

CONTINUING A-PACE

Phase One Report & Recommendations

For PSNI Police College

FINAL

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1.0 Background

As agreed with the Head of Foundation Training, Chief Inspector McFarland, a small-scale programme of work examining PSNI stop and search was agreed and costed at £5000 according to the terms of reference (see *Appendix B*).

The overall aim of the research is to examine the use of stop and search from the perspective of PSNI officers as they progress from the SOTP through to deployment in districts over a twelve-month period. The research is centred specifically around PACE-type powers and will not be examining issues related to the use of JSA or TA powers.

The target cohort was the May intake of student officers – the Purple Squad. Out of the projected 26 student officers starting the SOTP in May, approximately 10-12 were selected to participate in the research. This was done on a representative basis, including factors such as gender, age etc.; and further balanced against districts to which new officers will be deployed in order to capture urban/rural issues, along with the various environments in which they will be based.

The Police College assisted with facilitating initial student officer focus groups during the SOTP and will do so when officers are deployed in districts. Once out in districts, it is expected that officers will have busy working patterns. So beyond physically travelling out to districts to meet with officers on an individual level, opportunities to facilitate interviews during periods when might they return to Garnerville will explored.

As part of helping to enhance cooperation of student officers and quality of the research, it was emphasised that throughout all stages, participation will be entirely anonymised and confidential; and that their views / opinions / experiences will in no way impact on appraisals / probation process. In terms of the necessary ethical approval received for the research through QUB, student officer responses are anonymously recorded by the researcher to protect confidentiality.

1.1 Timeline of Research:

Phase One: pre-graduation (October 2018)

This phase of research is aimed at capturing the views and perceptions of student officers related to stop and search before they are deployed in districts. Due to the challenging nature of the SOTP, along with lack of 'real world' application of stop and search training, knowledge may be limited to experiences derived from the Police College and related practical / classroom training. In this regard, focus groups are used to maximise responses.

Phase Two: 6 months into district deployment (April 2019)

This phase of research will involve drawing upon officer experiences of using stop and search within the first six months of deployment; along with how they perceive it being used within different sections / districts. It will be an opportunity to explore how the realities of using the powers 'in the real world' elide with their more recent training exposure.

Phase Three: 12 months in district deployment (October 2019)

The final phase of the research will be an opportunity to develop the findings from phase two. Due to the fact the same individual officers are being tracked, it will allow for reflection on how they utilise stop and search; while considering new and emerging issues as they develop their experience and confidence in use of the power.

2.0 Experience and Knowledge of Stop and Search Powers

2.1 One of the main themes permeating both focus groups with Purple Squad student officers was a complete lack of knowledge, experience or exposure to stop and search practices in any form prior to joining PSNI. Apart from one student officer who was able to recount being stopped multiple times when they were younger, stop and search practice was viewed as an ‘alien’ power which they would have to use. In this regard, student officers did not have any practical grasp or understanding of the impact and effects that stop and search would have on the public when used.

2.2 Related to this, respondents identified very clearly that their initial stop and search training in week three at Ballykinler lacked any historical or contextual background related to the power. When pushed on wider historical knowledge, such as the history of stop and search powers, the old ‘SUS’ powers in England and Wales, Brixton riots of 1981, or even contemporary issues related to the extent of use in Northern Ireland or beyond, none of the student officers were able to provide any detail. Some student officers even identified that the 30-minute brief on stop and search given by the researcher related to the present study was useful and memorable, with respondents able to recall some statistical points made.

2.3 However, when wider historical and contextual points were elaborated, student officers were very responsive and felt knowing more detail around the power would help to inform their use of it. This was especially so where student officers identified that the initial stop and search training was related to the procedure and practice only, and that more ‘grounded’ initial learning would help them appreciate the impacts and effects of using stop and search. Indeed, the one officer who was able to recall direct experience of being stopped and searched themselves, readily accepted that the power did have the capacity to generate contempt between police and those subject to stop and search. In turn, they noted that officers should be aware of the community consequences where perception exists that the power is being over-used, or that certain groups feel overly targeted. A clear distinction between effectiveness and effect was one of the key learning points from discussion.

2.4 For the remainder of the focus group respondents, concentrating training purely on procedure and practice was felt to ‘isolate’ the power. Indeed, a number of respondents were able to link stop and search with wider organisation drives

related to ‘policing with the community’, and that ‘humanising’ the power in the sense of a wider appreciation would be beneficial for future cohorts.

2.5 Additionally, a number of respondents noted that PACE 3-5 powers were ‘foregrounded’ ahead of all other stop and search powers, such as MDA, during initial training. This in turn ‘skewed’ training and expectations around stop and search insofar as it was generally felt for a large part of their training, that PACE was virtually the only stop and search power they would be using. But as suggested, when other stop and search powers such MDA and JSA were introduced later in the training programme, it created some uncertainty about the range of powers they had.

2.6 Related to the points already raised on the need for a wider historical and contextual grounding of stop and search powers, student officers in the focus group were then surprised when presented with statistics related to the fact MDA would be the predominant stop and search power they would generally be using, as taken from PSNI’s own statistics. In this regard, there was a general consensus from respondents that a more generic, initial class covering the full range of stop and search powers they would be using would help as part of exposure to, and understandings of, stop and search powers.

3.0 Practical Skills

3.1 In terms of the practical skills to undertake a stop and search, the clear message from both focus groups was that GOWISELY/PDWISELY procedure was ‘drilled into you’ from early on in training. Student officers largely saw this procedure as the guiding approach for using the power. Indeed, respondents were able to easily recall the refresher day in week nine of training; while a number of other student officers alluded to the procedure of stop and search being built into their various ‘operational days’. Although some debate was raised in one focus group as to whether the GOWISELY procedure actually applied to MDA as well as PACE. Indeed, this appeared to relate to points mentioned above about the range of stop/search powers available to police officers.

3.2 However, outside procedure which they were readily able to recount, a strong theme to emerge from the focus groups was the ‘invasive’ nature of stop and search. Described variously as ‘weird’ and ‘touching people up’, student officers were sensitive to the fact stop and search *was* an invasive power, particularly magnified where it would be undertaken in public spaces. But at the same time, it was also noted that the repetitive nature of stop and search procedure in fact ‘normalised’ what they saw was an invasive power. While respondents accepted to an extent, that some level of ‘desensitisation’ was required in order to discharge stop and search powers, and policing powers more generally, it was felt that officers should not forget that for the person experiencing the encounter, it had the potential to be a deeply personal and embarrassing event. This was something respondents felt should be reinforced in future training.

3.3 Related to the week three training in Ballykinler, both focus groups noted the male-dominated group of trainers who took the student officers. One of the female student officers recounted how it was in fact a male trainer who had led her practical search elements of the stop and search encounter. In turn, this of course limited the student officer’s practical training because of natural restrictions related to the ‘hands-on’ search of the body.

3.4 Of more general note related to both week three training and operational days where stop and search was used, the focus groups identified that outside grounds and procedure, that they were nervous about conducting a stop/search on ‘uncooperative’ members of the public. With a general conversation related to people ‘who might know their stuff’ in relation to rights for example, it was deemed

that stop and search practicals should in fact be made ‘tougher’ to equip student officers with the confidence to deal with such situations. Some debate was had in the focus groups about what to do if a member of the public simply ‘walked on’ or refused to provide their name if asked.

3.5 A number of respondents from the focus groups stated that they became too familiar with trainers and fellow student officers when practicing stop and search across the training course; and that this translated into ‘passive’ subjects who were ‘too compliant’. Indeed, one student officer noted how valuable it would be to have role actors more often to ‘push’ them. Similarly, student officers expressed concern about the fact there was no ‘end of scenario whistle’ out on the streets – alluding to the fact that the ‘safety net’ of training was a little too safe. This was reflected in the comments of another student officer who stated there was no real assertiveness built into most of their training, with the exception of firearms / public order. And that more focus on practical skills related to being assertive and dealing with difficult members of the public for stop and search would be beneficial. Other respondents suggested that their stop and search training would benefit from experienced officers coming into the College and ‘giving a reality check’ for how stop and search works ‘on the ground’.

3.6 Related to this point, a general sentiment of both focus groups related to the ‘usability’ of CLASSIS in terms of stop and search. Indeed, it was felt that a significant gap existed between the nature of available materials out in the public domain, such as YouTube and Facebook related to stop and search, and what CLASSIS was able to offer. Embedding both ‘good’ and ‘bad’ examples of stop and search into CLASSIS, which the student officers said they could view at home anyway, was seen as a rudimentary, yet missing element of their training. Even trainers ‘walking through’ such videos to engage learning points was felt to be an opportunity missed. One video was flagged up in relation to an offender who was not searched properly and smuggled a knife into a custody suite. But it was deemed that this video was only used in the context of ‘needing to search people properly’ – and not for any wider learning.

3.7 One of the biggest concerns raised by the focus groups, and in view of current research related to stop and search¹, focused on the recording of stop and search

¹ Topping, J. and Schubotz, D. (2018) ‘The Usual Suspects?’: Young People’s Experiences of Police Stop and Search in Northern Ireland’, ARK Young Life and Times Survey Report 120. Belfast: ARK, available at: <http://www.ark.ac.uk/publications/updates/update120.pdf>

encounters. Across the focus groups, student officers were unable to recall any tangible training or experiences related to the practicalities of recording use of the power on an electronic device, or indeed physical receipts. One or two respondents were able to recall that they may have seen a reference to recording ‘on a power point’ during NICHE training. But in general, there was a complete lack of knowledge about how to record stop/search encounters. Indeed, the typical response from student officers was they ‘had no clue’, or that ‘I don’t know the process of recording’. In essence, the general sentiment was an acceptance that student officers would be out on the beat the following week without knowing how. In turn, when quizzed about the need to provide a receipt / reference number to members of the public, respondents were at a loss.

3.8 When asked about the potential for technical failure and use of manual receipts, again virtually all student officers did not know, or had not even seen a paper receipt/form. Although one respondent did manage to recall that the electronic and manual recording processes were themselves, quite different. Another respondent also made reference to the fact that electronic recording ‘looked silly’ as you were required to hold a phone between yourself and the subject while typing in details.

3.9 The general consensus from the focus groups was that ‘learning’ about the recording of stop and search would have to come from experienced officers or their appointed mentors (PSOs) when out in the districts.

4.0 Operational ‘Readiness’

4.1 As a broad theme from the focus groups of student officers, their ability to be ‘ready’ to engage in stop and search practice was generally expressed in terms of tentative concern. There was an acceptance that a lot of learning would come from their practical immersion in the realities of street policing. The analogy of learning to drive a car properly only comes after you pass the test, was used – to denote that leaving the relatively safe environment of Garnerville was simply a necessary step to take as part of ‘learning your craft’ as one respondent argued. Indeed, another captured the sentiment of the group, stating that ‘you could be in training for a year and still not be ready’.

4.2 student officers also expressed how reliant they would be on their PSO mentors, along with relying on experienced officers in terms of practice and observation about their role more generally. However, at least one respondent noted that they had not been given a designated PSO and would simply be ‘out on the beat’ the following week. In this regard, they were scared of ‘messing up’.

4.3 One interesting observation from the conversations with student officers was their ‘pre-conception’ of the districts they would be joining. While it was not entirely clear where such expectations were actually derived from, some were able to state, for example, that Ballymena was a ‘drugs capital’ – in turn meaning they expected to be using MDA powers. In contrast, another student officer stated that they didn’t think there would be much need for stop and search powers in Lisburn.

4.4 Related to this, and the general ‘wariness’ about using stop and search powers, nearly all respondents were worried about targets related to the power. While a number of student officers were astute enough to recognise the conflict between the legal threshold of ‘reasonable suspicion’ and imposing targets, respondents were worried they would simply have to go out and ‘find’ people to stop and search if required. Among the focus groups, even individual police stations were noted as being more stringent than others, with some labelled as very target and statistically driven. In turn, this gave some student officers concern about the pressure they would be under to use the power.

4.5 Another issue raised was in relation to the potential filming of stop and search encounters by the public. Some respondents across the focus groups were receptive to the fact that smartphone-type filming of encounters was ‘the new reality’. But at

the same time, respondents were equally concerned filming could ‘put an extra layer of pressure’ on officers ‘to get things right’. Particularly if officers were to get an element of stop and search wrong, or be subject to the challenge of an uncooperative or difficult member of the public, this could ‘go viral’. Reference was made to the recent press coverage of a PSNI officer in Lurgan who dropped their gun clip/bullets as an example. On this point, respondents were able to recount different stop and search incidents already recorded and in the public domain – where a PSNI officer’s professionalism was challenged. Only one respondent raised the issue of being uncomfortable about them being identified as a police officer. While one respondent noted that their BWV would provide some counterbalance, again more realism in training around these pressures was felt to be a welcome addition. Indeed, student officers also appeared to be briefed that they could request someone filming a stop/search encounter to stop ‘for security reasons’. However, they did not appear to be aware that no such blanket power to request someone to stop filming ‘for security reasons’, in fact exists for ‘everyday’ stop and search encounters (see *Appendix A*).

4.6 Finally, in terms of ‘doing’ stop and search ‘on the streets’, all student officers were very clear that they should not discriminate or stereotype any sections of society. Yet when young people were mentioned – and especially in relation to the respondent who had been stopped/searched – training was felt to be lacking. While student officers stated in general, that youth engagement was a big feature of training, this did not extend to stop and search. Particularly, awareness of Code of Practice A and the incorporation of the UNCRC therein did not feature in conversations about young people and stop and search.

5.0 Perceptions of Training

5.1 In general, all respondents were complimentary of training and the trainers, accepting they covered a lot of ground over the course of the 23 weeks. In relation to stop and search specifically, a general theme was the fact the main stop and search training had been almost 20 weeks previously in Ballykinler. In turn, respondents did appear to struggle with recall around the specifics of stop and search, bar the GOWISELY procedure. While stop and search was incorporated into operational days, it was noted a more gradual 'build-up' to using the power would help.

5.2 Related to points made above, a more general induction for stop and search powers followed by the specific practicality of applying the power towards the end of training was potentially seen as a more appropriate approach to training. On the one hand, remembering the specifics of how to conduct the search when taught 20 weeks was not easy to recall, as many respondents identified. And on the other hand, some respondents highlighted that there were many 'gaps' in their timetable towards the end of the course which could have more usefully been used with 'refresher' training for such practical powers. These issues may also be seen in the context of concern from student officers that there existed a significant gulf between passing the exam/practical assessments of stop and search, and how useful that threshold of knowledge would be in reality.

5.3 In general, the respondents were conflicted insofar as they felt stop and search was one of many elements of police training, and that only so much training could be done. But equally, the general nervous concern about using stop and search (while accepted as natural until on-the-job learning commenced) meant they felt heavily reliant on their respective PSOs. It was in this regard, accepted that the 'standard' approach to conducting stop and search learning may be subject to the idiosyncrasies of more experienced officers or particular station cultures.

6.0 Summary & Recommendations

6.1 As the first stage of the present research – *Continuing a-PACE* (see *Appendix B*) – this report represents a unique snapshot of, and window into, new student officer perceptions of learning around stop and search powers within PSNI. More generally, it should also be noted that this longitudinal study examining PSNI stop and search powers over a twelve-month period is also unique within U.K. policing research. Indeed, the purpose of this research is not focus on what student officers do at an individual level, but to use them as a ‘barometer’ of the learning and application of the power, mainly focused on PACE and MDA.

6.2 At a broad level, while there did not appear to any critical concerns from student officers about their ability to use stop and search, bar the recording of stop/search encounters, it was clear from the focus groups conversations that officers were apprehensive about using the power. In this regard, the following key recommendations can be drawn from this first phase of research:

1. Need for more generalised, initial ‘grounding’ of student officer knowledge in the history and context of stop and search powers to inform their practice;
2. Basic awareness raising about the levels of stop and search use in Northern Ireland, along with highlighting research related to effectiveness and effect;
3. More integration of stop and search into wider contexts of PSNI goals, such as ‘policing with the community’.
4. To move the practical week three training to later in the training cycle;
5. To incorporate the public perspectives of being stopped and searched into training, as a means of providing student officers with an appreciation of experiencing the power;
6. More ‘challenge’ in practical stop and search training for student officers, to include input from experienced officers and filming of encounters;
7. Greater use of video content (both social media and BWV) as a form of ‘live’ learning around stop and search encounters;
8. A much greater focus on recording practice and procedures at point of contact when a stop and search is undertaken;
9. Reassurance for student officers about value and nature of PSO mentoring for stop and search;
10. A greater focus on the impact and effects of stop and search on youth as part of wider training on young people.

7.0 *Appendix A*

Keeping People Safe



FREEDOM OF INFORMATION REQUEST



Request Number: F-2017-00458
Keyword: Organisational Information/Governance
Subject: Filming of the PSNI

Request and Answer:

Question 1

Can members of the public film the PSNI from public or private property?

Answer

Your request for information has now been considered. In respect of Section 1(1)(a) of the Act I can confirm that the Police Service of Northern Ireland does hold information to which your request relates. The decision has been taken to disclose the following.

Please find the guidance below in relation to the subject of public photography from the Association of Chief Police Officers.

- *There are no powers prohibiting the taking of photographs, film or digital images in a public place. Therefore, members of the public and press should not be prevented from doing so.*
- *We need to cooperate with the media and amateur photographers. They play a vital role as their images help us identify criminals.*
- *We must acknowledge that citizen journalism is a feature of modern life and police officers are now photographed and filmed more than ever.*
- *Unnecessarily restricting photography, whether for the casual tourist or professional is unacceptable and it undermines public confidence in the police service.*
- *Once an image has been recorded, police can only seize the film or camera at the scene on the strictly limited grounds that it is suspected to contain evidence of a crime. Once the photographer has left the scene, police can only seize images with a court order. In the case of the media, the usual practice is to apply for a court order under the Police and Criminal Evidence Act for production of the photograph or film footage.*

Question 2

What is the PSNI policy regarding filming from public property?

Answer

There is no PSNI policy in regard to the filming from public property.

Question 3

Are PSNI constables required to identify themselves when requested to do so, name, number, warrant card?

Answer

PSNI Officers are each issued with an identification card and this identification card should be carried by Police Officers at all times irrespective of whether on or off duty, or wearing uniform or plain clothes. The card must be produced to any person who is entitled to see it – including members of the public who seek confirmation of an officer's identity.

Please note that in certain circumstances an officer is not required to identify themselves by name, and the police number and station will suffice.

If you have any queries regarding your request or the decision please do not hesitate to contact me on 028 9070 0164. When contacting the Freedom of Information Team, please quote the reference number listed at the beginning of this letter.

If you are dissatisfied in any way with the handling of your request, you have the right to request a review. You should do this as soon as possible or in any case within two months of the date of issue of this letter. In the event that you require a review to be undertaken, you can do so by writing to the Head of Freedom of Information, PSNI Headquarters, 65 Knock Road, Belfast, BT5 6LE or by emailing foi@psni.pnn.police.uk.

If following an internal review, carried out by an independent decision maker, you were to remain dissatisfied in any way with the handling of the request you may make a complaint, under Section 50 of the Freedom of Information Act, to the Information Commissioner's Office and ask that they investigate whether the PSNI has complied with the terms of the Freedom of Information Act. You can write to the Information Commissioner at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. In most circumstances the Information Commissioner will not investigate a complaint unless an internal review procedure has been carried out, however the Commissioner has the option to investigate the matter at his discretion.

Please be advised that PSNI replies under Freedom of Information may be released into the public domain via our website @ www.psni.police.uk

Personal details in respect of your request have, where applicable, been removed to protect confidentiality.

8.0 *Appendix B*



CONTINUING A PACE

TERMS OF REFERENCE

Introduction

Stop and search is a legitimate power used by the Police Service of Northern Ireland to tackle crime and keep people safe. There is a continued focus from within the organisation to ensure the powers are used not only fairly and with respect to individuals searched, but also effectively. It is acknowledged there could be improvement in the outcome rate of those stopped and searched and to demonstrate a commitment to fairness, the PSNI have embarked upon a qualitative research project with a focus on the attitudes of a small group of new student officers.

Methodology

The PSNI will offer a research grant of no more than £5000 to an academic, who will observe a class of new student officers to examine the organisational evolution of stop and search powers from point of training to the street over a one-year period. This would involve a qualitative approach of interviewing a class of student officers once whilst in training school and again further at 6 months and 12 months to gauge the range of attitudes, opinion and perspectives on stop and search and its use within the PSNI.

Evaluation

The employed academic will provide an update to the organisation within one month of completing the interviews at each of the three stages. The PSNI will retain ownership of the evaluation data and all related correspondence and must not be retained or used in any way other than by the owner.