CONTINUING A-PACE

Phase Three Report

For PSNI Police College

FINAL

Dr John Topping

Queen's University, Belfast

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Contents

1.0   Background

As agreed with the Head of Foundation Training (at the time), 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 A*).

The overall aim of the research was to examine the use of stop and search from the perspective of PSNI officers as they progressed from the SOTP through to deployment in districts over a twelve-month period. The research was centred specifically around PACE-type powers and was not intended to examine issues related to the use of JSA or TA powers – although such issues did sometimes arise.

The target cohort was the May intake of student officers. 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 were deployed in order to capture urban/rural issues, along with the various environments in which they were based.

The Police College assisted with facilitating initial student officer focus groups during phase one; the second phase of research when officers were deployed in districts; and the final phase which involved focus groups with the original, and one control cohort.

As part of helping to enhance cooperation of probationer constables, and quality of the research, it was emphasised that throughout all stages, participation was entirely anonymised and confidential; and that the views / opinions / experiences of officers would in no way impact on appraisals / probation process. In terms of the necessary ethical approval received through QUB, and which underpins the present research,

student officer responses were anonymously recorded and all identifying references removed by the researcher to protect confidentiality and anonymity in line with QUB research ethics. At the point of having written up the first draft of this report, it is no longer possible to attribute any comments to specific officers due to the anonymisation process.

1.1   Timeline of Research:

Phase One: pre-graduation (October/November 2018)

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

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

This phase of research involved drawing upon officer experiences of using stop and search within the first six months of deployment; along with how they perceived it being used within different sections / districts. It was an opportunity to explore how the reality of using stop and search 'in the real world' elides with their more recent training exposure. Individual, semi-structured interviews were carried out in the various districts.

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

The final phase of the research was designed as an opportunity to develop the findings from phase two, while providing a reflective space for officers one year on from the commencement of the research. Due to the fact the same individual officers were being tracked, it allowed for reflection on how they utilised stop and search; personal and organisational views around use of the power; while considering new and emerging issues in terms of their development, experience and confidence in use of the power.

1.2   Methodological Note

Having 'tracked' the officers for a period of twelve months as they progressed from the Training College, the final phase with officers represented the 'end journey' as part of the research timeline.

Each phase of the research was designed to illicit the qualitative views and experiences of officers at different points in their personal development regarding stop and search. It must be remembered the research was not designed to track individual use of stop and search in terms of patterns, trends or recording. At no point was the researcher ever provided with any individual-level data or information related to officer use of the power, such as stop records or BWV. Rather, the officers were used as a 'window' into organisational, cultural and practical aspects of police stop and search powers.

With the research emanating from wider stop and search trends in PSNI use compared with other policing jurisdictions[1], so too the research was not concerned with a focus on individual examples or decision making. It was the broad trends they were both part of, and were operationally experiencing, which formed the core of questioning.

As part of the reflective element to phase three of the research, officers were not simply asked the same questions as phase one or two in terms 'standard' issues related to recording or training, for example. With a full twelve months of operational experience, bringing together the cohort of officers from across districts, gender and ages, also provided for rich and insightful intra-district learning and reflection for the officers themselves.

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[1]https://pureadmin.qub.ac.uk/ws/portalfiles/portal/156370642/2018_Topping_Bradford_PSNI_S_S_FINAL.pdf

It should be noted of course that no individual piece of research focused on one element of police work could ever be fully representative of all policing (operational or experiential) in any service. However, it was the tracking of a representative cohort of officers over time which both heightened their awareness to stop and search powers (providing more depth); while assuring strong levels of validity, reliability and generalisability to their perspectives.

At the time of writing, it must be highlighted that within UK policing more generally, the present research remains the first of its kind in terms of attempting to gain a deeper understanding of police stop and search powers from training onto the streets. However, it should also be noted the author has been proactively working with Foundation Training at the PSNI Training College to assess findings and directly feed into enhancing and adjusting stop and search training as appropriate.

As a form of action research in and of itself, beyond simply 'knowing' about different aspects of stop and search powers, the research has further created new understandings of academic / PSNI relations, approaches to such collaborations, and the benefits of independent, academic input into PSNI practice. Fitting with PSNI's current drive towards evidence-based policing, it is hoped the research can act as a reference point for the mutual harnessing of policing experience and academic knowledge.

2.0   Stop & Search Twelve Months On

2.1   Six months on from the second phase of the research out in districts, officers had returned to PSNI Training College as part of their probationary process. In a practical sense, and in view of time constraints on the officers and researcher, it was decided to use this opportunity as the best way in which to maximise officer numbers. It should be noted that phase three of the work was not simply about 'revisiting' the same issues covered in phase two in a mechanical fashion. But instead, phase three was designed to be officer-led – allowing them space to reflect on issues which mattered most to them in relation to stop and search as experienced over the past twelve months.

2.2   In terms of individual reflection on use of stop and search powers, the overwhelming response from officers related to what could be termed a 'fluency' in their use. Recounting the initial 'learning' phase at Garnerville, and hesitancy out on patrol for the initial six months, twelve months appeared to represent a 'turning point' in use of the powers for officers. Across a number of domains including recording, citizen engagement and basis for use, virtually all officers responded in positive terms – denoting confidence in use. However, this was underpinned by the sentiment that it had taken twelve months to get this point with regard to using stop and search – and could only be arrived at through 'on-street' experiential learning.

2.3   More subtle, related issues were also evident in relation to the 'fluency' issue. Some officers noted they now had the confidence to be more 'firm' with problematic individuals or those who challenged a stop and search – because they had a wider 'menu' of experience to draw upon. However, as a counterbalance, other officers stated how this time/experience dynamic created somewhat of a conundrum for use of stop and search in that it made them 'case-hardened' to some extent. Those officers felt concerns around the invasive nature of the power, as they identified in phase one and two, had to a significant degree, been forgotten – or in other terms

they had become 'desensitised' to the personal impact stop and search could have on a citizen.

2.4   Of interest, another officer noted that such experiential learning had in fact helped them to 'step out' of the physical need to think only of procedure, and be sensitive to the individual circumstances of the stop and search encounter. Using the example of children and young people, they used the example of heightened sensitivity to the intimacy of a search with a young person.

2.5   Yet when considering the stop and search of children and young people, it was also clear from the majority of officers that twelve months on – and as raised in phase two – children and young people were still categorised for stop and search in the same way as adults when it came to discharging stop and search powers. Issues related to differentiation of treatment, even when talking about the UNCRC as inscribed in PACE Code of Practice A2, did not feature as part officer vocabulary or procedure. Officers made reference merely working within the confines of the circumstance presented to them.

2.6   In a function sense, officers (like phase two) were readily able to draw upon the training around PDGOWISELY – described as a 'scaffolding' for engaging citizens around stop and search powers. Laterally, the majority officers further detailed how the PDGOWISELY procedure was less mechanical and more fluid – part of their 'language' of engagement and not an 'additional' menu item to repeat.

2.7   Similarly, officers were clear that physically recording stop and search encounters as variously 'intuitive' and 'second nature'. However, a number of officers still harked back to phase one and two contentions that training related to recording on a Samsung devise was lacking and that most of that learning happened out in deployment. It is possible, however, the present cohort of officers did overlap

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2 See https://www.justice-ni.gov.uk/sites/default/files/publications/doj/pace-code-a-2015.pdf

with the roll-out of the Samsung devices, potentially creating an anomaly unique to this and similar cohorts around that time period. Related to recording, one officer did highlight the issue of time pressures on deployment in the district and that a significant number of stop and searches were recorded 'retrospectively' at a later point in their shift when time allowed.

2.8   More generally, when getting officers to consider anything which had changed in relation to the use of stop and search powers – or in relation to issues raised in phases one or two – the standard response was that nothing had changed as far as they could see. Even set against wider public focus on the issue of stop and search, or indeed the present research, the uniform feedback was that use of the powers, and expectations thereof, were unchanged. When asked about internal memos or orders, only those related to body-worn video were highlighted (see *4.0* below). Linking into section 3.0, a consistent response from officers was the sheer normality of the powers and cultural expectations related to usage volume. Even when linking to the issues raised in relation phase two about arrest rates and monitoring, there were no changes evident for officers. This was very succinctly typified by the response of one officer who stated stop and search 'was all about volume, and nothing else'.

3.0   Stop & Search: Targets and Pressures

3.1   It is of note that a significant portion of the phase three discussion revolved around targets and pressures related to use of stop and search. This issue was also flagged clearly in the phase two report. However, it occupied a key and central point of both concern and consternation for officers.

3.2   Many of the respondents from the cohort, when considering targets and pressures, tended to use language related to 'cranking up' and 'regime change' when it came to stop and search. The majority of officers felt the pressure to use stop and search – both individual and in sections – had significantly increased since the six month point of phase two.

3.3   At a general level, some officers noted how there existed cultures – both within sections and across stations – which encouraged a 'push' around use of stop and search; and to be proactive around its use. One officer described how 'the whole station felt under pressure to use stop and search'. Some officers detailed how that pressure to use the powers came from individuals 'up the ranks', but there was a discernible and more wide-spread pressure to 'crank up' their use of the power.

3.4   Related to 3.3, a number of officers (again using the language of regime change) used the example of how a new Chief Inspector had come to their station / section and had personally instilled a very strong 'target culture' around stop and search. Officers from across different districts also used similar examples in terms of how this actually worked. One detailed how excel sheets related to stop and search volume were produced by section and circulated by a senior officer as to 'whether or not they were hitting targets'. Another officer, again related to the use of excel sheets and tables used the language of 'shaming' – and that tabular comparisons were very deliberately created and circulated to produce results by

'shame' – pitting sections against each other in relation to volume stop and search. Another officer again talked about the circulation of emails to shame sections, and that anonymised lists by section were regularly sent around to 'shame' the areas who apparently 'weren't doing enough'. And at an individual level, others recounted how they were physically shouted at for not hitting their targets.

3.5   While in phase two of the research officers felt some pressure to use stop and search, they could not identify that 'formal' targets existed in a practical sense. However, it was clear from responses in phase three, that while perhaps not centrally sanctioned, for all intents and purposes, targets around stop and search did practically exist, embedded and enabled by the cultural and hierarchical pressure as outlined in 3.4.

3.6   With a pervasive and highly pressurised culture evident in relation to the use of stop and search from the officers, it was of further interest from responses that officers remained critical of this position, at least to some extent. Some officers noted that while the targets existed, they could not detail nor provide a rationale as to how those targets were arrived at. It was clear they were not briefed as to why such levels of stop and search were expected. But this 'stringent regime' as described, was simply how stop and search – at an operational level – worked and was expected.

3.7   As part of this critical reflection by officers, many were clear these pressures around stop and search volume were antithetical to the principles of community-oriented policing. Many officers clearly stated in various ways that 'you can't have targets for stop and search' referencing the situational, circumstantial and legal nature of reasonable suspicion. On a related point, another officer was vocal that stop and search was being used merely to 'service' statistics around the volume, not actually fight crime.

3.8   In general, it was evident that officers were cynical around the imposed target culture related to stop and search they were experiencing. As identified, it worked against the grain of the legal power in terms of reasonable suspicion; target culture and 'shaming' did little except to pit sections and officers against one another; and officers were further in agreement that stop and search volume was being encourage for little else 'except the Chief Inspector's promotion'. Whether or not the last point is the case, it was how the officers practically felt – which in turn was noted as demotivating.

3.9   As part of potentially 'challenging' the pressure to use stop and search, officers were equally despondent. In general, responses indicated that officers felt they had no 'voice' around use of the powers. While one officer noted they raised the target pressures at a monthly meeting, there were told they simply had to meet the targets, 'no discussion'. Another bluntly stated that in terms of such challenge, it was 'no as a constable, and *really* no as a probationer constable'.

3.10   It was also very clear from responses that the issues in relation phase two around arrest rates and monitoring had not changed. Officers were adamant that internally – and as part of the wider target culture identified – at an individual, section and station level, absolutely no one in the hierarchy was interested in arrest rates or outcomes. Officers stated how it was literally only volume which mattered at an operational level for them. When further probed in relation to wider monitoring, such as with children and young people, this simply did not feature on their 'operational radar'. One officer added in relation to stop and search outcomes that their sergeant had noted for every ten stops, you should be getting one arrest – at which point the rest of the focus simply laughed as in indicator of unreasonable expectation around that outcome.

3.11   Additionally, some of the officers identified that the pervasive target culture was in fact 'forcing' officers to stereotype certain categories of citizens as potential offenders in order to engage a stop and search to meet targets. When asked for more detail, the officer recounted how they were told 'ultimately, you can always find grounds for stopping someone'. They went on to elaborate how their sergeant told them 'even someone looking away from you' could be counted as reasonable grounds for suspicion.

3.12   While other officers countered this issue with the fact that it was a good power were used appropriately, the target pressure imposed upon them in fact 'distorted' use of the power.

3.13   Finally, while outside the immediate scope of this particular research, some officers also highlighted wider cultures around stop and search pressures related to the Justice and Security (NI) Act 2007. In the same vein as the existing culture for 'regular' powers, a culture of 'use it or lose it' existed. When asked to explain, it was detailed how a sergeant stated 'how are they supposed to retain the use of the [JSA] power if they weren't seen to be using it?' In this regard, use became the justifying premise for the retention of the need to use power according to the officer. While not directly related to the immediate research, it was the officers themselves who raised the issue to denote that a strong culture of pressure and targets, and minimal level of oversight in relation to outcomes, was pervasive as part of nearly all aspects of stop and search within the districts of PSNI where they were deployed.

4.0   Approach and Engagement

4.1   As part of officer use of stop and search, it was clear from the various conversations that the power remained as an aspect of police work to be 'gotten on with'. In this regard, while some officers were broadly critical of volume usage (as noted 3.0), there was little consideration about how the power impacted upon citizens when used.

4.2   With officers denoting some level of 'desensitisation' to the impacts and effects of the power (see 2.0), language had clearly shifted in terms of the 'invasive' concerns of the phase one report; the procedural concerns of phase two; through to the 'functional' utility of the power as part of phase three. To an extent, it may be seen that officers had ceased to talk about 'the individual', and to grouping and categorising people subject to the power.

4.3   While PDGOWISELY was again highlighted as the guiding framework, the 'functionalist' aspects of engagement began with one officer highlighting how patrol and response-based stop and searches tended to be different. With the latter as defined as having 'a more definite purpose', they identifed that more 'targeted' stop and search produced better outcomes. Another officer made the same point in a different fashion related to CCTV. As an effective power for theft in commercial / urban settings, the area they were deployed in had good links with local CCTV operators. In turn, the grounds for stop and search were better informed when it came to reasonable suspicion, resulting in higher levels of arrest. In this regard, use of the power against high-profile and prolific people and groups was raised.

4.4   At an individual level, others officers summarily agreed that 'that the only people with an issue with stop and search is those who don't want to be stopped' – alluding to particular (criminal) categories of people. At this point, another officer

added that the London knife crime context should be seen as an example of this – although quite what the key point was of this assertion, was unclear. Other officers countered that in terms of interaction, stop and search does have the power to aggravate people. As was elaborated, some people are simply 'panicked' by a stop and search encounter, so that time permitting, more narrative around the wider circumstances helped to reassure. Equally, other officers stated that 'known' young people who were in regular contact with the police 'know how to play up'. The point of these responses being that there was evidence of a shift away from talking about wider impact and effects of stop and search towards the utility of the power – either individually or at a community level.

4.5   Other comments made by officers also centred around the issue of the 'expected normality' of stop and search for some areas – although not linked by officers to the volume issue. One officer identified that in their particular community, many of those they stopped and searched 'simply didn't care and don't listen to why they're being stopped. It was just something they deferred to'. There was no further elaboration as to why there was such apparent and 'normalised' deference to police contact through stop and search. At an individual level, an officer from another district talked about how some individuals simply didn't understand what they were being told or the justification of the search. Again, this was seen as a 'routinised' element of stop and search practice which wasn't particularly, if at all, questioned.

4.6   The main 'impactful' change to the citizen approach and engagement around stop and search was talked about in the context of BWV. Officers gave various examples of receiving emails 'every other day' about the use of BWV and drives to use it. The positive obligation to use BWV for stop and searches by officers was clear, especially in relation to internal directions, whereby they would have to justify 'operator error' as a reason for not using BWV.

4.7   One officer detailed how he felt the use of BWV as part of stop and search encounters 'changed everyone's attitude'. This was in general, perceived to be positive in terms of behaviours of both the officer and the suspect. But other officers, as with phase two, were able to recount how in some circumstances, people subject to stop and search would 'play up' and 'try to make a fool out of you' when BWV was used.

4.8   As noted in 2.4 around heightened sensitivity towards the stop and search of children and young people, one officer stated that they would be more inclined to use BWV to avoid potential vexatious allegations about the stop search encounter.

4.9   However, officers did not recall as part of conversations, any instances of where their BWV in relation to stop and search was subject to any further or additional scrutiny; nor was it apparently being used to monitor outcomes or arrest rates *vis-à-vis* the high volume of use more generally by PSNI – or at least not in any fashion which directly impacted upon their performance monitoring beyond volume.

5.0   Officer Reflections on Stop and Search

5.1   Towards the end of the conversations with officers, which itself was at the very end of their week at the Training College, they were encouraged to spend some limited time reflecting on their overall experiences and 'journey' related to stop and search.

5.2   By phase three of the research, it was clear officers had moved beyond the 'nuts and bolts' of doing stop and search in a procedural way, and were now reasonably 'fluent' in use of the power, as noted. However, officers again returned to feeling of cynicism around how they were expected to use the powers, which they again articulated did little except to service artificial targets. Indeed, a certain level of exasperation, yet resignation to stop and search 'culture' could be discerned from officer responses.

5.3   When revisiting the origins and basis of the research with the cohort of officers, they were reminded it was being undertaken because of the relatively high levels, yet lower outcomes in relation to stop and search for PSNI compared to most services across the U.K. One year on, the officers could not offer any further insight into that fact beyond the fact it must be the pervasive target culture they were experiencing.

5.4   Beyond individual learning and fluency around use of stop and search powers as noted, officers were also clear that nothing 'fundamental' had really changed around stop and search since they were deployed in districts over the past year. In this regard, it was evident that the target culture and pressure which officers identified, both built upon that which existed prior to officers joining PSNI; and was / is allowed to persist in an (relatively) unfettered manner at district level during their first months.

5.5 While again officers recounted how the power was a useful policing tool where exercised appropriately, there was also agreement that the power acted as a good form of 'community reassurance' where officers were seen to be out on the streets performing a visible form of policing. However, there was little, if any, conversation about the impact and effects the *de facto* high levels of use in districts was having at a wider community level. Officers were not able to self-assess the impact of stop and search beyond the immediacy of their own operational pressures. This itself pointed to a lack of appreciation (or dismissal) of community impact by officers higher up the ranks as those who were imposing the target culture as identified; and as some of the few placed with access to summary and aggregate data which could inform operations on the ground.

6.0 Summary and Recommendations

6.1 As the third and final phase of the present research – *Continuing a-PACE* (see *Appendix A*) – this report represents a unique snapshot of, and window into, probationer constables experiences, perceptions and expectations of using stop and search after twelve months deployment out in districts. 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[3]. Indeed, the purpose of this research was not focus on what the student officers / probationer constables '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 As a natural and discreet 'end' to the overall research project, phase three has highlighted a number of pressing issues from the perspective of officers, particularly in relation to targets and pressure around the use of stop and search powers. With officers as both 'fluent' and competent in the use of the powers, the research has shifted focus more fully from individual 'action' to organisational insight between phases two and three. In this regard, the following key recommendations can be drawn from the final phase of research:

1. There is a need for greater internal and external challenge to PSNI use of stop and search powers. Apart from changes at the Police College to training, the culture and practice around stop and search within districts remains at present, unchanging, as an enabling and encouraging environment for using the powers to the maximum – rather than most intelligent – extent.

2. For all intents and purposes, targets around stop and search do practically exist for officers at district level (even if derived informally). PSNI need to understand the origins and nature of such targets, and whether it is in the organisational or community interest to allow that situation to persist.

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[3] https://whatworks.college.police.uk/Research/Research-Map/Pages/ResearchProject.aspx?projectid=700

3. Related to 'target culture' and pressures around volume use of stop and search within districts, it is creating significant issues to be addressed, which include:

   a) target culture as systemically working against the high-quality stop and search training delivered by the Police College;
   b) target culture as distorting the legal basis of reasonable suspicion;
   c) target culture as causing officers to 'stereotype' citizens to service targets;
   d) target culture as 'shaming' in relation to the operational performance of officers.

4. Internal monitoring for stop and search appears to exist purely to service targets and volume. This needs to be revisited and reoriented towards 'outcomes' as the defining metric of success.

5. District middle-management need to be more informed and alert to the potential damage high-volume / low-outcome stop and search can have on community relations. Desensitisation to the impact and effects of stop and search is apparent in the organisational 'drive' towards volume use.

6. Body-worn video represents a significant organisational opportunity for PSNI to challenge volume stop and search culture/targets in favour of focusing on 'outcomes' where a systematic approach to monitoring can be adopted.

7. Internal monitoring appears to have no impact on the quality of stop and search encounters in terms of outcomes[4]. Independent advisory groups (IAGs) and scrutiny of BWV could help to enable a wider community conversation and dialogue around use of the power[5].

8. There needs to be more detailed district monitoring of stop and search outcomes against children and young people as part of upholding obligations under the UNCRC;

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[4] https://www.psni.police.uk/advice_information/stop-and-search/

[5] https://www.justiceinitiative.org/publications/regulating-police-stop-and-search-an-evaluation-of-the-northamptonshire-police-reasonable-grounds-panel

9. There should be a greater role for officer 'voice' around use of stop and search as a means of developing organisational understanding of the power out in districts;

10. In line with wider evidence-based policing shifts within PSNI, utilisation of evaluation and research expertise should be considered to inform broader, criminological understandings of the impacts, effects and use of stop and search[6].

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[6] https://www.ark.ac.uk/publications/updates/update120.pdf

7.0 *Appendix A*

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.