirty years after the Scarman Report, the Panel reflected: ‘it is a sad fact that in some respects, the underlying challenges are strikingly similar.’¹¹ The problem, according to some, is that PACE lacks an effective enforcement mechanism and was a ‘managerial reform’ with ‘no bite.’¹² Others pointed to the inherent difficulties of operationalising ‘reasonable suspicion’, describing it as a ‘slippery concept’ that invites various interpretations and is rarely met in practice.¹³

The limitations of PACE were laid bare when the Home Secretary commissioned HMICFRS to carry out its first ever thematic inspection of stop and search following the 2011 riots. Visits to all 43 territorial police forces in England and Wales revealed widespread non-compliance with PACE's statutory requirements. The Inspectorate reported that slightly more than a quarter of the stop-and-search records it examined 'did not include sufficient grounds to justify the lawful use of the power'.¹⁴ It pointed to low levels of understanding of what constitutes 'reasonable grounds,' poor supervision, and an absence of oversight by senior officers. Supervisors in the vast majority of forces, it was noted, only checked the completeness of the form rather than the legality or appropriateness of the stop-search.

HMICFRS found that fewer than half of forces complied with the legislative requirement to make arrangements for the public to scrutinise the use of stop and search; almost half 'did nothing to understand the impact of stop and search encounters upon communities'; and only 4 out of 43 had made any attempt to consult those who had been stopped and searched.¹⁵ These findings confirm long-standing concerns about the limited nature of police accountability and the scrutiny of stop and search powers. Police accountability is typically 'explanatory and co-operative' rather than 'subordinate and obedient' with senior officers required to give account of their actions but with no legal requirement to act on critical responses.¹⁶ The power imbalance between the police and community, a lack of diversity amongst community participants, and insufficient independence from police have led to these initiatives being labeled 'talking shops'.¹⁷ Where scrutiny mechanisms do exist, they often involve police providing explanations of stop-search statistics with very little oversight of strategic decisions or individual officers' actions.¹⁸

In a statement to Parliament, the then Home Secretary, Theresa May, described the results of the inspection as 'deeply concerning'.¹⁹ When stop and search is misapplied, she noted: 'nobody wins. . . . It is a waste of police time. It is unfair, especially to young, black men. It is bad for public confidence in the police'. The Home Secretary announced a comprehensive package of reforms that 'should contribute to a significant reduction in the overall use of stop and search, better and more intelligence-led stop and search and improved stop-to-arrest ratios'. As part of this package, the College of Policing would lead a new training programme on stop and search for all police officers, the Home Office would launch a new 'Best Use of Stop and Search' (BUSS) scheme, and that HMICFRS would include stop and search in annual PEEL inspections of police effectiveness, efficiency and legitimacy.²⁰

The BUSS scheme has provided the principal mechanism through which the government has delivered its reforms. All 43 territorial police forces signed up to this voluntary scheme when it was launched in August 2014. The scheme sought to promote 'greater transparency, community involvement in the use of stop and search powers and to support a more intelligence-led approach, leading to better outcomes'.²¹ To this end, the scheme focuses on: extending the amount of information that police forces record and publish; providing members of the public with opportunities to observe police practice, potentially including the use of stop and search; creating a 'community complaints trigger' which requires police to explain how the powers are being used if there is a large volume of complaints; restraining the use of 'exceptional' powers that do not require 'reasonable

suspicion’;²² and ensuring that forces monitor the impact of the scheme, particularly as it relates to black and minority ethnic groups or young people.

The introduction of greater scrutiny after the 2011 riots led to marked reductions in the use of stop and search: the number of stop-searches fell by 75 per cent between 2010/11 and 2016/17 across England and Wales as a whole. The proportion of stop-searches leading to arrest increased sharply to its highest level in over a decade, suggesting that police may be taking a more targeted approach. Trends in relation to ethnic disproportionality have been less positive. The disproportionately high rate at which people identifying as ‘black’ or ‘black British’ are stopped and searched fell in the short-term, but this reduction was not sustained and was followed by a marked increase: black people were stopped and searched at just over four times the rate of whites in 2014/15, more than eight times the rate of whites in 2016/17.²³ This suggests that reforms have failed to address long-standing concerns about ethnic disparities.

In addition to the renewed focus on police stop and search, the government’s wider austerity policies have had a profound impact on policing across England and Wales. Substantial funding cuts have coincided with increased demand for police services. Between 2011 and 2015, central funding to police services was reduced by 20 per cent in real terms. This resulted in reductions of over 34,000 posts nationally, representing the loss of three in every 20 police posts.²⁴ While police forces have undertaken substantial restructuring, officer morale is low.²⁵ This may constrain forces’ ability to conduct stop and search as well as their ability to implement reform.

Austerity is not the only factor that has impinged on reform. Resistance is an almost inevitable feature of organisational change and police agencies are famously reform-resistant.²⁶ Defensiveness is evident even where reforms are designed to help improve core crime-fighting functions, and is likely to be all the more entrenched when the aim is to subject officers to external oversight because of concerns about discrimination. Residue from previous reform efforts, dating back to the Brixton riots, has magnified defensiveness in relation to stop and search. Almost two decades after the Scarman Report, the Lawrence Inquiry famously attributed ethnic disparities in stop and search to ‘institutional racism’ within the police service, prompting widespread anger and resistance to the associated reforms.²⁷

Similar reactions have been evident more recently. The package of reforms announced by Theresa May has proved to be controversial and has been sharply contested.²⁸ Police leaders have repeatedly called for an increase in stop and search amid claims that reform has gone ‘too far’ and officers are afraid of using their powers in case they are accused of racism. Claims that ethnic disparities are a ‘myth’ that ‘must be challenged’, have given rise to calls from senior politicians for a dramatic increase in stop and search to ‘harass the hell’ out of gang leaders.²⁹ Police have subsequently been given new stop and search powers; regulations on ‘exceptional’ powers that are not subject to the requirement for ‘reasonable suspicion’ have been relaxed; and there are clear signs that the number of stop-searches is rising sharply.³⁰

NORTHAMPTONSHIRE POLICE AND THE ORIGINS OF THE PANEL

Northamptonshire is one of the smaller police forces in England and Wales, with approximately 1,200 officers serving a population of just over 733,000.³¹ Although the county is predominantly rural and affluent, it faces many of the challenges associated with modern urban policing. Overall levels of deprivation are low, but there are pockets of deprivation in the main urban centres.³² The county town of Northampton contains almost half the county's urban population and more than half its most deprived areas, including some that are among the most deprived in England.³³ These pockets of deprivation contain a higher than average proportion of children and minority ethnic residents. At the last census in 2011, the county's resident population was 91.5 per cent white, 2.4 per cent black, 3.3 per cent Asian, 2.0 per cent mixed and 0.8 per cent 'other'.³⁴ Minority ethnic residents are heavily concentrated in urban areas, particularly Northampton, which has also seen an increase in the 'white other' category including a relatively large number of Polish speakers.³⁵

The demands on Northamptonshire Police in the form of emergency calls by the public are about average for England and Wales, although recorded rates of victim-based crime are somewhat higher and the rate of violence against the person remains relatively high.³⁶ Alcohol as a 'significant contributory factor' and the county is experiencing an 'alarming' increase in alcohol-related hospital admissions.³⁷ The number of people accessing treatment for opiate use has also increased slightly even as it has fallen nationally.³⁸ Police priorities include a focus on violence, burglary, anti-social behaviour, drug use, and drug-related crime, while the Northamptonshire Rights and Equality Council and the Office of Northamptonshire Police and Crime Commissioner (PCC) have identified stop and search as a matter of concern.³⁹

The RGP developed out of an internal process of organisational change initiated by Northamptonshire Police in anticipation of the thematic inspection by HMICFRS in 2012/13. An internal briefing on stop and search described the situation before the inspection as one of 'stagnation', pointing to the absence of an 'effective governance structure' and 'a culture of quantity over quality'.⁴⁰ The relaxed nature of the regulatory regime at this time was evident from the adoption of a new stop and search form in March 2007, which allowed officers to record grounds using pre-coded tick boxes instead of a free text description.⁴¹ The prospect of the HMICFRS inspection provided the impetus for a series of changes that challenged the existing performance management culture and put greater emphasis on regulation, oversight, and professional development. This marked the beginning of a process, which aimed 'to change organisational culture to promote fairness and legitimacy in the way we conduct stop and search'.⁴² A directive was issued in March 2012 calling for the abolition of numeric targets or quotas for stop and search, including their removal from officers' performance development reviews. A working group also began to meet around this time to 'safeguard the reputation of the force' and 'to look at how we're doing before somebody else looked at it'. The Stop and Search Working Group acted as a precursor to the RGP in the sense that it included community stakeholders alongside police representatives.⁴³

Northamptonshire Police introduced a range of initiatives over the 12 months following the HMICFRS inspection to improve internal oversight. In response to misgivings about the use of tick boxes to record grounds, a new form was introduced in September 2013 that required officers to provide written articulation of the grounds, and included a free text space for supervisors to record any action they might have taken if the required standard had not been met. The form was supported by guidance and a training package. A compliance checking procedure was introduced to ensure that officers were completing the forms properly and supervisors were providing appropriate oversight. Where recording and/or supervision were found to be wanting, forms were returned with instruction. Senior managers were encouraged to use a ‘performance hub’ to monitor their staff and levels of ethnic disproportionality within their area of responsibility. A commitment to greater scrutiny was also written into the force’s *Equality, Diversity and Human Rights Strategy*, which stated that it would, as a priority, ‘develop a clear and complete organisational understanding of Stop and Search data and use this to address any negative impacts and outcomes with diverse communities’.⁴⁴ HMICFRS noted after its 2016 inspection that Northamptonshire police had ‘provided excellent guidance to officers on how reasonable grounds should be written and most importantly guidance on what does, and does not, constitute reasonable grounds’.⁴⁵

EVALUATING THE REASONABLE GROUNDS PANEL

The evaluation was undertaken by a team from the London School of Economics and Political Science (LSE). It drew on a combination of quantitative and qualitative methods to assess the implementation of the RGP and associated outcomes. The implementation process was primarily assessed on the basis of observation, in-depth interviews and group discussions with key stakeholders, and administrative records. Outcomes were assessed on the basis of police statistics and a sample of grounds recorded by officers from Northamptonshire Police as well as interviews and group discussions with key stakeholders (see methodology annex).

The RGP was specifically designed to meet the requirements laid down in PACE. Its overall aim is to ensure that officers have reasonable grounds for suspicion before proceeding with a stop and search. The evaluation team hypothesised that the Panel might impact on police practice as well as public trust and confidence.

- *Police practice*: It was anticipated that greater scrutiny would encourage officers to be more attentive to the requirement for reasonable grounds and that the quality of the grounds recorded for stop-searches would therefore improve. It was also anticipated that a more objective approach based on stronger grounds would result in fewer stop-searches and a higher arrest rate.
- *Public trust and confidence*: It was anticipated that the introduction of greater transparency and community engagement would improve public confidence in the use of stop and search.

In addition to these anticipated effects, the evaluation sought to identify any unintended consequences associated with the introduction of the Panel. Implementing reform is notoriously difficult in police agencies and often encounters resistance. Consequently, the evaluation sought to identify lessons for others wishing to introduce similar forms of scrutiny.

The main body of the report is made up of six substantive chapters. Chapter 2 begins by discussing the origins, operation, and development of the Panel. This is followed, in Chapters 3 and 4, by an assessment of the implementation process, identifying key themes and lessons. Chapters 5 and 6 present the results of the impact evaluation, focusing on the use of stop and search and police/community relations respectively. The final substantive chapter examines the entrenched problem of ethnic disproportionality and the way the impact of the Panel has been limited by pockets of resistance within the force. The concluding chapter draws the key findings together and identifies the main themes. Recommendations for Northamptonshire Police and other stakeholders are presented at the front of the report, after the Executive Summary.

2. THE REASONABLE GROUNDS PANEL

The Reasonable Grounds Panel was designed to ensure that officers meet the legal test laid down by PACE and establish ‘reasonable grounds for suspicion’ before using their stop and search powers. According to the Code of Practice, the test must be applied to the particular circumstances in each case and has two parts:⁴⁶

- *Firstly*, officers must have formed a genuine suspicion in their own minds that they will find the object for which the search power being exercised allows them to search; and
- *Secondly*, the suspicion that the object will be found must be reasonable. This means that there must be an objective basis for that suspicion based on facts, information, and/or intelligence, which are relevant to the likelihood that the object in question will be found, so that a reasonable person would reach the same conclusion based on the same facts and information and/or intelligence. Officers must therefore be able to explain the basis for their suspicion by reference to intelligence or information about, or some specific behaviour by, the people they stop and search.

The emphasis on reasonable grounds is intended to ensure that police use their stop and search powers ‘fairly, responsibly, with respect for people being searched and without unlawful discrimination’.⁴⁷ Unless police have a description of a suspect, the Code of Practice states that ‘the following *cannot be used*, alone or in combination with each other, or in combination with any other factor, as the reason for stopping and searching any individual’: a person’s physical appearance with regard to any of the ‘relevant protected characteristics’, including age, race, religion, or belief; the fact that the person is known to have a previous conviction; and/or generalisations or stereotypical images that certain groups or categories of people are more likely to be involved in criminal activity.

PACE Code A requires front-line officers to make a record of stop and search encounters, including the grounds. It also specifies that supervising officers and senior officers must monitor the use of these powers, ‘taking action where necessary to ensure compliance with the regulations’.⁴⁸ Supervising officers are called on to consider whether there is any evidence that stop-search powers are being exercised on the basis of stereotypes or inappropriate generalisations; to satisfy themselves that the practice of officers under their supervision fully accords with the Code; to examine whether the records reveal any trends or patterns which give cause for concern and, if they do, to take appropriate action. Senior officers with area or force-wide responsibilities are required to monitor the broader use of stop and search powers and, where necessary, take action at the relevant level.

To support monitoring and supervision, PACE calls for the compilation of statistical records of stops and search activity and investigation into any apparently disproportionate use of the powers by particular officers or in relation to specific sections of the community. Finally, in order to promote public confidence, police forces, in consultation with police and crime commissioners, are required to explain the use of the powers at a local level and to arrange for representatives of the community to scrutinise the records.

PANEL DESIGN

The RGP first met in October 2014 and quickly became the cornerstone of Northamptonshire Police's system for monitoring and regulating the use of stop and search. It operates on the basis of a three-stage process:

- A. **Prepare:** Before the Panel meets, the coordinator conducts a preliminary review of all the grounds recorded by officers and signed off by their supervisors during the period of interest. The coordinator selects grounds that may fall short of the requirement for reasonable suspicion and puts them before the panel.
- B. **Examine:** The Panel meets to deliberate and decide whether or not the requirement for reasonable grounds has been met. For each case, the grounds are presented in anonymised form so panel members do not know the personal details or characteristics of the searching officer or the subject of the search. Nor do they know the time, location, date, or outcome of the search. Panel members decide, collectively, whether or not the grounds are 'reasonable' based on a vote. The coordinator does not have a vote.
- C. **Response:** If the grounds are deemed deficient, the follow-up response is based on an escalating-scale of developmental support for the searching officer and his or her supervisor:
 - 1) *First identification:* The coordinator sends an email to the searching officer explaining exactly why the Panel made the decision. Supervisors who did not address the issue before the search form was submitted also receive an email explaining why the Panel made the decision. Both emails include a link to online guidance and offer further training/input on request.
 - 2) *Second identification within 12 months:* An email is sent to the searching officer and their supervisor explaining exactly why the Panel made the decision. Both the searching officer and their supervisor are assigned a coach to receive one-to-one input.
 - 3) *Third identification within 12 months:* The searching officer is sent an email explaining why the Panel made the decision and is instructed to refrain from conducting stop search on behalf of Northamptonshire Police until they have completed a development plan. The supervising officer also receives an email instructing him or her to refrain from conducting or supervising stop-searches until they have completed a development plan. The receipt of a third

identification is noted in officers' Performance Development Reviews, which are considered when they apply for promotion and/or other roles. Development plans vary and are tailored to the nature of the problem, but may include helping to prepare the grounds for, and participating in, a future meeting of the Panel.

- 4) *Fourth identification within 12 months:* The officer is referred to the strategic-lead for stop and search to discuss the way forward. A range of outcomes may follow, including referral to the Professional Standards Department, depending on the circumstances of the case.

The Panel operates on the basis of a 12-month cycle. Officers who receive no further identifications within 12 months of the initial identification have their record wiped clean.

The panel process has evolved over time. Panels initially met at Police Headquarters and consisted of two police officers, including a senior officer who acted as chair, a front-line officer, and one or two community members, as well as the coordinator who facilitated the process. This arrangement was revised to include a greater number and range of community members. Panels were moved out of Police Headquarters and into community settings identified by the coordinator, including a pub; a Somali Centre; a church karate club; local businesses, one of which employs ex-offenders; a university; and School sixth-forms (with pupils ages 16-18 years). While police representation remained unchanged, public involvement increased to a minimum target of five community members (though the precise number varies depending on recruitment). The host agency recruits these community participants. Some panels have included as many as 15 members of the public. Observers are also welcome. Public participants are not vetted, nor are they required to provide personal details, and there is no record of who attends. Police officers are ineligible if a panel is reviewing grounds they recorded or supervised. This policy is designed to uphold the fairness and impartiality of the process, while guarding against defensive responses from participating officers.

Another important revision has seen the inclusion of a small number of 'good' grounds among those that are presented to the Panel in order to provide participants with a benchmark. These 'good' grounds are not presented differently from other grounds and positive comments are fed back to officers, demonstrating the Panel's support for the justified use of the powers.

PANEL MEETINGS AND DECISIONS

The RGP met on a monthly basis between October 2014 and January 2016, and then on a roughly quarterly basis until March 2017, when the evaluation concluded: 22 separate panels reviewed grounds from 348 stop-searches during this period. Almost half of the grounds put before the Panel were for suspected drug offences (49 per cent), with the remainder being for 'going equipped' (26 per cent), stolen property (16 per cent), weapons (5 per cent), and other offences (6 per cent). The Panel concluded that 81 per cent of the grounds it considered failed to meet the requirement for reasonable suspicion. This proportion did not vary significantly by suspected offence type or over time and was fairly consistent across the different panels.

The Panel issued identifications to 247 officers,⁴⁹ including 164 searching officers and 83 supervisors. This figure included approximately 15 per cent of regular officers across the force. The vast majority (87 per cent) of officers who fell foul of the Panel received one first-level identification, and less than a fifth (19 per cent) went on to receive a higher level identification: 41 were given a coaching requirement (18 searching officers and 23 supervisors), and 5 (4 searching officers and 1 supervisor) were instructed to refrain from conducting or supervising stop-searches while they completed a development plan. Although the number of identifications fell over time, a steady flow continued throughout the evaluation period. The vast majority of the coaching requirements were issued during the first 12 months of the process (31 of the 41 had been issued by October 2015),⁵⁰ and 4 of the 5 instructions to desist were issued to searching officers during the first four months of the process. One additional officer was instructed to stop supervising stop-searches in July 2015. No officers had progressed to a level four identification by the end of the evaluation period.

3. IMPLEMENTATION

The RGP was introduced into a complex and challenging environment. Funding cuts and austerity meant police forces across England and Wales were striving to make savings, while struggling to cope with increased demand.⁵¹ Resource constraints, resistance to change, and sensitivities surrounding stop and search created the context within which the Panel was designed and introduced. This chapter examines the implementation process in light of these factors.

With few available resources, the Panel was designed to be cost neutral and was administered by the deputy-lead for stop and search in addition to her core role. Personnel changes were an important factor leading to the introduction of the Panel. A new lead-officer was appointed to the stop and search portfolio in April 2011, eight months before the HMICFRS inspection was announced, and he appointed an operational sergeant with whom he had worked previously as his deputy. The two officers had more than 30 years' service between them, largely in Northamptonshire. Neither came into their respective role with a particular interest in stop and search or a clear commitment to reform, but their general orientation was broadly sympathetic to the emerging national agenda. Both distanced themselves from the 'old-school style of policing', and advocated an approach that prioritises fairness, legitimacy, procedural justice, respect for the rules, and a commitment to evidence-based practice.

The stop and search lead and deputy-lead anticipated resistance, and factored this into the implementation of the RGP. Their strategy focused on building support and containing anxiety amongst officers over the introduction of greater scrutiny. Both officers relied 'heavily on personal currency, calling in favours and exploiting working relationships'. The lead officer sought to establish political 'top-cover' by securing the support of chief officers and including senior officers who were known to be hostile to the proposed reforms.

The implementation process sought to contain anxieties by moderating potentially threatening aspects of the process. This meant distancing the Panel from the national reform agenda, which focused on ethnic disproportionality. The Panel was promoted as a local Northamptonshire initiative geared towards the relatively uncontroversial aim of ensuring that stop-searches are lawful. An officer involved in the design and implementation, described the initial aim:

The idea at the time was, we'll try and tackle the grounds, get those down. We thought that would probably decrease the number of searches. However that was not our aim—we just wanted them all to be fair with reasonable grounds. So if [stop-searches] had increased, as long as they were all fair with reasonable grounds, actually we were

happy.... The aim of the Panel was not to reduce searches, instead it was to ensure that those searches that were being conducted were lawful. (Supervising officer, interview 22)

The Panel was implemented on the basis of a ‘soft launch’: ‘we did announce it, but we didn’t announce it with bells and whistles’. This strategy was designed to build support without triggering a defensive response. Key stakeholders, including the local Police Federation, the Professional Standards Department, and the Stop and Search Working Group were consulted in advance, and care was taken to elicit the support of the chief officers. Messaging around the Panel initially focused on reassurance and education, highlighting the developmental nature of the process. A member of the implementation team described the message thus: ‘I didn’t want it to look like a big stick. I wanted it to look like actually we’re not looking to criticise you, we’re not looking to find things on you, we’re looking to do it right’. Another member of the team noted:

There was a lot of resistance from one of the senior officers present [at the Working Group] who said ‘no I don’t want it to go ahead’. He didn’t want us to do less searches, he thought it would encourage people to do less searches and therefore we’d be hit by some sort of crime Armageddon. And we’d just had a conversation about, ‘well we need stop search to reclaim the streets’, and it sounded just like I should imagine the briefings before the Brixton riots, the crew briefings, ‘yes you need to go out and get hard on it, look, there’s all these people doing drugs’. (Supervising officer, interview 22)

Front-line officers were not widely consulted about the introduction or design of the Panel. This was partly because members of the implementation team felt front-line officers were ‘quite consultation fatigued’ and partly because the team was concerned that widespread consultation would lead to the proposed process being diluted:

I wanted, before people asked questions and before senior officers asked questions about it, I wanted to show either that we’d done it and it hadn’t worked and so we’d stopped or that we’d done it and actually it was working, so then it becomes more difficult to stop. (Supervising officer, interview 22)

Those responsible for the ‘soft launch’ maintained it had been the right strategy, and the only way of ensuring the Panel could be assessed on its merits without being hamstrung by internal politics. Others, who had been less centrally involved, indicated that the implementation process had been reasonably successful despite encountering some resistance. A front-line sergeant who had delivered update briefings noted that ‘80 per cent of the sergeants took it. No issues. Understood it. Realised and took the feedback as feedback. [Saw immediately that it] was not criticism against their abilities. [But there] was still that 20 per cent there that would fail to recognise it’. Some officers complained about the lack of consultation. Several noted they were unprepared for the Panel and that this contributed to a feeling that the process was ‘impersonal’ or ‘punitive’.

A front-line officer explained:

[T]he initial introduction of [the Panel] was fairly lacking and there wasn't really any explanation to anyone anywhere in the organisation as to what was happening and why it was happening and what they were implementing. The first things you'd start to hear about it is when the forms are coming back and they've been rejected and then you're getting a shitogram via email that's no more than a couple of sentences. (Front-line officer, group discussion 4)

Uncertainty surrounding the introduction of the Panel gave rise to 'rumour' and 'gossip', which created a distorted understanding of the process. Even two years after the launch, officers often described the Panel in ways that bore little resemblance to the actual process and gave it a more threatening appearance than it might otherwise have had. Some officers thought the intention was to stop them from engaging in stop and search, while others suggested that the Panel consists entirely of members of the public who are hostile to police and are encouraged to reject the grounds put before them. There was a tendency, particularly among front-line officers, to focus on the potential for disciplinary action rather than the developmental aspects of the process. Officers informed the evaluation team that colleagues were being told not to use their stop and search powers even though no such instruction had been issued for approximately two years.

Much of the confusion surrounding the functioning of the Panel could be traced back to public statements by the then Police and Crime Commissioner (PCC) that officers would be banned from using their powers if they were deemed to have abused them and would be forced to apologise to the 'victims' they had stopped and searched inappropriately.⁵² Officers repeated the PCC's comments with varying degrees of incredulity and indignation during interviews and group discussions. A similar sense of disbelief was expressed in relation to public statements attributed to the stop-and-search lead-officer once the Panel was in operation:

It wasn't the first time I'd heard about it... you hear rumours like "oh they're saying this and they're saying that", and you're looking at it thinking well, all right, it sounds a bit farfetched. And then when he [the stop and search lead-officer] actually goes on the news and says it, you're looking and thinking well, one, what message is that sending out with regard to the trust that you've got in the officers that are on the frontline?... He's a reasonably ranked officer saying we don't have trust in the way that we are executing stop search and we are investigating our officers for the way in which they're doing it. I think that that in itself was a real smack in the face to a lot of decent hardworking people on the ground. (Front-line officer, group discussion 4)

The issue of whether the force had the authority to suspend officers' powers threatened to undermine the Panel before it began. While the National Police Federation argued that the Chief Constable did not have the authority to remove powers conferred on sworn officers by royal warrant, the Chief Constable (and others) insisted that there must be some recourse to prevent persistent misuse of the powers. The Chief Constable issued a personal message supporting the Panel, making it clear that officers used their powers

under his 'direction and control'. Members of the implementation team identified the Chief Constable's willingness to support the potential suspension of officers' stop and search powers at this early stage as a critical moment in the survival of the Panel. The controversy over the suspension of powers had abated by the time of the evaluation, and front-line officers seemed to view the instruction not to conduct stop and search as more than a request but not quite a command (or 'lawful order').

Although hostility to the Panel dissipated, residual resistance coalesced around the proactive teams. These specialist teams were tasked with deterring crime in designated areas by targeting key individuals and crime types, rather than with responding to calls for service. Stop and search was central to the way proactive teams performed their role, with the result that they felt particularly threatened by the Panel.⁵³ As described in Chapter 6, opposition to the Panel came to a head three years after it began to meet, when a core member of the force's largest proactive team refused to comply with a coaching requirement and sought to enlist the support of the stop-and-search-lead. The openness of this challenge reflected a shift in the balance of power across the force and a reorientation away from the values that underpin the Panel.

Although the Chief Constable remained supportive of the Panel, changes to the senior management team signalled a return to 'an old style of leadership' and a move away from procedural justice values. The lead officer who had overseen the introduction of the Panel was moved to another portfolio and transferred out of the force shortly afterwards, while other senior officers who were sympathetic to the initiative were 'side-lined.' Senior and middle-ranking officers with line-management responsibilities for the proactive teams expressed concerns that front-line officers were scared to use their powers and called for an increase in stop and search as part of a greater focus on proactive policing in designated hotspots. This reorientation left the Panel isolated and vulnerable. Although it continued to function, the Panel had been seriously compromised: the challenge to its authority was not formally resolved; the outstanding coaching requirement remained unenforced; and one of the proactive teams effectively withdrew from the process.

4. RESISTANCE AND ACCOMMODATION

The process evaluation highlighted the twin themes of resistance and accommodation.

Organisational change often meets a defensive response, especially in police agencies.⁵⁴ The emotional baggage surrounding stop and search, as well as broader anxieties about the politics and conditions of policing under austerity-driven cuts, exacerbated this effect in the case of the RGP.

Officers readily acknowledged the inherent resistance to change within the police organization particularly if they had strategic or managerial responsibilities:

I think policing has got a culture where we don't like how it is and we don't like change, so whatever happens we'll moan about it. You speak to people individually about change decisions and they get it, but you speak to them as a collective there's, 'well, that's never going to work, we don't understand why you made that decision'. (Senior officer, interview 11)

Despite the inherent defensiveness, the Panel had been successfully embedded into the working practices of the organisation by the time of the evaluation, communicating a clear message that expectations around the use of stop and search had changed. Most officers seemed to accept the legitimacy of the Panel and treated it as a routine feature of their work; the initial controversy appeared to have settled down; and some officers were even enthusiastic about the new approach.

The distinction between officers who accepted the Panel and those who expressed misgivings was not simply a function of whether or not they had received an identification. Attitudes toward the Panel reflected a much broader set of concerns. Support was most straightforward among officers who endorsed the due process values that underpin the procedural justice model of policing.⁵⁵ These officers were conscious of the negative impact stop and search can have on individuals and community relations. They were also willing to accept evidence of disproportionality and to question the efficacy of historic police practices. Legitimacy was a key concern and the goal, as one front-line officer stated, was 'to get it right; to maintain the power, but to use it wisely'. Supportive officers viewed organisational change in positive or neutral terms and did not emphasise the threat of censure to officers. They tended to regard the panel process as developmental rather than punitive; to accept it as a necessary and potentially beneficial process; as establishing a 'happy medium' between operational and governance needs; and as having a positive effect. They saw the establishment of greater control over stop and search as improving officer performance and increasing legitimacy.

Including officers as panel members was, perhaps, the single most important factor in overcoming defensiveness because it provided a corrective to ‘gossip’ and ‘rumour’. Officers’ direct involvement not only built support among those who participated, but also served to demystify and legitimise the process more broadly as these officers shared their experiences with colleagues. Front-line officers in one of the group discussions expressed various misgivings about the Panel, but their scepticism was tempered by a colleague who said the meeting he had attended was ‘quite a positive experience’ and ‘quite a balanced input’. When members of the group started to tell ‘war stories’ about grounds ‘that have been sent back and have caused people hassle’, they were interrupted by an officer who had recently received a first level identification and accepted it matter-of-factly due partly to what he had heard from colleagues who had taken part in a panel:

I have to say just one thing. Everybody I’ve spoken to who’s done a panel has got nothing but positive things to say about them. But my example was just an email saying it’s [the grounds I cited for a stop-search had] been sent back and this is the reasons why. So it wasn’t harsh....

Q: Did anything happen as a result of that?

No nothing at all [happened as a result of the identification]. No, [it was] just an advisory thing really. If you do it again you need to think about this. (Front-line officer, group discussion 3)

The focus on professional development rather than discipline reassured many officers that the panel process was fair rather than hostile. Officers also identified the innovation of giving positive feedback to officers for ‘good’ grounds as building their trust. As one front-line officer said, ‘[I]t is always rewarding to receive some recognition’.

Other officers were more critical, but their criticisms were about much more than just the Panel. The loss of a ‘job for life’, the erosion of pension provisions, worsening pay and conditions, workplace stress, and fatigue with prolonged organisational change were all mentioned in this context. Criticism of the Panel was particularly pronounced among officers who were engaged in, or otherwise aligned with, proactive policing and often focused on what were considered to be unhelpful attempts to limit police discretion. The assumption that the Panel was a direct response to the national reform agenda invoked sensitivities about ethnic disparities: ‘I think nationally, and I think it’s played out locally, there is a fear by officers and staff around stop and search. The constant narrative around disproportionality is there’. Officers who were critical of the Panel dismissed disproportionality as a media construction and were sceptical of statistical evidence purporting to show this outcome. Where evidence of disproportionality was accepted, it was explained away as the result of ‘a few rotten eggs’. These officers had little to say about the potential for policing to cause harm and tended to view procedural regulations as an unnecessary hindrance, limiting their ability to do the job. Anxieties about over-regulation were evident in claims that greater scrutiny would lead to officers becoming less confident or even fearful about using their powers; that this would result in fewer searches; and would create an environment where criminals enjoy greater freedom to act. Officers repeatedly talked of colleagues who were no longer willing to carry out stop-

searches for fear of censure by the Panel, though none of them admitted to having this reaction themselves.

Complaints about the Panel were symptomatic of broader misgivings over the management and regulation of officer conduct. Trust in the police organisation was notably poorer among officers who were critical of the Panel and this was reflected in claims that the force ‘never actually backs you up’ when complaints are made. Mistrust fuelled resistance, with officers who were sceptical of the Panel blaming ‘out of touch’ senior officers for introducing something that punished them for doing proper police work. These officers described the process as ‘patronizing’ and ‘demeaning’, saying it made them feel ‘angry’, ‘frustrated’ and ‘insulted’. One described getting a coaching requirement as an ‘absolute kick in the teeth’, while another said something similar about receiving a panel identification:

It just feels like a bit of a kick between the legs. Because you’re out there for the right reasons, and you’re getting scrutiny from everywhere, aren’t you? Press, public, get a complaint for this that and the other. So you just think it’s another thing that somebody’s complaining about. And it’s a little bit impersonal, just get an email, ‘don’t do this, don’t do this’. (Front-line officer, group discussion 3)

Hostility to the Panel focused on the involvement of the public, who were characterised as naive and ill-informed at best, and as ‘unsavory characters’ who ‘are going to have a biased opinion’. Critics complained that the public had no right ‘to say how we’ve filled a form out correctly or not’ and that allowing them to do so is ‘insulting because I should be able to do this without members of the public checking on my work’. Where these officers accepted the need for greater scrutiny, they favoured improved internal processes or review by legal professionals: ‘better to have more constructive criticism within the force rather than the public involved’. Such views contrast sharply with the experience of officers who took part in the Panels (discussed in Chapter 6), as they invariably found community participants to be serious and balanced in their deliberations.

Complaints about the Panel rarely translated into outright rejection, with even the sharpest critics making their accommodations. Front-line officers in group discussions were often conflicted, simultaneously expressing hostility to and support for the process. They accepted the need for more robust scrutiny even as they complained about the ‘wounding’ and ‘frustrating’ nature of the process. The same officer could be both outraged by, and reconciled to, the Panel. As one officer said about receiving an identification:

It was frustrating. I understood it because—why it needed to be done. I need to learn these things, if I’m doing something wrong, I want to know why. But it was frustrating that some total strangers that don’t know the incident that I was at, the job that I do and the powers that I use to do it are picking apart my job and what I’ve done. Despite the fact I’ve taken a drug dealer off the streets. So that’s quite frustrating. But other than that it’s fine, I’m always happy to learn if I’ve done something wrong. But I don’t feel like I did. (Front-line officer, group discussion 5)

In another group discussion, vociferous complaints about the ‘patronising’ and ‘demeaning’ nature of the Panel were interrupted by an officer who described the process in more positive terms, albeit with reservations about the way it had been implemented. He said:

We’ve changed our process for the good.... [I]t is good we’re scrutinising ourselves and trying to make it better.... I don’t think many people have an issue with the panels, [but only with] how that change has been brought up and how it affects officers, because it’s not been right. (Front-line officer, group discussion 3)

The group discussions appeared to provide an outlet for ‘expressive talk’,⁵⁶ enabling officers to vent and dissipate their frustrations without signalling outright opposition to the Panel. By the time of the evaluation, most officers had come to accept that the Panel had a legitimate function to serve. The initial controversy appeared to have settled down as the process was embedded and became a routine feature of the organisation’s practice:

I think any change is difficult to start with, and I felt it was an effort to frustrate the job we were doing, and it was going to make it easier for criminals really to go out with knives and drugs. But over time I came more on board with it and thought well actually it is better than what we had before: it [stop and search] should be more accountable. (Front-line officer, interview 13)

Well, there has been colleagues that are negative about it, colleagues that are positive about it. It’s not really discussed anymore because it’s not something that’s been a hot topic in the force for a little while.... I’m not going to lie, there was negativity about it. But I wouldn’t say it’s even discussed now very often... I just think it’s old news now. It had the whole shake-up a couple of years ago.... People were reminded of what to do and what not to do..., and I think as a police officer, you’re accountable for absolutely everything that you do. (Front-line officer, interview 18)

The way individual officers reacted to a negative identification reflected the broader themes of defensiveness and accommodation. Some viewed an identification as an attack on their integrity and competence, and this precipitated a largely defensive response. An officer who had received two identifications admitted to feeling ‘resentful’ because ‘it feels one sided in that I haven’t got a chance to explain or understand what their [the Panel’s] exact feelings are’. He likened the escalating response to ‘going up the naughty step each time’. Others who had received an identification said they could see why the Panel had rejected the grounds and viewed the process as a learning opportunity: ‘I could see my mistake... [and I] just made sure that I went back and read up on my stop searches just to make sure that I knew what I was talking about so that I won’t put myself in that situation again’. Even officers who had progressed to a third level identification, and had been instructed not to engage in stop and search, recognised the developmental nature of the intervention, although they admitted to feeling conflicted about what had happened. For example, one said:

I think I felt conflicted because I'm a rational person and I realised that what I'd done was wrong. I hadn't made my grounds clear enough on the form. I'd obviously been complacent with how I'd filled out the form. So I could hold my hands up and say 'right, there is development there'. But [I was] equally pissed off because I knew that my searches on those three times were valid, were justified, but yet I was being made to feel like I'd done wrong by searching. (Front-line officer, interview 14)

This officer's residual sense of grievance was ameliorated by the developmental process. She noted that the Panel coordinator had been 'great in going through the material' and 'never made me feel like a naughty school-girl'. Several officers who had received an identification and had gone through the development process went on to participate in panels and become stop and search coaches.

Most officers had adapted to the demands of the Panel by the time of the evaluation. The nature of their accommodation varied, however, ranging from enthusiastic support to grudging compliance. Accommodation with the Panel was most tenuous and fragile among members of the proactive teams. Outwardly, at least, these officers cooperated with the Panel, accepting identifications and complying with their requirements. But they remained hostile to what they saw as an attempt to prevent them from doing their job, and challenged the authority of the Panel when the opportunity arose (see Chapter 6). These pockets of residual resistance had significant implications for the likely impact of the Panel because proactive officers were among the most active users of stop and search.

5. IMPACT ON POLICE PRACTICE

This chapter assesses the impact of the RGP on police practice. With the greater scrutiny created by the Panel, we would expect officers to be more careful about ensuring they had reasonable grounds, resulting in fewer high discretion stop-searches that fall short of the required standard. This more careful approach would in turn be expected to produce a reduction in the overall number of stop-searches, and an increase in the percentage leading to arrest. To the extent that the Panel was able to affect police practice, then, we would expect to see fewer stop-searches, an improvement in the quality of the grounds, and a higher arrest rate.

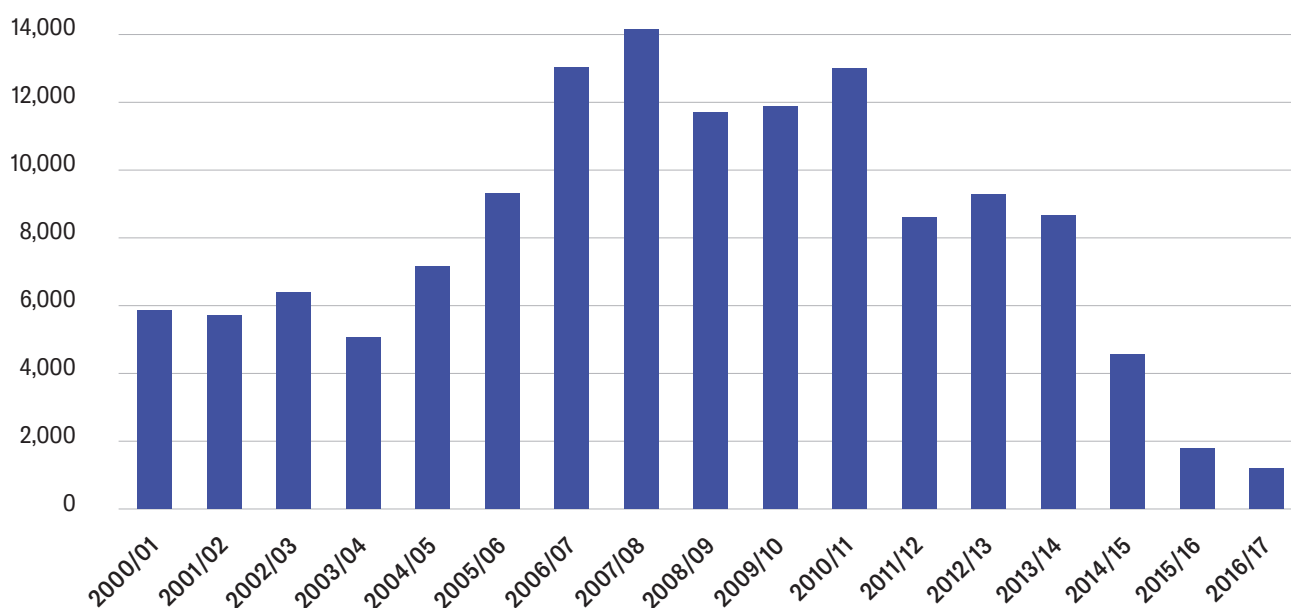
NUMBER OF STOP-SEARCHES

The introduction of greater scrutiny in Northamptonshire was accompanied by a very sharp reduction in the number of stop-searches, and the RGP played an important role in constraining the use of the powers. Sustained reductions have been evident since 2010/11, and reversed the previous trend of marked increases (see Figure 1). The number of stop-searches more than doubled between 2003/4 and 2010/11, reflecting the relaxed approach to scrutiny and oversight that prevailed at the time: this was a period when the force had no ‘effective governance structure’, when officers were given numeric targets and grounds were recorded using pre-coded tick boxes.⁵⁷ The appointment of the new stop and search lead-officer in April 2011 and the changes he began to introduce in anticipation of the HMICFRS inspection marked a watershed in the force’s governance arrangements, resulting in dramatic reductions in the use of stop and search. Northamptonshire is not alone in having experienced a sharp rise and fall in stop and search since the early 2000s—the same basic pattern has been evident across England and Wales—but its trajectory is distinct: the rise was sharper and the fall deeper in Northamptonshire than elsewhere.⁵⁸

The number of stop-searches fell by 75 per cent across England and Wales between 2010/11 and 2016/17 (from 1,229,324 to 303,228). Substantial reductions were evident in all 43 territorial forces, but there were marked variations in scale and timing, indicating that local conditions were a crucial determinant of these changes. While reductions were evident immediately or almost immediately in half of the forces, they took longer to appear in the other half, and ranged in scale from 31 to 97 per cent over the period as a whole. The reduction in Northamptonshire started earlier and was deeper than was typical among forces in England and Wales, including those in its ‘most similar’ group (see Figure 2).⁵⁹ At 90 per cent, the reduction in Northamptonshire was the joint fifth-largest among all the 43 territorial forces and was larger than the reductions that were evident in any of its most similar forces.

Adjusting for the size of the population, the rate of stop and search in Northamptonshire fell from 18.7 per 1,000 residents in 2010/11 to 1.7 per 1,000 in 2016/17. In relative terms, this meant falling from above to below average for all forces in England and Wales (15.7 and 3.5 per 1,000 respectively) as well as its most similar forces (7.8 to 2.8 per 1,000).⁶⁰

Figure 1: Number of stop-searches in Northamptonshire from 2000/1 to 2016/17



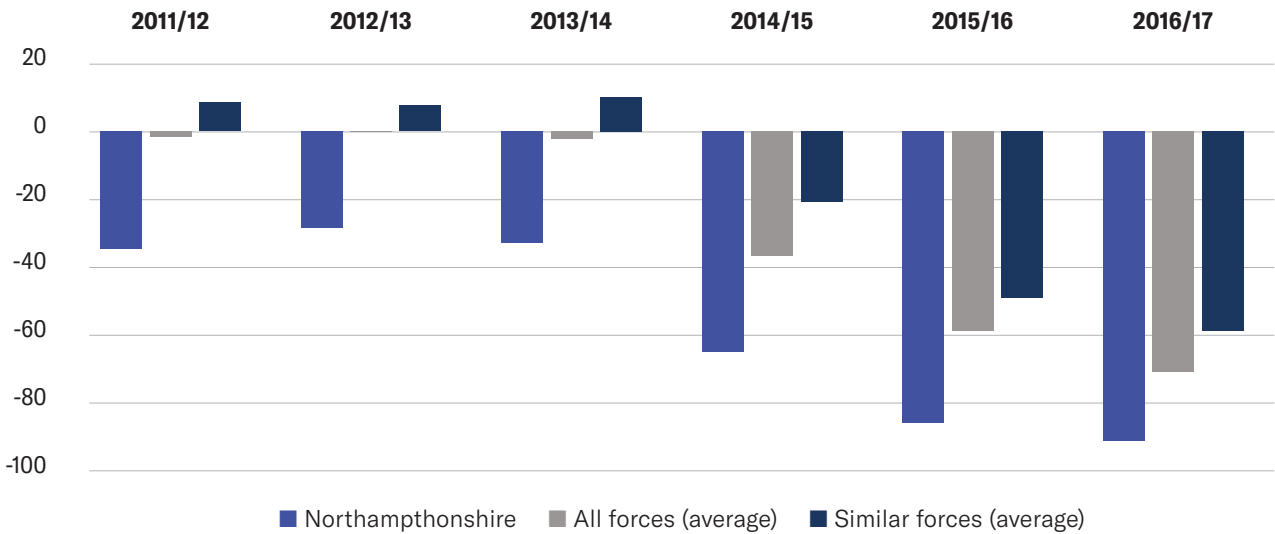
Note:

Figures are from Statistics on Race and Criminal Justice for 2000/1 to 2005/6 and from Police Powers and Procedures for 2006/7 to 2016/17. These figures are based on administrative years, running from April to March.

The number of stop-searches conducted by Northamptonshire Police fell in two distinct phases. An initial reduction of 34 per cent was evident between 2010/11 and 2011/12, which took the number down to its lowest level in more than five years. This initial reduction coincided with the appointment of the new stop and search lead officer who established the Stop and Search Working Group and removed performance-management targets in March 2012. The initial reduction was not typical of what was happening elsewhere: stop and search fell by an average of just one per cent across all forces in England and Wales, and increased by nine per cent in the most similar forces (see Figure 2).

The introduction of the new stop and search form in September 2013, requiring written articulation of grounds (rather than tick box recording), was not accompanied by immediate reductions in the number of searches. But the fuller articulation of grounds did facilitate greater scrutiny and oversight, which, in time, led to sharp reductions in the use of the powers: the number of stop-searches almost halved in 2014/15, more than halved again in 2015/16, and fell by another third in 2016/17. Monthly figures indicate that this downturn began well before the RGP first met in October 2014 (see Figure 3). An internal briefing, circulated several months earlier, noted that the ‘governance’ of stop and search had

Figure 2: Percentage change in the number of stop-searches, from 2010/11



Source: Police Powers and Procedures

Notes:

i) 'All forces' refers to the 43 territorial forces in England and Wales and the British Transport Police. 'Similar forces' refer to those in the 'Most Similar Group' (MSG) to Northamptonshire: namely, Cheshire, Derbyshire, Staffordshire, Kent, Avon and Somerset, Essex and Nottinghamshire. MSGs are based on an analysis of demographic, social, and economic characteristics, which relate to crime, and are designed to help make fair and meaningful comparisons between forces.

ii) The 'average' refers to the mean.

iii) Z-scores indicate that reductions in Northamptonshire were greater than the average for all forces every year from 2011/12 to 2016/17.

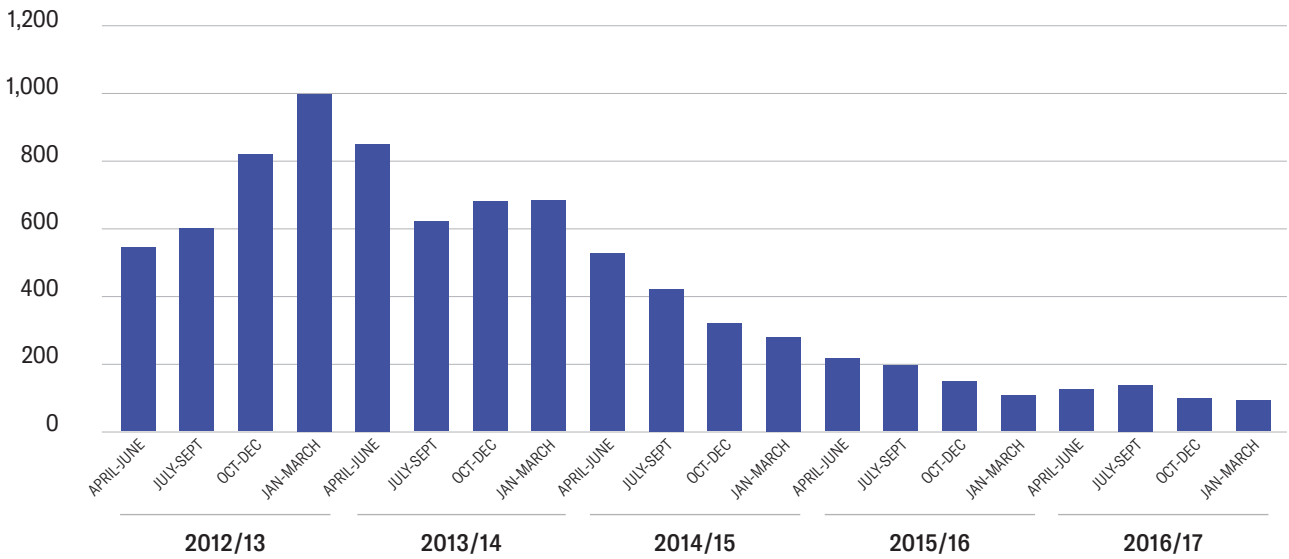
Northamptonshire has been compared with other forces using the method developed by HMICFRS. This method assesses whether the value for a particular force is 'lower', 'higher' or 'broadly in line with' the average for all forces across England and Wales. A Z-score of ± 0.675 (standard deviations from the mean) indicates that a force is above or below average, with all other forces being deemed to be broadly in line with the average. In practice this means that approximately a quarter of forces are lower than average, a quarter are higher than average, and the remaining half are broadly in line with the average. This method was only used when the variable had an approximately normal distribution.

iv) These figures are based on administrative years, running from April to March

already been 'reinvigorated' by initiatives such as the compliance checking procedure, producing 'monumental changes in both functionality and cultural impact'.⁶¹ Trends in the use of stop and search indicate that these initiatives had started to take effect before the RGP began to meet (in October 2014). If we use April to June 2012 as a benchmark, then the number of stop-searches fell below the expected range of 496 to 587 per month for the first time between July and September 2014.⁶² Further reductions were evident once the Panel began to meet and the monthly average settled at a much lower level. Based on the quarter immediately before the first panel (i.e. July to September 2014), we would expect to see somewhere between 379 and 459 stop searches per month. The actual monthly average fell well below this range immediately, from October to December 2014, and stayed there for the rest of the evaluation period (up to March 2017).

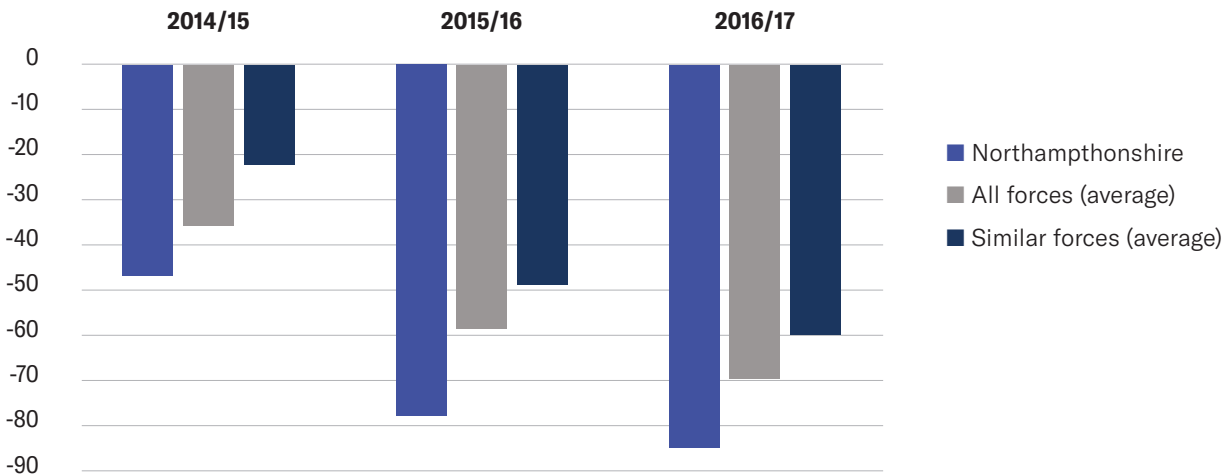
Comparisons with other police forces indicate that the RGP had a constraining effect above and beyond that which was generally evident elsewhere (see Figure 4). The Panel began to meet halfway through 2014/15 and, although Northamptonshire experienced a substantial reduction in stop-searches during this year, it was not among the largest reductions across England and Wales: 11 of the 43 territorial forces recorded larger reductions than Northamptonshire between 2013/14 and 2014/15. When the Panel was in place for the full year, as it was during 2015/16 and 2016/17, reductions in Northamptonshire increased

Figure 3: Stop-searches in Northamptonshire (average per month)



Source: Northamptonshire Police

Figure 4: Percentage change in the number of stop-searches from 2013/14



Source: Police Powers and Procedures

Notes:

- i) See Figure 2, note i for an explanation of the terms 'all forces' and 'similar forces'.
- ii) The 'average' refers to the mean.
- iii) The figures shown here are based on administrative years, running from April to March.

relative to other forces: Northamptonshire recorded the fifth largest reduction between 2013/14 and 2015/16, and seventh largest reduction between 2013/14 and 2016/17.⁶³

Among officers in Northamptonshire who used their stop and search powers, the average (median) number of searches fell by two-thirds, from six per officer in 2013/14 to three in 2014/15 and to two in 2015/16. The proportion of officers who made use of their powers fell by a third, from 56 per cent to 38 per cent. This is notable because it indicates that in

general the Panel encouraged a more discerning use of the powers, rather than a blanket refusal to use them.

Although a range of factors may have affected the use of stop and search in Northamptonshire, the constraining influence of the RGP and related reforms stands out. Other potentially important influences include variations in crime rates and police workforce capacity, as well as the national reform agenda, but they do not explain why the reduction was particularly marked in Northamptonshire. Having fallen quite sharply between 2010/11 and 2013/14, police-recorded crime increased every year through to 2016/17 both in Northamptonshire and across England and Wales.⁶⁴ It follows that neither the general reduction in stop and search across England and Wales, nor the particularly sharp reduction in Northamptonshire, were a function of trends in recorded crime, confirming previous findings that police policy and practice are a more important influence.⁶⁵

Austerity and the associated restructuring of the police workforce appear to have had less impact on the use of stop and search than might be expected. Police forces in England and Wales have had to make substantial spending reductions since government funding cuts were announced in 2010, losing 3 posts in every 20, while facing greater demand.⁶⁶ Northamptonshire Police has experienced a larger than average reduction in total workforce capacity, but these cuts have been heavily concentrated among civilian staff and Police Community Support Officers, who do not have stop and search powers: total workforce capacity fell by 23 per cent between March 2010 and March 2017, including 12 per cent of regular (sworn) officers.⁶⁷ Frustrations over workforce reductions were evident in complaints that regular officers were being drawn into 'back office' administrative functions, diverting them away from front-line duties, and there were 'less officers with available time to do stop search'. While workforce restructuring may have distanced some officers from operational activities, however, it was not a key driver of reductions in stop and search. Reductions in Northamptonshire Police's workforce capacity were overshadowed by the much larger reductions in stop and search, and there were notable differences in timing. The bulk of the workforce losses had been implemented by March 2013 and staffing levels were relatively stable when stop and search fell most sharply during the next few years. Analysis of all forces across England and Wales also indicated that the biggest losses in workforce capacity did not coincide with the biggest reductions in stop and search, not least because some forces increased their use of the powers as their workforce was reduced.⁶⁸ The downturn in the use of stop and search, in other words, operated independently of staff cuts.

Northamptonshire Police started to overhaul its governance of stop and search in anticipation of HMICFRS's initial thematic inspection and implemented a series of reforms against a backdrop of follow-up inspections and the introduction of the BUSS scheme. The 2015 PEEL Legitimacy Inspection, which was conducted between March and June, identified areas of improvement within the force, noting that officers had been given 'excellent guidance' on what constitutes reasonable grounds following the initial thematic inspection and 'are now significantly better at recording the grounds leading to any stop and search'.⁶⁹ Northamptonshire was one of 32 forces found not to be fully compliant with the BUSS scheme, however, because it was not recording and publishing outcomes as required; and was not providing opportunities for the public to observe the use of

stop and search. A further revisit in 2016 found that the force was still not meeting the recording requirements. These follow-up inspections occurred well after the RGP started to meet, at a time when the use of stop and search was already falling sharply.

QUALITY OF THE GROUNDS GIVEN FOR SEARCHES

Officers in Northamptonshire were well aware that the use of stop and search had fallen sharply and widely attributed this development to the RGP, although not all of them saw the reduction as desirable. Most of the supervisors and senior officers who were interviewed felt the Panel had significantly improved the use of stop-search powers. Supervising officers, including the panel coordinator, identified two principal mechanisms that had brought about these improvements: firstly, the training input and developmental support meant officers had a clearer understanding of what constitutes reasonable grounds and were regulating themselves more effectively; and secondly, ‘fear of the Panel’ meant officers were more circumspect about when they would use their powers. As a supervising officer pointed out:

When was the last time we saw in the press or anything in the news or any feedback on our websites or anything like that where somebody was really going to town on stop-search? Because it used to happen all the time. We used to get lots of complaints about it ... now we get a lot less of them. I would say stop-search has fallen off because officers are thinking about their grounds a lot more. (Supervising officer, interview 15)

A senior officer who had gone into a panel with doubts about it said he came away feeling ‘really positive’. He expressed surprise at the poor quality of the grounds that were presented, and described how this had reassured him that the process was necessary and useful:

I think it was seeing some of the really poor examples for me reinforced that actually this was the right thing to do, to examine those. And I can’t speak for the PCs [police constables/officers], but the conversations I’ve had with them is, and they sit there and you can see them physically going, ‘ooh somebody wrote that and put that in and it was signed off by a supervisor’. (Senior officer, interview 11)

Other officers reported that participating in a panel helped to clarify what constitutes reasonable grounds and encouraged them to reflect critically on their own practice. As one said, ‘So, the panel for me made me think well actually I really need to be explaining my circumstances a lot more’. A special constable⁷⁰ who had served on a panel as a community participant described how the experience had challenged aspects of his working knowledge and highlighted shortcomings in his own use of the powers:

[It’s] obviously very easy with a police force and people experiencing, you know, what they perceive as criminal behaviour, with the pre-existing, sort of built-in prejudices from their experiences. You can sometimes forget what people on the street and people in other lines of work might think of those scenarios.... It’s [serving on the panel] kind of given me an insight on where things go wrong...because it shows you yourself where you’re going wrong.... I was looking at some of those and thinking, maybe some are,

maybe one odd one that I've done has not been up to scratch.... [I]t develops you as a person as well and a police officer, to do things right in the future and make sure of how serious it is because you are infringing people's rights when you stop them. (Community panel member, group discussion 2)

Another officer who had received an identification described a similar process of critical 'self-reflection'.

The process I went through, I suppose, is self-reflection. As a consequence of it, the number of searches I did went down quite dramatically. That's not to say that I was doing unlawful searches before it. It was just to say that it's how you write the form up.... [B]efore you search someone now, you're thinking to yourself, what am I going to put on the form? How's it going to look? Will it pass a panel? So obviously I am doing less. The success rate [arrest rate] of what I'm doing has gone up because I'm only doing stop searches where there's more overwhelming grounds. (Front-line officer, interview 13)

The way 'fear' of the Panel served to constrain stop and search activity more broadly was highlighted in a conversation between a member of the evaluation team and an officer from a response team. This officer had not been directly involved in a panel or received an identification, but the implied scrutiny featured prominently in her deliberations about whether or not to use the power.

MS had a chance conversation with an officer while waiting to do a group discussion. The officer said she had been on patrol in a nearby village on fire-works night and had come across a 'young Asian male' sitting on a park bench, noting that there was a 'serious drug problem' in the village and 'perhaps' in the park. Her colleague reportedly said they should have stop-searched him and would have done so before the Panel came in, but they didn't 'because he's Asian'. If they only did one stop-search that night 'we didn't want it to be of an Asian'. When asked, the officer I was talking to said they 'had clear grounds'. She also noted that the force used to have tick box form, but now she worried about getting the right words even when she had grounds. With the old form the tick box 'used to give you a start', and the 'words used to just roll off'. Now 'it's almost in the too hard box; it's a confidence thing. Officers are scared of getting it wrong'. When asked by LB [the panel coordinator], the officer said no-one she knew had 'got in trouble', but she was hearing rumours - people are saying the grounds are coming back even when drugs are on display. LB asked, 'but what did they put down?' (Fieldwork notes, November 17 2016).

Outcomes from the RGP indicate that the quality of the grounds recorded by officers improved markedly over time and the independent assessments undertaken by HMICFRS and the LSE confirmed this pattern. The Panel found 98 grounds to be deficient during its first six months, covering the second half of 2014/2015, compared with 142 during the whole of 2015/16, and 43 during the whole of 2016/17. Expressed as a monthly average, this represents a reduction from 16 to 12 and then 4. While the HMICFRS noted that almost all forces have seen 'improved recording of reasonable grounds', the improvement has been especially marked in Northamptonshire.⁷¹ During three rounds of inspections,

progressively fewer grounds failed to meet the requirement for reasonable suspicion, with the average failure rate for all forces in England and Wales falling from 27 per cent in 2013 to 15 per cent in 2015 and to 6 per cent in 2017.⁷² Northamptonshire was the only force that went from a 100 per cent failure rate to a 100 per cent pass rate during this period. The complete failure rate at the initial inspection reflected particular misgivings about the tick-box approach to recording grounds. With the introduction of free-text recording, Northamptonshire's failure rate fell to three per cent in 2015, followed by an unblemished record in 2017. The failure rate in Northamptonshire was much higher than average in 2013, but considerably lower than average in 2015 and 2017.⁷³

The detailed assessment of stop and search records undertaken by the LSE indicated that officers' grounds improved with the introduction of the RGP. The quality of the grounds remained largely unchanged during the four months leading up to the first panel in October 2014,⁷⁴ but became progressively stronger over the next two-and-a-half years. Significant improvements were evident during the first 12 months, with further improvements between October 2015 and March 2017. Over the period as a whole, the proportion of records that a majority of the assessors judged to have reasonable grounds increased by a third; the proportion judged to have moderate or strong grounds almost doubled; and the proportion judged to have strong grounds trebled (see Table 1). The judgements made by each of the 13 assessors pointed to significant improvements in the quality of the grounds over time.⁷⁵

Table 1: The quality of the grounds for stop-searches in Northamptonshire

	<i>Percentage of recorded stop-searches with...</i>			<i>Average score (median)</i>
	<i>Reasonable grounds</i>	<i>Moderate or strong grounds</i>	<i>Strong grounds</i>	
June to September 2014	63	38	6	1.1
October 2014 to September 2015	81	61	13	1.5
October 2015 to March 2017	86	69	18	1.8

n = 750 (weighted)

Notes:

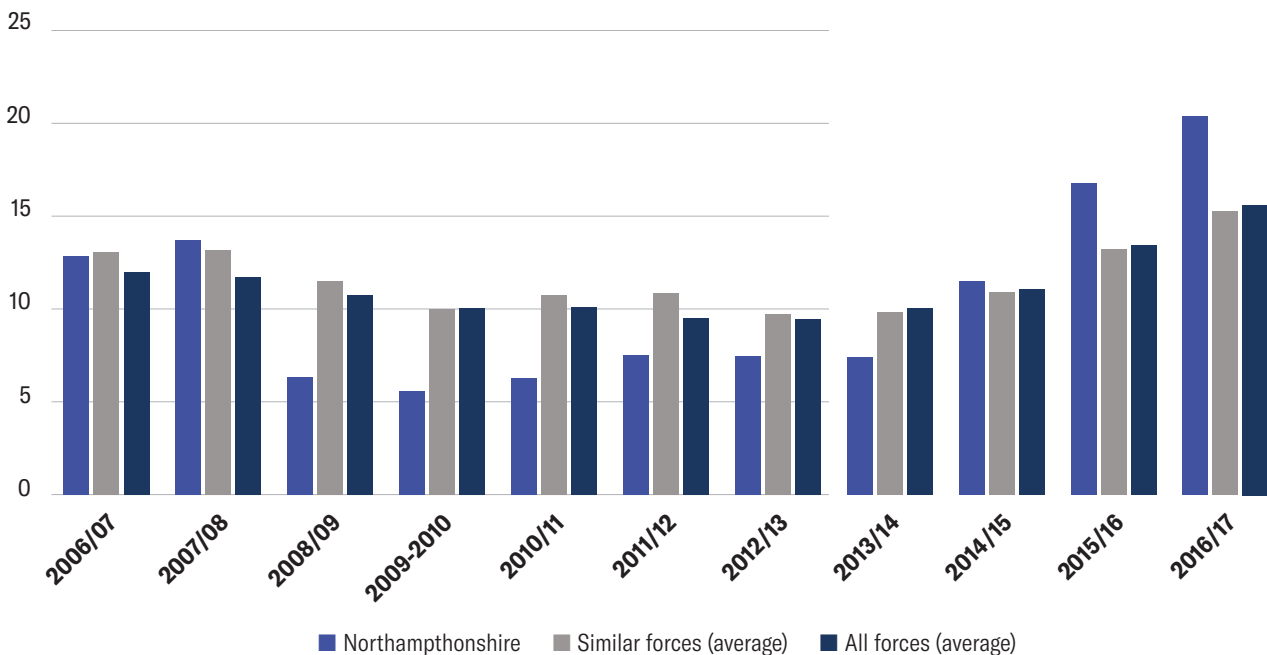
- 1) Grounds were classified on the basis of the majority opinion: they were deemed to be reasonable if seven or more of the 13 assessors judged them to be so; moderate or strong if the majority judged them to be so; and strong if the majority judged them to be so.
- 2) A score was calculated for each record, which combined the responses from all the assessors: reasonable grounds not established = 0; reasonable grounds established but weak = 1; reasonable grounds established and moderate = 2; reasonable grounds established and strong = 3.
- 3) Kendall's tau = 0.21, p <.01 (reasonable grounds by month/year); Kendall's tau = 0.29, p <.01 (moderate or strong grounds by month/year); Kendall's tau = 0.11, p <.01 (strong grounds by month/year). Kruskal Wallis test, p <.01 (average score by month/year); p < .01 (June to September 2014 compared with October 2014 to September 2015; and June to September 2014 compared with October 2015 to March 2017); p < .05 (October 2014 to September 2015 compared with October 2015 to March 2017).

IMPROVED OUTCOMES

In the UK, arrests are widely used as a proxy measure for the success of stop and search.⁷⁶ Although they are only an intermediate outcome, arrest-rates provide a useful barometer for assessing how fairly and effectively the powers are being used.⁷⁷ All things being equal, a more objective approach based on stronger grounds should yield a higher proportion of arrests. The introduction of the RGP was associated with a marked increase in the arrest rate as well as significant improvements in the quality of the grounds.

The arrest rate in Northamptonshire fell below average shortly after the introduction of the tick-box form, dropping from 13 per cent in 2006/7 to just six per cent in 2008/9; and stayed at this lower level until the sharp downturn in stop and search activity during 2011/12 (see Figure 5). With further reductions in the number of stop-searches and improvement in the grounds following the introduction of the Panel, the arrest rate more than trebled to 20 per cent, climbing above average for all forces, including those in the most similar group.

Figure 5: Arrests resulting from stop-search (percentages)



Source: Police Powers and Procedures

Notes:

- i) See Figure 2, note i for an explanation of the terms 'all forces' and 'similar forces'.
- ii) The 'average' refers to the mean.
- iii) The arrest rate across 'all other forces' approximated to the normal distribution for each year.
- iv) Z-scores indicate that the arrest rate in Northamptonshire was broadly in line with the average for all forces in England and Wales during 2006/7 and 2007/8; lower than average between 2008/9 and 2010/11; in line with the average from 2011/12 to 2014/15; and higher than average in 2015/16 and 2016/17.
- v) The figures shown here are based on administrative years, running from April to March.

6. PANEL IMPACTS ON TRUST AND CONFIDENCE

PACE requires police forces to arrange for members of the community to scrutinise stop and search records in order to promote public confidence in the use of the powers. The RGP began as a fairly cautious form of community engagement, but developed into something more ambitious as confidence in the process grew. Moving the Panel out of a police venue and into a community setting was an important transition. Police officers, including the panel coordinator, said that working through a community host made it ‘much easier’ to recruit members of the public, facilitated greater diversity, and created a less formal dynamic. A senior officer who had chaired a panel compared the experience favourably with other forms of consultation undertaken by the force, noting it ‘felt like something where we were genuinely trying to engage with the community’. This officer identified the community setting as a particular strength of the process, insisting that ‘the people you really want to be talking to are those who are at the sharp edge in receipt of your services’. Meeting the community where they are, rather than inviting them to a police venue, he noted, had the potential to involve ‘people who wouldn’t traditionally think of engaging with the police or coming along to a committee meeting’ and promoted a more open dialogue. He went on:

The thinking behind it was that we’re a bit scary; I think the police [headquarters] is a bit of a scary place to come to.... Whereas to go out into the community in the environment where people are comfortable, feel free and able to talk, express views and opinions that they might, in amongst most of their friends, that they might not choose to express at some sort of committee meeting with people that they don’t really know. You’re already over some of those communication hurdles, aren’t you? You’ve already got trust. There’s already trust in that group... I think there’s already trust within that group in that location. (Senior officer, interview 17)

Panels engaged various constituencies, bringing diversity of thought and experience to the process. Some participants reported having had little to do with police, while others were linked to the police through family ties and/or various ancillary functions (two were serving as Special Constables in a neighbouring force; two were volunteers with Neighbourhood Watch; and another was a voluntary police chaplain). Panels also included members who were more familiar with what it is like to be on the 'sharp edge' of policing services. Several community participants had been stopped and searched themselves or had friends and / or family-members who had been. One participant reported having had 'a lot of dealings with the police' dating back several decades to an industrial dispute when he had been convicted of a related offence. He said, 'I didn't think much of them [the police], to be honest'. Despite further 'difficulties' managing the consequences of a criminal record, his attitude to the police had softened with time: 'over the last few years, I mean, they're usually pretty good in Northampton'. Other panel members complained that police treated some groups unfairly, citing direct personal experiences. As one member said, 'On my side, that particular side, I feel like we're not treated the same [as white people] because things happen and then [our complaints are] just flushed'. These feelings did not translate into automatic collective hostility, however:

The police are not against the people. We know they're not against the people, but there are individuals from the police who maybe misuse their power.... [T]he frontline sometimes individually from the police can target ethnic minorities or the younger people. (Community panel member, group discussion 8)

The Panel harnessed this diversity of thought and experience, and channelled it into a deliberative process of collective decision-making. Observation and group discussions aligned in showing that panels operated on the basis of mutual respect and co-operation. Community participants took their responsibilities seriously, recognising that their decisions could have significant repercussions for officers, and were at pains to demonstrate balance and proportion. Some spoke of feeling reticent initially because they did not know the law and lacked operational experience, but also of feeling empowered to engage in the process when informed that they were there to provide a lay perspective.

Panels discussed grounds in varying degrees of detail and made decisions collectively. There was little, if any, evidence of sharp disagreements, and most decisions emerged on the basis of a naturally occurring or negotiated consensus. During the group discussions, community participants expressed satisfaction that they had been given considerable opportunity to contribute to the process and felt their views had been taken seriously, confirming our observations. Although some differences in orientation were evident, all the community participants we spoke to accepted the authority of the Panel. One of them, who was a special constable in another force, said he could 'empathise' with officers and could understand why they had carried out a stop-search, but 'agreed with all the decisions that the Panel had made'.

Community participants expressed a range of opinions about stop and search, and the circumstances under which it should be used. Some considered the 'smell of cannabis' to be sufficient to establish reasonable grounds, while others did not. Despite these differences, panel members were typically pragmatic in their approach and sought to

assess the grounds based on the circumstances described by officers, although their deliberations were inevitably subjective and potentially informed by broader concerns. As one community member said:

If that 25 per cent [rate of arrests] included someone who had a machine gun in their bag, I'd much rather—I would be quite happy to be stopped and searched if, they may have found the gun they were looking for. It doesn't bother me in that extent. But I can see racism and prejudice—I can see that comes into it. But it's also areas, locations. To me, I think [stop and search is] something that does need to be done. It's just to what extent and what the choices are... Some [of the grounds] you listen to and you think, there's just not enough there. Like, if you stop a car. There's just not really enough clues there to justify it. But if you could see things in the car and it looked suspicious, you know. There was a threshold point. (Community panel member, group discussion 7)

Another community member described the panel process thus:

I think it comes down to reasonable cause, that's what I always believe.... They were very good how they explained it, and it was really just about these cases that they gave us. And just literally on the simple facts they gave you was that officer right in what he did? (Community panel member, group discussion 6)

Only one of the community participants objected to stop and search as a general practice, arguing that it infringes 'a person's civil liberties' and does not 'serve any useful purpose at all' because it 'antagonise[s] the very people that [the police] need to solve crime'. On the other hand, he noted, 'Don't get me wrong. I have a great deal of respect for our police... we need them'. He also said that suspects should be arrested if there are reasonable grounds for suspicion. The findings of the Stephen Lawrence Inquiry and his own children's experiences shaped his misgivings about stop and search. As he said:

I have two sons and... they were stopped and searched, not so much the older one, but certainly the younger one because he had long hair and he also had friends who were coloured [sic]—I say, no more.... If he got stopped on his own it was because he's got long hair and when asked what they were looking for the police always said drugs. (Community panel member, group discussion 7)

Although this participant's view of stop and search remained unchanged, he described the Panel as 'a positive experience' and 'a good exercise', and supported public involvement in the process: 'I think the police need to know at times that something which they see as maybe a useful tool, wouldn't necessarily always be the criteria that Joe Public would [use]'.

THE VALUE OF COPRODUCTION

Psychological studies have repeatedly highlighted the value of equal-status contact as a means of reducing prejudice or conflict between groups.⁷⁸ Such contact is most effective when it is oriented towards common goals and sanctioned by institutional supports. The RGP facilitated this kind of contact and, in doing so, challenged participants' preconceptions and reframed their relationships. Status differences between police

and community members were softened without being wholly eradicated. Panels met in community venues, but police participants brought professional status and knowledge to the proceedings, and senior officers chaired the process, signifying police ownership. While officers often attended in uniform, this decision was devolved to the host agency. The panel process represented a form of coproduction, bringing police and public together to establish the boundaries of acceptable policing practice. Participants shared decision-making authority equally based on the voting system of one member one vote, which meant the balance of power lay with community members rather than police as they were in the majority. The focus was very much on collective decision-making and the collaborative nature of the task served to reduce suspicion and highlight common interests, creating a greater sense of proximity between police and public.

COMMUNITY PERSPECTIVE

Community participants widely and strongly endorsed the RGP, identifying several aspects of the process that were of particular value. They welcomed the involvement of officers from across the rank-structure and the way these officers interacted ‘on a level’, noting that police participants did not act defensively or present a united front, but expressed diverse opinions that were, at times, critical of their colleagues’ conduct. Where community participants had considered police to be ‘aloof’ and even ‘quite scary’, the Panel ‘humanised’ them in a manner that engendered understanding and support. A conversation between two panel members illustrates this point:

P1: It felt like we’ve dealt with normal people.

P2: And not police officers.

P1: It did [feel like that] to me because, like I said going through the experiences I’ve gone through and the police are there.... And they did, they humanised themselves. They were normal people. We sat and had a pint with them [after the panel’s deliberations concluded]⁷⁹.... Chatting about the job, which is not something we’d do normally because I don’t know many police officers on a personal front, if you know what I mean. (Community panel members, group discussion 3)

This dynamic was evident among community participants who spoke of having had problematic relationships or negative experiences with police directly or indirectly through friends and relatives. In some cases, the effect seemed to come as a surprise to the people involved. As one community participant admitted, ‘if my younger self could hear me now I’d stab myself in the face’. The feeling of being included was crucial to the reframing of participants’ relationship with police, alongside a sense that the force was trying to improve its practices, as this engendered feelings of ‘trust’ and ‘safety’. According to one community panel member:

[T]he visibility was superb. Let us know why you’re doing it mate, and then maybe we’ll be a bit more understanding, and panels like that for me change my opinion quite a lot, because I felt involved.... [T]o be honest since I’ve been involved with the

police, and especially that meeting.... I've got a lot more trust now.... I just think that after that panel, like I said I've never been amazingly sort of trusting of police apart from the last few years. But after that panel, if I got stopped. I'd sort of understand why.... I'd be like, 'okay, right I've done this before mate, yeah go on'. I'd be a bit more understanding. (Community panel member, group discussion 6)

The community participant who was most critical of stop and search spoke ruefully about what he felt had become an increasingly distant relationship between police and public since the mid-1980s. Whilst remaining critical of stop and search, this participant welcomed the inclusive nature of the Panel, which he viewed as an attempt to return to something like 'policing by consent'. He said:

What I felt about this process was it was a way of involving us... I will openly admit it restored a little bit of my faith... You know, there's all sorts of things that the police might do that I might not necessarily approve of in some ways.... But we need the police. We need them. We need them to be with us together. I think anything where they start to get involved in areas where this sort of thing where the public can say we're not absolutely sure this thing is the greatest thing in the world. (Community panel member, group discussion 7)

The potential benefits of the Panel were not limited to direct participants and were conveyed to a wider audience through their broader social-networks. Three community participants from one panel estimated that collectively they had spoken to approximately 150 people about the process, including friends and acquaintances, members of a church congregation and church council, and students at a local university. As one of them explained:

You have people like us going 'do you know what I did last Friday night?' I went and sat on this police panel and we were talking about all of this stuff. And we're telling our peers, and then maybe somebody else has done it and they've told their peers. And people then you realize that there are normal people like me, like Joe Bloggs, who are having a look at these things to make sure it's okay. (Community panel member, group discussion 1)

Two community workers who participated in another panel at the Somali Centre estimated that they had discussed the experience with approximately 120 people and had also circulated information about it via social media. They described a largely positive response and felt the Panel had created dialogue, built 'trust' with police, and helped to make the community feel 'safe'. One said she felt 'quite uplifted', noting, 'I would love to get involved more with these kind of things', and had gained a better understanding of stop and search that she had been able to share more widely. Describing how 'a minor thing' can escalate into 'a big case' because of misunderstanding and poor communication, this participant had advised other community-members that cooperation provided a better way of managing interactions with officers than 'resistance'. She went on:

We talk[ed] to a lot of people and now they understand what we're talking about and they understand more. They didn't get a chance to come to the Panel, but at least someone from their community is there to explain to them this kind of stuff. And for

me now, I think if anybody is stopped, they will not make a fuss out of it, unless they have a problem.... To me on my side, I think all the women I've spoken to and all the young boys that I've spoken to, I say, 'don't run, yeah. He's not going to arrest you. When you run that is a big [cause for suspicion], this is [when] they will arrest you.'
(Community panel member, group discussion 8)

Other community participants expressed similar sentiments. There was a broad consensus that the contact facilitated by the Panel improved public understanding of stop and search, promoted trust in police, and encouraged greater co-operation.

Although community participants were overwhelmingly positive about the Panel, some did raise concerns about the residual power imbalance. Several community stakeholders were critical of the police-led nature of the process, expressing concerns about what they perceived to be a potential for bias, rather than about the way the Panel had actually been administered. One community participant said:

I don't think there's necessarily anything wrong with what we did today, but if I was designing it, I would think the police scrutinising themselves isn't necessarily the most sort of efficient and transparent way of getting that public accountability.
(Community panel member, group discussion 2)

One suggestion for offsetting potential bias was to establish greater independence by involving non-police actors in the administration and chairing of the Panel. Community stakeholders noted that the Police and Crime Commissioner's Office could fulfil this function. The panel coordinator maintained that it is a police responsibility to ensure robust oversight of stop and search, however, and insisted that the Panel must be chaired by a senior officer if it is to have credibility within the police organisation.

POLICE PERSPECTIVE

The ability of the Panel to challenge established ways of thinking was also evident among police participants. Officers who had been involved in a panel spoke positively about the experience and often expressed surprise at how community participants had engaged with the process. In effect, the Panel promoted police trust in the public as well as public trust in the police. According to the panel coordinator:

The main lesson I can take away from this experience is that the public have responded well beyond what I expected. I found panel members to really respond well when they felt they were being listened to. This was especially so within our harder to reach communities and was a real revelation for me. (Supervising officer, personal communication)

Another officer, a sergeant who had participated in several panels, made a similar observation when explaining why he would recommend the RGP to other forces, noting: 'it's an eye-opener, what the public think and their perception is. It's a real eye-opener and

it was a real good feedback'. A senior officer who had chaired a panel also highlighted the mismatch between what he expected and what he experienced:

I got a briefing from [the panel coordinator] and felt, hmm, OK, we'll see how that goes and I guess I was a little sceptical, a bit cautious. I thought, it's going to be two hours of being lambasted by the community, which I don't mind. It's part of the job. But then, it was brilliant. I said to her afterwards, 'I'll do those again, that was really good. I'll do them again'.... I thought it was going to be two hours of hard work [but it wasn't]. (Senior officer, interview 17).

This officer described the response of panel members as 'heartening', contrasting it with the kind of contact police have with the public in what are typically adversarial situations. He said:

When I run these panels..., maybe the message I take away is that the public are really supportive of what we're doing. And we don't often see that.... [A]lmost everybody that we deal with is on the receiving end of our services, either as a victim, and nobody wants to be a victim, or they're an offender or a suspect or we're stop searching them or depriving them of their liberty or trying to get them in a taxi rather than having to arrest them in the town centre. (Senior officer, interview 17)

The same officer praised the openness and transparency of the process, saying he was 'really heartened to see that we are more critical of ourselves than the community are of us'. Officers who had been involved in panels often said that police participants judged the grounds more harshly than did community participants. For example:

I've found [the public] in those panels are far more tolerant of police officers' actions than the police officers that are on the Panel... . So I'm sitting there thinking, oh they shouldn't have done that; whereas I've got a member of the public sitting next to me saying 'well why wouldn't you have stopped, I'd expect you to have stopped that person and searched them and had a conversation'; whereas I'm at the other end sometimes thinking there's no grounds for that whatsoever. (Senior officer, interview 11)

Our observations indicated that decisions were typically made consensually, with little obvious disagreement between police and community panel members. Thus the claim that police judge themselves more harshly than the public may be a rhetorical device that enabled officers to recognise the legitimacy of the process, while dissipating some of the associated anxieties. The key point for officers was that the public were much less hostile than they had anticipated. When asked about this claim and what it might capture, an officer who had taken part in a panel said:

Maybe what we're trying to say is we needn't fear the process. There's probably a more positive message that we could deliver in that the public are consistently supportive of our use of those powers, would be a better message to be delivering, but we're trained to be suspicious and defensive and therefore we are, so we tend to frame things I think in a fairly negative way. (Supervising officer, interview 15)?

Some of the officers who had taken part in a panel noted the potential for building trust and confidence between the police and the public in both directions. When explaining why he would ‘definitely’ recommend the Panel to other forces, one of the officers we spoke to highlighted the mutually beneficial nature of the process, alluding to the power of equal status contact:

Well, it’s really simple. It’s a double hit. You get the community directly involved. You take away all of that mysterious thing. You know, ‘the police are a secret organisation’. No, we’re an organisation with secrets. However, come and walk in. Come and join us. Come and have your say. Come and have a look at how we’re doing it. Participate. Get your viewpoint across, not in a large group of open forums where you’re going to be talked over from the front of a podium. Come and sit round the table with us and actually make a decision. Work with us an hour, two hours a month. Anybody can do it. And so it gets their involvement. It allows us to learn what the community thoughts are as well. What are your thoughts about it? How are you feeling? Are we getting it right? Are we getting it wrong? And we get all that lovely feedback and we’re able to work with that. And if we can get them on board, then we’re all working on the same lines. (Supervising officer, interview 15)

7. THE ENTRENCHED PROBLEM OF DISPROPORTIONALITY

Although the panel was not specifically designed to tackle the disproportionate use of stop and search on black and minority ethnic groups, there were reasons to suppose that it might have this effect. The requirement for reasonable grounds is the principal mechanism through which PACE seeks to ensure that stop and search is used fairly and without unlawful discrimination.⁸⁰ Greater scrutiny and oversight might mean officers are more circumspect about using the powers where there is the potential for discrimination.

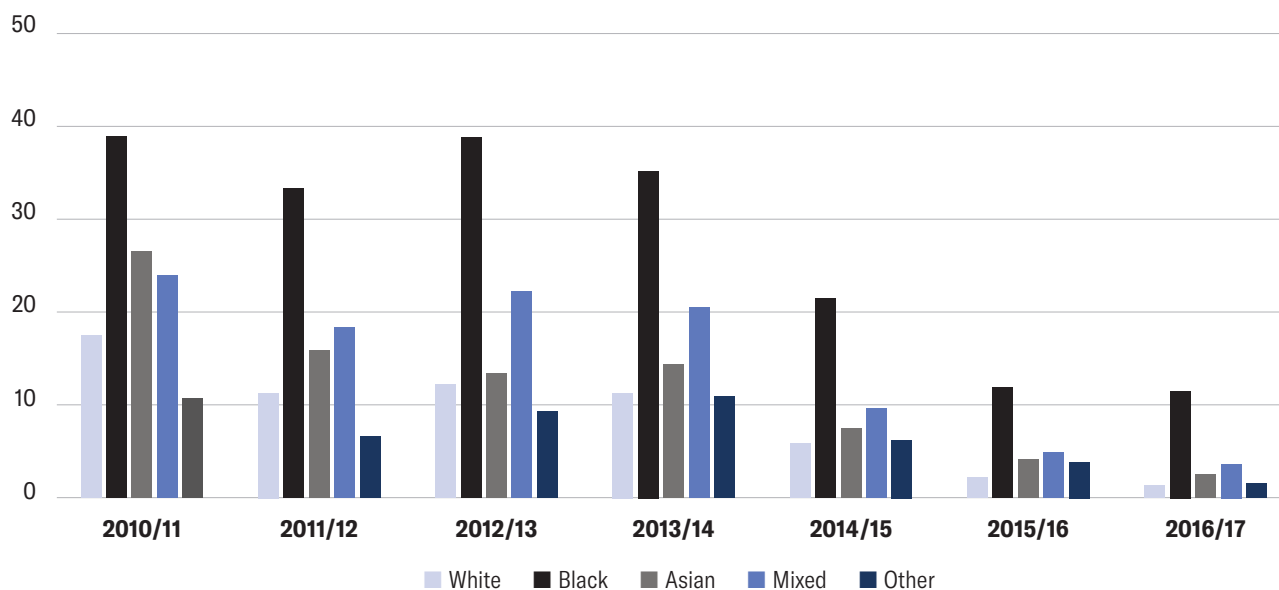
The Panel did not alleviate disproportionality, but highlighted something important about the nature of the underlying problem, identifying the teams and roles where use of stop and search was most problematic. Sustained resistance to change, hostility to the Panel, and a cluster of repeated identifications were all evident among teams where rates of disproportionality were particularly high. Pockets of resistance meant reductions in stop and search were not distributed evenly across the force and ethnic disparities were magnified. As the number of stop-searches fell, residual activity was increasingly dominated by a small number of high volume users who were concentrated in proactive teams. The style and focus of proactive policing was identified as both a primary source of resistance to the Panel and a key driver of disproportionality.

INCREASING DISPROPORTIONALITY

Stop and search has fallen sharply across all ethnic groups in Northamptonshire, but has done so in ways that have exacerbated existing ethnic disparities. The sharpest reductions have been evident among white people even though they had relatively low rates of exposure at the outset (see Figure 6). Between 2010/11 and 2016/17, stop-searches fell by 92 per cent for white people; 91 per cent for Asian people; 85 per cent for those who identify as 'mixed'; and 84 per cent for 'other'. The reduction for black people was relatively modest at 70 per cent.⁸¹ While the *absolute* rate at which black people are stopped and searched has fallen, the rate at which they are disproportionately subject to such encounters *relative* to whites has increased. Stop-searches of black people in Northamptonshire fell from 39 per 1,000 residents in 2010/11 to 12 per 1,000 residents in 2016/7. In relative terms, this meant black people went from being stopped and searched at slightly more than twice the rate of white people, to being stopped and searched at almost nine times the rate of white people. Consequently, stop-searches of black people increased from 5 per cent of the total in 2010/11 to 17 per cent in 2016/17. Rates of disproportionality also increased for 'mixed', Asian, and 'other' groups.

Widening ethnic disparities were not a direct consequence of the RGP and have been evident in other forces across England and Wales, including Northamptonshire's 'most similar' forces. The disproportionate rate at which black people were stopped and searched in Northamptonshire remained broadly in line with the average for all forces in England and Wales during 2015/6 and 2016/17.⁸² This broader pattern suggests that increased

Figure 6: Stop-search rates by ethnic group in Northamptonshire (rates per 1,000 population)



Disproportionality ratios (compared to white)

	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
White	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Black	2.2	3.0	3.2	3.1	3.6	5.5	8.7
Asian	1.5	1.4	1.1	1.3	1.3	1.8	1.9
Mixed	1.4	1.6	1.8	1.8	1.7	2.2	2.7
Other	0.6	0.6	0.8	1.0	1.1	1.8	1.3

Source: Police Powers and Procedures

Notes:

i) Stop and search rates refer to the number of stop-searches per 1,000 members of the resident population. To calculate these rates, population data were taken from the 2011 Census 'as the most recent well-validated source of information about the ethnic composition of England and Wales' (Ministry of Justice (2017) Statistics on Race and the Criminal Justice System 2016, London: Ministry of Justice; at 12).

ii) When conducting a stop and search, police are required to ask the person being stopped to define their ethnicity. For the purpose of this analysis, ethnicities are grouped into the following: White, Black (or Black British), Asian (or Asian British), Mixed and Other

iii) Disproportionality ratios compare the rate of stop and search for a given minority ethnic group with the rate for whites. A ratio of 2.00 shows that the rate in the minority group is twice the rate among whites and so on. A figure of less than 1.00 indicates that the rate is lower in the minority group than the white group.

iv) The figures shown here are based on administrative years, running from April to March.

disproportionality is a more general feature of reductions in stop and search. Put simply, the less stop-search there is, the more it seems to focus on minority ethnic groups. The growth of ethnic disparities in Northamptonshire has been facilitated by a shift away from searches targeted at going equipped and criminal damage offences, and onto searches targeted at drugs. This effectively substituted some of the least disproportionate forms of stop and search with one of the most disproportionate. That said, drug searches have become much more disproportionate as well: black people were stopped and searched for drugs at 3 times the rate of whites in 2010/11, but 12 times the rate of whites in 2016/17.

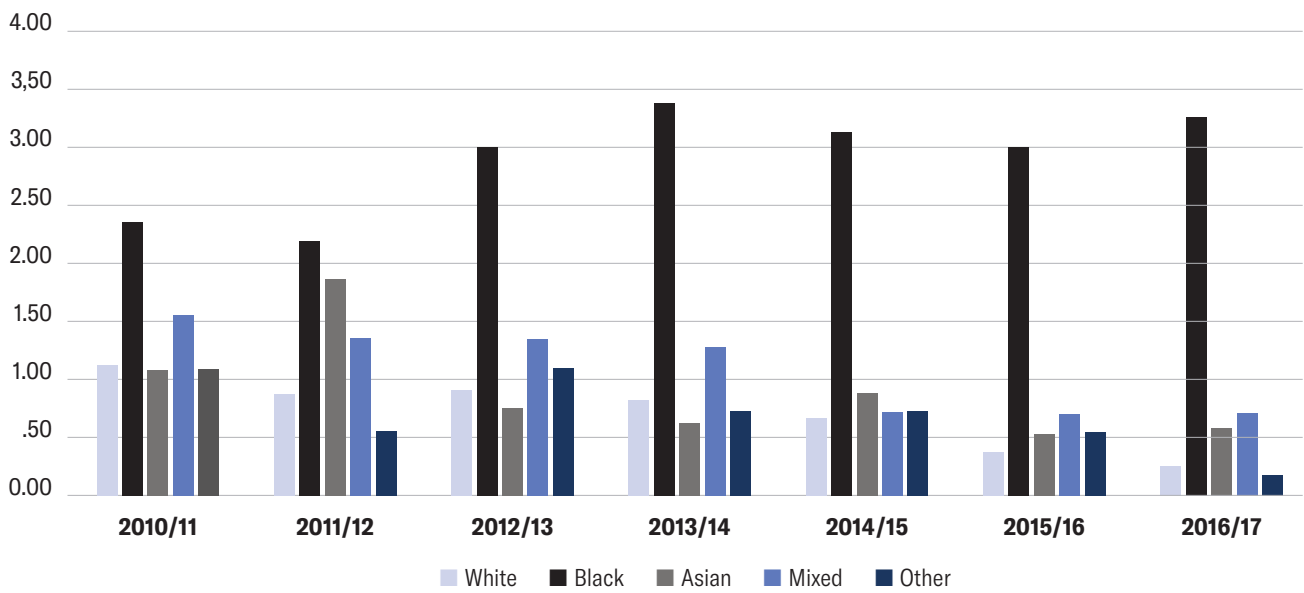
While the number of stop-searches has fallen sharply across the force area, use of the powers has become increasingly concentrated in the county town of Northampton: 58 per cent of stop-searches were conducted there in 2016/17 compared to 47 per cent in 2012/13. This greater geographic concentration has had particular implications for people from black and minority ethnic groups because they have relatively high rates of residence in the town, but does not fully explain the increase in disproportionality: the rate of black / white disproportionately increased sharply within Northampton, almost trebling between 2012/13 and 2016/7, and more than doubled across the rest of the county.

The increased rate at which stop-searches lead to arrest has also had a disproportionate impact on black and minority ethnic groups. In 2010/11, the arrest rate was six per cent for white, black and mixed groups; four per cent for Asians; and 10 per cent for the other group. By 2016/17 black people, in particular, were being arrested at a substantially higher rate than whites: 28 per cent compared with 19 per cent (and 23 per cent for Asians, 20 per cent for the mixed group, and 11 per cent for the other group). For black people, the increase in the arrest-rate more than off-set reductions in the volume of stop-searches, so that the absolute number of resultant arrests actually *increased*. The relatively modest reduction in stop-searches of black people combined with the particularly sharp increase in the arrest rate for this group produced strikingly disproportionate outcomes: by 2016/17 black people were arrested as a result of stop and search at almost 13 times the rate of whites (see Figure 7). Such marked ethnic disparities were not peculiar to Northamptonshire and the disproportionate arrest rates for black, Asian and mixed groups in 2015/16 and 2016/17 were broadly in line with the average for all forces across England and Wales.⁸³

The heightened arrest rate among black and minority ethnic groups in Northamptonshire was not simply a function of detections or items found during searches. While black people were arrested at a higher rate than whites, they were given out of court disposals (cannabis warnings, cautions, and penalty notices or fines) at a lower rate—13 per cent compared with 16 per cent in 2016/17. White people, in other words, were arrested and given out of court disposals at a comparable rate, but black people were arrested at twice the rate they were given out of court disposals. This disparity is especially troubling given HMICFRS's conclusion 'that the use of stop and search on black people might be based on weaker grounds for suspicion than its use on white people, particularly in respect of drugs'.⁸⁴

Ethnic biases are most likely to take effect where decisions involve subjective judgements and there is scope for discretion.⁸⁵ While decisions around stop and search outcomes leave room for subjectivity and discretion, feedback loops may limit the options available to officers: cannabis warnings can only be given for a first offence and cautions are

Figure 7: Arrests from stop-search by ethnic group in Northamptonshire (rates per 1,000 population)



Disproportionality ratios (compared to white)

	2010/11	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17
White	1.0	1.0	1.0	1.0	1.0	1.0	1.0
Black	2.11	2.58	3.34	4.08	4.72	8.48	12.85
Asian	0.95	2.2	0.83	0.75	1.33	1.49	2.28
Mixed	1.38	1.58	1.48	1.54	1.06	1.98	2.79
Other	0.98	0.65	1.22	0.89	1.11	1.55	0.73

Source: Police Powers and Procedures

Notes:

i) This figure shows the number of arrests resulting from stop-searches per 1,000 members of the resident population. To calculate these rates, population data were taken from the 2011 Census 'as the most recent well-validated source of information about the ethnic composition of England and Wales' (Ministry of Justice, (2017) Statistics on Race and the Criminal Justice System 2016, London: Ministry of Justice; at 12).

ii) Disproportionality ratios compare the number of arrests per 1,000 population of a given minority ethnic group with the number per 1,000 of white people. A ratio of 2.00 shows that the rate in the minority group is twice the rate among whites and so on. A figure of less than 1.00 indicates that the rate is lower in the minority group than the white group.

iii) The figures shown here are base on administrative years, running from April to March.

discouraged for repeat offenders, which means the availability of out of court disposals is likely to be exhausted quickly in the context of heavily concentrated, disproportionate policing, particularly if it involves frequent adversarial contact with the same group of people.⁸⁶ Where certain areas or communities are subject to particularly intensive or proactive policing, discriminatory outcomes are inevitable and this is likely to be a particular problem with high discretion stop-searches targeted at 'known offenders' in 'crime spots' (areas defined as having high crime rates).

PROACTIVE POLICING AND RESISTANCE

Disproportionality has become more marked in Northamptonshire because of the internal dynamics of the police organisation. As the number of stop-searches has fallen, a small number of officers concentrated in proactive teams have increasingly dominated the residual use of the powers. The ten most active officers, representing less than 1 per cent of the force's total complement, were responsible for 10 per cent of all stop-searches across the county in 2012/13. This proportion more than trebled over the next few years, with the 10 most active officers conducting 36 per cent of all stop-searches in 2016/17.⁸⁷ While the composition of the most active group varied from year to year, the majority of those in this group during 2016/17 were proactive officers.⁸⁸ The largest proactive team was based in Northampton Central and drugs provided a key focus for its work. Proactive officers were also particularly disproportionate in their use of stop and search.⁸⁹

Officers engaged in, or otherwise aligned with, proactive policing displayed a distinct orientation that did not sit comfortably with the values that underpin the RGP. For these officers the Panel seemed to embody a set of expectations that clashed with the way they experienced and understood their role. Some identified strongly with proactive teams, 'this side of it is basically what I see a police officer's job should be—targeting criminals; whereas a response officer at the moment is basically just a warranted social worker'. Proactive policing is largely a plain clothes or non uniform role that is characterised by a high degree of autonomy and discretion. As one front-line officer commented, proactive police 'find [their] own workload, so to speak'. The aim, he said, is to 'prevent crime essentially so that we don't have to reactively deal with it later', focusing on 'drug dealing' and 'gangs'.

Officers involved in proactive work were heavily outcome oriented, prioritising arrests and convictions, and their descriptions made frequent reference to the use of police powers, including raids, warrants, and dynamic methods of entry. Stop and search was used 'daily,' 'all the time' and was considered to be indispensable to the role: 'It's our bread and butter essentially for going out on the street and finding crime, you know, finding offenders to prevent a crime'. This proactive approach was typically based on officers' interpretation of observed behaviour and/or prior intelligence (high-discretion stop-searches), rather than third party reports or descriptions of a suspect (lower discretion stop-searches). Officers in other roles described stop and search as an infrequent activity—one they might not have engaged in for 'months'—that was typically linked to an initial crime investigation and was often triggered by third party reports, including a description of the suspect. The affinity between proactive policing and high-discretion stop and search formed an explicit part of officers' working knowledge. A response officer, who had previously been on a proactive team, described the difference between the two roles, noting:

...when I was on the proactive team, we'd target people who we knew were dealing drugs and we would search them on a regular basis; whereas, these days you'll see people who intelligence states they're dealing drugs and you'll watch them come up and down the same streets several times, believing they're dealing drugs, but you're more likely to just leave them because you're just thinking can I justify [it]? (Front-line officer, interview 24)

Some officers felt that proactivity is synonymous with the questionable use of the powers:

You know the sad thing is, and this is where the debate lies, the ones that are known as the thief-taking, really good cops, really proactive are probably the ones that flag up [i.e., that the Panel identifies] because they do so many. But actually how many people are they going around pissing off in the process as they go [about] doing it? (Senior officer, interview 10)

So those that were proactive and just jumped on matey-boy just because he knows he's a drug dealer, or knows that he uses drugs, but we know it's happened in the past; that they're not wrong for doing it because they're being proactive. But it doesn't necessarily fit the best practice of what we're looking for in stop-searches. (Front-line officer, group discussion 5)

An officer who had received a panel identification said, 'I was a proactive officer, I was supposed to go out and harass criminals and I was punished for it'. Other front-line officers in a group-discussion made a similar point when they noted that the Panel had 'made a lot of people angry' and had 'put a lot of people off doing the good work, the proactive work that they do'.

Although a member of a proactive team had been appointed as a stop and search coach, accommodation with the Panel was especially tenuous and fragile here. Proactive officers accepted the principle of accountability more or less reluctantly, and some said they would recommend the Panel to other forces with the proviso that they should 'do it differently'. None of the proactive officers in this group discussion had attended a panel and, apart from the stop and search coach, their only contact with the process was when they received identifications or professional development. Their response to this contact was largely adversarial and they felt aggrieved by the loss of autonomy as well as the perceived challenge to their expertise.

Proactive officers in one group discussion dismissed other officers who participated in the Panel or delivered follow-up coaching based on the mistaken belief that they 'don't do any stop searches, they've never done stop searches in years'.⁹⁰ A member of the proactive team described receiving a 'shitty email' for a stop-search he insisted was 'perfectly lawful and perfectly justified' and going to see a coach because 'I had to; I was ordered to'. Another described the coaching as 'absolutely bonkers', claiming they 'are not experts, they are not coaches, they don't know what they're doing'. These officers argued, in the words of one, that 'we should be having a say on how this Panel works', and the coaching 'needs to be delivered by the people that do it [stop-searches]...I would say that proactive officers in whatever force should be the ones that do the coaching, not people that are behind desks'. Members of the team noted that the panel-process made them 'feel like you don't want to stop search', but insisted it had not affected their use of the powers. As one claimed,

We've had to stand strong and say that, "look, we're not going to take the same thought process and actions that other teams are doing and other areas are doing", because other proactive teams have, it has impacted them, and we've said "we won't". (Front-line officer, group discussion 4)

This stance was reflected in outcomes from the Panel. The 10 officers who made greatest use of their stop and search powers in 2016/17 were drawn mainly from proactive teams and most had received a panel identification: eight had received a first level identification; seven had received multiple identifications; and three had received a coaching requirement.⁹¹ Resistance within proactive teams gave rise to open defiance three years after the Panel started to meet. In 2017, a core member of one of the proactive teams refused to comply with a coaching requirement and made representations to senior officers that the team should be given greater leeway than the rest of the force. This challenge to the Panel's authority came a little over a month after an internal report had been circulated, presenting statistical evidence that the proactive teams were especially disproportionate in their use of stop and search.⁹² More than one source indicated that it was the circulation of the report that precipitated the challenge to the Panel's authority by the proactive team. The challenge was not formally resolved; the coaching requirement remained unenforced; and the proactive team effectively withdrew from the process, leaving the Panel in a precarious position.

CONCLUSION

The regulation of police stops matters. This is a simple point, but one that is often forgotten until something—generally a crisis or a scandal—propels it back into conscious awareness. The English riots of 2011 provided a sharp reminder of the need for meaningful regulation. Northamptonshire Police responded by implementing a series of reforms, culminating in the Reasonable Grounds Panel. Judged on its own terms, the RGP represents an impressive achievement; one that has important lessons for the governance of police-initiated encounters more generally.

The RGP is highly innovative in two key respects: firstly, in the way it directly involves members of the public in the process of assessing officer performance; and secondly, by establishing an escalating process of professional development for officers and their supervisors where performance is found wanting. This evaluation found that the involvement of community members alongside police officers in a process of shared decision-making is one of the core strengths of the Panel. The emphasis on coproduction challenged preconceptions that each group had of the other and created a greater sense of proximity based on mutual trust and confidence. Police felt supported, while the public felt included and came away with a stronger view of the police as a legitimate authority. The greater sense of proximity and trust was communicated through extended community networks (though the evaluation was not able to measure overall community perceptions). These dynamics are of particular relevance to agencies seeking to understand how to improve public trust and confidence in police.⁹³

The Panel communicated a clear message to officers that expectations had changed and the introduction of greater scrutiny led to marked improvements in the overall use of stop and search powers: the number of stop-searches fell, while the quality of the grounds improved and the resulting arrest rate increased—all of which points towards a more careful use of the powers. Comparisons with other police forces indicate that the introduction of the Panel had a constraining effect above and beyond that which was generally evident elsewhere.

Yet for all the Panel has achieved, it also highlights the limitations of regulatory regimes that focus on individual officer behaviour. Deficits in broader strategic leadership constrained the impact of the Panel and meant some of the most entrenched problems with stop and search remained unchecked. The Panel did not mitigate ethnic disparities, though it did shed light on the dynamics driving them. Northamptonshire's experience is informative because it demonstrates that it is possible to tighten up regulatory

procedures, improve the quality of officers' grounds for suspicion, and establish a more circumspect approach to stop and search, yet do nothing to alleviate ethnic disparities. This is partly because disproportionality is not simply a product of individual officer decision-making, but an inevitable result of policies that focus highly discretionary use of stop and search on areas with a large proportion of minority residents.⁹⁴ The Panel highlighted the teams and roles where stop and search activity is most problematic. Sustained resistance to change, hostility to the Panel, a cluster of repeat identifications and particularly high rates of disproportionality came together within the proactive teams. By revealing pockets of resistance, the Panel presented an opportunity to review what the proactive teams were doing and to assess whether the blanket use of stop and search is an effective form of crime prevention.⁹⁵ Changes to the senior management team, a greater emphasis on proactive policing, and the consequent isolation of the Panel meant this opportunity was not taken.

It remains an open question as to whether the Panel could be used to address disproportionality. The evaluation's findings suggest that with stronger strategic oversight, including greater willingness to assess operational practices and the role of proactive teams, it could meet this challenge. Given the constraints that the Panel was operating within, it functioned remarkably well, and this points to the value of organisational justice principles, which clearly made sense to members of the public and those officers who participated in the process. Involving officers as panel members and focusing on professional development rather than discipline helped to contain defensive responses within the police organisation. Ultimately, however, the Panel was constrained and undermined by pockets of residual resistance that coalesced around the proactive teams. This experience suggests that organisational change should be conceived as a two-stage process, where the initial implementation phase is followed by targeted interventions to address residual resistance. Such interventions would allow the organisation to assert its formal values, encourage greater internal cohesion, and engage more strategically with the challenges of delivering an equitable service.

Although the RGP was designed to address a particular problem in a specific jurisdiction, it has far reaching implications. Debates about the kind of policing that is consistent with democratic principles are often framed by values such as trust, justice and legitimacy. The Panel operationalises these values and provides a practical template for regulating the use of police power, particularly where there are concerns about discretion and fairness. Directly involving the public in assessing police performance and establishing an escalating scale of professional development for officers whose conduct is found wanting provided the basis for effective regulation. This combination not only promoted a more circumspect use of police power, but did so in ways that created a greater sense of proximity between police and public. It offers a template that should be adopted, explored and developed further to regulate stop and search as well as other areas of police activity.

ANNEX: METHODOLOGY

The evaluation used a mixed methods design, combining quantitative and qualitative approaches to assess the implementation of the Panel and its associated outcomes. Implementation was assessed primarily through observation and in-depth interviews with key stakeholders, while outcomes were assessed mainly on the basis of various quantitative indicators. The qualitative fieldwork was completed between November 2016 and August 2017, and the quantitative indicators covered the period up to March 2017.

QUALITATIVE FIELDWORK

The qualitative fieldwork was based on observational methods, in-depth interviews, and group discussions. Three panels were observed and members of the evaluation team participated in a fourth panel held at the LSE. One-to-one interviews were conducted with 24 police officers who were well placed to comment on the Panel and/or its broader significance for the force. This subsample included the chief architects of the Panel and others who helped to administer the process; members of the force leadership team and other senior officers with relevant strategic or managerial responsibilities; and a small number of front-line officers who had been on the receiving end of the panel process, including some who had been effectively suspended from using their powers. Care was taken to elicit the views of officers who had been critical of the Panel as well as those who had been supportive. To gauge opinion more generally, three group discussions were conducted with 18 front-line officers from proactive teams and response teams.

Group discussions were also conducted with 14 community members who had participated in a panel. Participants were selected from five different panels that had been held at a local university, a pub, a Somali Centre, a church karate club, and with members of a neighbourhood watch scheme. Members of the same panel were interviewed together to assess the group dynamic. Additional interviews were conducted with two members of the Northamptonshire Rights and Equalities Council. The community sample was made up of people aged from 20 to 71 years; approximately two-thirds were male and one-third were female; three-quarters identified as white and a quarter identified as black African, black other, or mixed (white and black Caribbean).

QUANTITATIVE ANALYSIS

The quantitative analysis was based on three main sources of data. Inputs and outputs were assessed using administrative records kept by the RGP coordinator, while potential outcomes were assessed using police statistics and recorded grounds:

Police statistics

Annual returns were taken from Statistics on Race and the Criminal Justice System⁹⁶ and Police Powers and Procedures.⁹⁷ These data were used to compare stop and search activity in Northamptonshire with that in other forces across England and Wales, including forces that are most similar to Northamptonshire. HMICFRS has grouped forces together

on the basis of demographic, social and economic characteristics that relate to crime. These 'Most Similar Groups' (MSGs) are designed to help make fair and meaningful comparisons between forces. The forces identified as similar to Northamptonshire are Cheshire, Derbyshire, Staffordshire, Kent, Avon and Somerset, Essex, and Nottinghamshire. Northamptonshire Police provided a more detailed monthly breakdown of stop-searches, and this was used to assess local trends and patterns from April 2012 to March 201

Grounds

All the grounds recorded by officers in Northamptonshire between June 2014 and March 2017 were collated, and a representative sample of 750 cases was extracted for analysis. Grounds were randomly selected within fixed time periods: 250 grounds from the four months leading up to the first panel meeting (June 2015 to September 2015); and 100 grounds from each of the following six-month periods. Grounds were over-sampled from the period before the first panel to provide a robust bench-mark. Weights were applied to correct for differential sampling fractions within each timeframe.

Thirteen assessors including both members of the evaluation team reviewed the selected grounds after receiving a briefing from a recently retired police officer. Assessors worked independently and, for each set of grounds, indicated:

- a) whether the officer had established 'reasonable grounds';
- b) if so, whether the grounds were weak, moderate, or strong; and
- c) whether they thought a stop and search should have been carried out under the circumstances described.

The grounds were given to each assessor in a different random order with dates removed. Most assessors were employed in professional services or administrative roles across LSE and had no specialist knowledge of stop and search or policing. Assessors were interviewed about the process once they had completed it. The main aim of the exercise was to operationalise the 'reasonable person' test by indicating what conclusion such a person might reach 'based on the same facts and information and/or intelligence.' Assessors were deliberately recruited from a range of socio-demographic and occupational backgrounds. Assessors ranged from 24 to 51 years of age; eight were male and five female; six identified as white, four as black Caribbean, one as black African, and two as mixed heritage (black Caribbean and white, and other). In terms of occupational background, the group included academics, researchers, administrators, security staff, a finance worker, an IT specialist, and a full-time carer. Seven had been in contact with police during the previous 12 months, mainly through their work; seven had been stopped and/or searched at some point; and two had close relatives who were or had been police.

Results of the exercise were assessed alongside the evaluation of grounds undertaken during inspections by Her Majesty's Inspectorate of Constabulary covering all forces in England and Wales.

ENDNOTES

- 1 In England and Wales, the term ‘chief officer’ refers to the most senior officers, including Chief Constable, Deputy Chief Constable, and Assistant Chief Constable. The term ‘senior officer’ includes chief officers as well as the ranks of Superintendent and Chief Superintendent.
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- 3 Home Office (2015) *Code A—Revised: Code of Practice for the Exercise by Police Officers of Statutory Powers of Stop and Search*, London: Home Office, at 3.5-3.6.
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- 49 Some panels found more than one set of grounds to be deficient for the same officer or supervisor: hence, the number of officers who were sent an identification was lower than the number of grounds that were deemed deficient.
- 50 Two further coaching requirements were issued in July 2017, after the period covered by the quantitative component of the evaluation.
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- 59 Police forces across England and Wales have been classified into "Most Similar Groups" (MSGs) by HMICFRS to provide the basis for fair and meaningful comparisons of demographic, social, and economic characteristics that relate to crime.
- 60 Stop and search rates for 2010/11 were calculated on the basis of population estimates taken from the 2011 Census (Office for National Statistics (2012) *2011 Census: Key Statistics for Local Authorities in England and Wales*, London: Office for National Statistics; <https://www.ons.gov.uk/peoplepopulationandcommunity/populationandmigration/populationestimates/datasets/2011censuskeystatisticsforlocalauthoritiesinenglandandwales> [accessed August 3, 2017] and rates for 2015/16 were based on mid-2015 population estimates Office for National Statistics [ONS] (2017) *Crime in England and Wales: Year Ending March 2017*, London: Office for National Statistics; Supplementary Tables, Table P3; <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/recordedcrimedatapatpoliceforcearealevel/current> [Accessed August 3, 2017].
- 61 Northamptonshire Police (2014) *Stop and Search: Past and Current Picture*, Northampton: Unpublished, at 2.
- 62 For more on prediction intervals see Spiegelhalter, D., and Barnett, A. (2009) 'London Murders: A Predictable Pattern', *Significance*, 6(1): 5-8.
- 63 The percentage change in the number of stop-searches in Northamptonshire was compared with the average change across all forces in England and Wales using the method developed by HMICFRS (see endnote 20). The resulting Z-scores were -0.602 (2014/15); -1.126 (2015/16) and -1.118 (2016/17).

- 64 Police recorded crime figures are published annually by the Home Office as part of the *Crime in England and Wales* series. Figures were taken from Police Force Area Tables (see <https://www.ons.gov.uk/peoplepopulationandcommunity/crimeandjustice/datasets/policeforceareadatatables>, accessed 21/10/2017). The analysis presented here is based on total recorded crime excluding fraud, which includes many offences that might provide grounds for a stop and search—theft, violence, robbery, burglary, shoplifting, drug offences and possession of a weapon. Police recorded crime fell by 17 per cent in Northamptonshire between 2010/11 and 2013/14 compared with an average reduction of 15 per cent across all forces in England and Wales (Z-score=-0.28). By 2016/17, recorded crime was 10 per cent higher in Northamptonshire than it had been in 2010/11, which was broadly in line with the average increase of 4 per cent across all force areas (Z-score = 0.39)
- 65 Shiner, M. (2015) 'Regulation and Reform', and Shiner, M., and Delsol, R. (2015) 'The Politics of the Powers', in R. Delsol and M. Shiner (eds) *Stop and Search: The Anatomy of a Police Power*, Basingstoke: Palgrave MacMillan.
- 66 Sanders, A., Burton, M., Young, R. and Cammiss, S. (2016) *Criminal Justice*, Oxford: Oxford University Press.
- 66 Her Majesty's Inspectorate of Constabulary [HMICFRS] (2014) *Policing in Austerity: Meeting the Challenge*, London: HMICFRS. Her Majesty's Inspectorate of Constabulary [HMICFRS] (2017) *HMICFRS Raises Warning Flag as Forces Strive to Cope with Increased Demand*, London: HMICFRS.
- 67 Hargreaves, J., Husband, H. and Linehan, C. (2017) *Police Workforce, England and Wales, 31 March 2017*, Statistical Bulletin 10/17, London: Home Office. Northamptonshire experienced a larger than average reduction in its total workforce capacity between 2010 and 2017 (Z-score = -0.717), which was largely driven by reductions in civilian staff (Z= -0.992) and police community support officers (-0.740). Reductions in regular officer numbers were close to average (Z-score = 0.45), while the increase in special constables was much larger than average (Z-score =3.771). Police community support officers share some of the powers that are available to regular officers, but do not have powers of stop and search or arrest, although they can ask officers to exercise these powers. Special constables are volunteer police officers who have the same powers as regular officers.
- 68 Percentage changes in stop and search between 2010/11 and 2016/7 were compared with percentage changes in police workforce capacity between March 2010 and March 2016. Changes in stop and search were not significantly related to changes in total workforce capacity, officer numbers, civilian staff, or police community support officers ($p > 0.05$), but were inversely related to changes in special constables ($p < .01$). The latter relationship was driven by three forces that more than doubled the number of special constables while most forces made cuts. This relationship ceased to be significant when the analysis excluded these forces ($p > 0.05$).
- 69 Her Majesty's Inspectorate of Constabulary [HMICFRS] (2016) *PEEL: Police Legitimacy 2015 - An Inspection of Northamptonshire Police*, London; HMICFRS, at 5 and 34; <https://www.justiceinspectors.gov.uk/hmicfrs/wp-content/uploads/peel-police-legitimacy-2015-northamptonshire.pdf> [Accessed August 20, 2017].
- 70 Special constables are trained volunteer officers who work with and support regular officers. Two community participants on a panel that met at the local university were serving as Special Constables in a neighbouring force. Both were taking a degree in Applied Criminal Justice Studies. The panel was arranged by one of the lecturers on the programme, who was a seconded police officer. 'Specials', as they are known, volunteer for a minimum of four hours a week with their local force. Once they have completed their training, Special Constables have the same powers as regular officers and wear a similar uniform.
- 71 Her Majesty's Inspectorate of Constabulary and Fire & Rescue Service [HMICFRSFRS] (2017) *PEEL: Police Legitimacy (including leadership) 2017—An Inspection of Northamptonshire Police*, London: HMICFRSFRS, at 22; <https://www.justiceinspectors.gov.uk/hmicfrs/wp-content/uploads/peel-police-legitimacy-2017-northamptonshire.pdf> [Accessed January 11, 2018].
- 72 The results of HMICFRS's assessment of grounds in 2013 were taken from individual force reports (see: <https://www.justiceinspectors.gov.uk/hmicfrs/publications/police-legitimacy-2015/>). Results of the 2015 assessment were taken from the national overview report: Her Majesty's Inspectorate of Constabulary [HMICFRS] (2016) *PEEL: Police Legitimacy 2015—A National Overview*, London; HMICFRS; <https://www.justiceinspectors.gov.uk/hmicfrs/publications/police-legitimacy-2015/> [Accessed August 20, 2017].
- 73 Comparing the failure rate for Northamptonshire with the average (mean) across England and Wales, Z-score = +3.5 (2013), -1.1 (2015), and -1.3 (2017). The average failure rate for Northamptonshire's most similar forces was comparable to that for all forces across England and Wales: 24 per cent compared with 27 per cent (2013), 11 per cent compared with 15 per cent (2015), and five per cent compared with six per cent respectively (2017).
- 74 The average score indicting the strength of the grounds was 1.2 for June / July 2014, and 1.3 for August / September 2014 ($p > .05$).
- 75 Inter-rater reliability was assessed using Kendall's-tau and varied from 0.18 to 0.51 between pairs of assessors, with an average of 0.35. The association was statistically significant for all pairs at $p < .01$. For a discussion of inter-rater reliability and inter-rater agreement see Liao, S.C., Hunt, E.A., and Chen, W. (2010) 'Comparison Between Inter-Rater Reliability and Inter-Rater Agreement in Performance Assessment', *Annals Academy of Medicine*, 39(8): 613-8. For individual's assessments of the quality of the grounds over time, Kendall's-tau varied from 0.13 to 0.25 and $p < .01$ in all cases.
- 76 See Delsol, R. (2015) 'Effectiveness,' in R. Delsol and M. Shiner (eds) *Stop and Search: The Anatomy of a Police Power*, Basingstoke: Palgrave MacMillan.

- 77 Her Majesty's Inspectorate of Constabulary [HMICFRS] (2013) *Stop and Search Powers: Are the Police Using Them Effectively and Fairly?* London: HMICFRS. Her Majesty's Inspectorate of Constabulary and Fire & Rescue Services [HMICFRSFRS] (2017) *PEEL: Police legitimacy (including leadership) 2017 - An inspection of Northamptonshire Police*, London: HMICFRSFRS.
- 78 Jackson, L.M. (2011) *The Psychology of Prejudice: From Attitudes to Social Action*, Washington: American Psychological Association.
- 79 The police officers who attended the Panel did not drink alcohol.
- 80 Home Office (2015) *Code A—Revised: Code of Practice for the Exercise by Police Officers of Statutory Powers of Stop and Search*, London: Home Office.
- 81 The 70 per cent drop in Northamptonshire is larger than the average reduction for black people across all forces in England and Wales. Stop-searches of black people fell by an average of 48 per cent across all forces in England and Wales and 28 per cent across Northamptonshire's most similar forces between 2010/11 and 2016/17. The reduction in Northamptonshire was broadly in line with the average for all forces, but was close to the cut-off, indicating it was above average (Z-score = 0.60 compared with a critical value of 0.675). To complicate matters, the reduction for black people in Northamptonshire between 2010/11 to 2015/16 (i.e. a year earlier) was larger than average (Z= - 0.69). Reductions for white, Asian and 'other' groups were larger than average across both time frames (Z-score > 0.675 in all cases). They were also larger than average for the most similar forces.
- 82 Z-scores for black / white disproportionality in Northamptonshire were 0.118 and 0.552 during 2015/16 and 2016/17 respectively.
- 83 Z-scores for black / white disproportionality in Northamptonshire were 0.146 (2015/16) and 0.329 (2016/17); for Asian / white disproportionality they were -0.122 (2015/16) and 0.438 (2016/17); and for mixed / white disproportionality they were -0.021 (2015/16) and 0.237 (2016/17).
- 84 Her Majesty's Inspectorate of Constabulary and Fire & Rescue Service [HMICFRSFRS] (2017) *PEEL: Police legitimacy 2017—A National Overview*, London: HMICFRSFRS, at 30; <https://www.justiceinspectors.gov.uk/hmicfrs/publications/peel-police-legitimacy-2017/> [Accessed December 13, 2017].
- 85 Bowling, B., and Phillips, C. (2007) 'Disproportionate and Discriminatory: Reviewing the Evidence on Stop and Search', *Modern Law Review*, 70(6): 936-961.
- 86 Shiner, M., Carre, Z., Delsol, R., and Eastwood, N. (2019) *The Colour of Injustice: 'Race', Drugs and Law Enforcement in England and Wales*, London: StopWatch / Release.]
- 87 Northamptonshire Police provided anonymised stop and search records for individual officers covering the period from April 2012 to March 2016. This data was augmented by internal analysis of stop and search records covering the period from March 2016 to June 2017. See Birch, N. (2017) *Identifying Officer Performance Issues Around Stop and Search*, Northampton: Northamptonshire Police Service.
- 88 Birch, N. (2017) *Identifying Officer Performance Issues Around Stop and Search*, Northampton: Northamptonshire Police Service.
- 89 Birch, N. (2017) *Identifying Officer Performance Issues Around Stop and Search*, Northampton: Northamptonshire Police Service.
- 90 All the coaches were front-line officers who were actively engaged in stop and search at the time they were invited to take on the role. The first set of coaches were selected by the panel coordinator based on the quality of grounds they recorded or the quality of the supervision they provided. Other coaches have been added, including some who have received identifications from the panel and were judged to have engaged positively with the resulting development process.
- 91 Birch, N. (2017) *Identifying Officer Performance Issues Around Stop and Search*, Northampton: Northamptonshire Police Service.
- 92 Birch, N. (2017) *Identifying Officer Performance Issues Around Stop and Search*, Northampton: Northamptonshire Police Service.
- 93 The New York Police Department, for example, has developed a system to measure changes in public trust in police, but has little guidance for officers on what actions support improvements and thus how to respond to shifts in public perceptions. The Marshall Project, *Yelp for Cops*, July 17, 2018. At https://www.themarshallproject.org/2018/07/16/yelp-for-cops?utm_medium=email&utm_campaign=newsletter&utm_source=opening-statement&utm_term=newsletter-20180716-1097 [accessed August 14, 2018].
- 94 Shiner, M. (2015) 'Regulation and Reform', and Shiner, M., and Delsol, R. (2015) 'The Politics of the Powers', in R. Delsol and M. Shiner (eds.) *Stop and Search: The Anatomy of a Police Power*, Basingstoke: Palgrave MacMillan.
- 95 Shiner, M., Carre, Z., Delsol, R., and Eastwood, N. (2018) *The Colour of Injustice: 'Race', Drugs and Law Enforcement in England and Wales*, London: StopWatch/Release.
- 96 Delsol, R. (2015) 'Effectiveness,' in R. Delsol and M. Shiner (eds.) *Stop and Search: The Anatomy of a Police Power*, Basingstoke: Palgrave MacMillan.
- 97 Ministry of Justice (2016) *Statistics on Race and the Criminal Justice System 2016*, London: Ministry of Justice; <https://www.gov.uk/government/statistics/race-and-the-criminal-justice-system-2016> [Accessed December 30, 2017].
- 98 Home Office (2017) *Police Powers and Procedures England and Wales*, London: Home Office; <https://www.gov.uk/government/collections/police-powers-and-procedures-england-and-wales> [Accessed December 20, 2017]. Stop and Search Open Tables, London: Home Office <https://www.gov.uk/government/statistics/police-powers-and-procedures-england-and-wales-year-ending-31-march-2017> [Accessed October 30, 2017].

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