CONTINUING A-PACE

Phase Two Report

For PSNI Police College

FINAL

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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 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 is not intended to examine issues related to the use of JSA or TA powers.

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 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 phase one and have done so for the second phase of research where officers are deployed in districts.

As part of helping to enhance cooperation of probationer constables, and quality of the research, it was emphasised that throughout all stages, participation will be entirely anonymised and confidential; and that the views / opinions / experiences of officers will 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 are 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 the 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 (October/November 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 District Context and Use of Stop & Search

2.1   With probationer officers having spent approximately six months out in their respective districts, the initial, exploratory element of the interviews was about understanding the context of policing in districts which they felt influenced use of stop and search – as the 'criminogenic fabric' which both underpinned and informed their use of the power.

2.2   At a general level, one feature officers tended to identify with use of stop and search was their designated role as (mainly) response officers, with the exception of some overtime taskings. The majority of officers maintained that as part of their response roles, they didn't view stop and search as an integral element of their everyday work. While some officers identified they had indeed used stop and search powers multiple times over the previous six months, this was typified by one officer who stated stop and search 'was not part of responses' role'. When delving into this issue, it was elaborated that 'they didn't just patrol about looking for reasonable suspicion'. As described by another officer, stop and search was not particularly part of the immediacy of their role where they described that 'for nine-out-of-ten incidents [as part of response role] you arrest immediately anyhow'.

2.3   Related to their role pressures, resourcing was raised by some officers as influencing their perceived time and ability to conduct stop and search. As outlined by one officer, they were down to absolute minimum cover / resourcing possible for their area. In turn, this further exacerbated an identifiable stress of responding to calls in the district. Stop and search was therefore something only conducted if absolutely necessary – or done more by officers deployed in districts with better resourcing which they perceived to be the case. Resourcing was itself a source of resentment for some officers.

2.4   As part of the general perception around role demand, locating stop and search practice within that context was further linked to what one officer described as 'tasking driven'. Relating to specific operations or to neighbourhood officer roles, it was deemed that 'having time' to 'be out in the community' would allow more latitude for conducting stop and search. But at the same time, those officers could not be certain due to lack of experience.

2.5   However, beyond this broad identification of role with (apparently limited) use of stop and search, when questioned specifically about their levels of use to date, there appeared to be very significant variation from officers in regard to usage volume. While they were not asked to recount precise numbers of stop / searches (either PACE/MDA or JSA), responses varied between officers having 'lost count' of how many they had conducted, through to one officer noting to the researcher that they had 'not conducted nor even seen a stop and search in six months'.

2.6   What was apparent as part of this variation was the geographic distribution of crime and threat across the districts in which the officers were deployed. For example, one officer, based in a mainly nationalist / republican area noted how the vast majority of their stop and search were under JSA powers, with only two or three 'regular' stops under PACE/MDA conducted in the previous six months. Yet in another district, the opposite was the case whereby another officer noted how 'ninety percent of my stops are MDA, ten percent JSA'. In turn, when taking a step back from the variety of responses on levels of use (and expected drivers thereof associated with threat), it was apparent stop and search *was* in fact a relatively 'everyday' practice for most officers, in spite of issues raised above – but they simply didn't identify it as such. As noted to the officers by the researcher on this point, the average number of stop and searches per officer per year for PSNI was approximately four to five. Nearly all had comfortably exceeded this average, annual figure per officer.

2.7   Outside the immediacy of roles issues, the most common reply as to the underpinning context for stop and search usage related to drugs. Across the majority of officer responses, whether urban or rural, the 'drugs problem' / 'drugs epidemic' / 'heroin issue' as variously described, appeared to be a the largest driver for stop and search in the minds of the officers. This dovetailed with the contention by nearly all officers that the majority of 'everyday' stop and search were conducted under MDA.

2.8   Indeed, it was clear from a significant number of the interviews that in the minds of officers within their first six months, their use of stop and search had been 'calibrated' against an underlying district drug problem, as the criminogenic backdrop against which use of the power was both framed and justified. Furthermore, the drug – stop/search nexus further appeared to act as a guiding rationale for pre-empting use of the power for a range of other, related crime issues, including anti-social behaviour and homelessness. This was further qualified by responses which indicated what was detailed as a 'visible' street problem of people – including children and young people – being 'under the influence'.

3.0 Transition from PSNI College to the Street

3.1 Beyond general perceptions and experiences of district context underpinning stop and search use, interviews turned to examining the transition officers had experienced in respect of using the power over the past six months as they moved from the relative 'safety' of the PSNI College to deployment as probationer constables out in districts.

3.2 As might be expected in any such conversation with probationer constables, many of the points raised revolved around the 'newness' of the role, the 'reality of being on the ground' and 'having their eyes opened'. In specific reference to use of stop and search powers, the abiding commentary from all officers centred on the 'preparedness' for use of the power as learned at the PSNI College. As typically detailed by one officer, 'the transition from Garnerville to real life was fairly good and smooth…the stop and search training…PDGOWISELY was well drilled and gave the basis to do it [stop and search]'.

Similarly, another officer noted how they were very nervous for their first stop and search, but described how their PSNI College training had given them what they called an 'internal script' for PDGOWISELY to 'fall back on'. In general, most officers felt that training left them equipped to undertake stop and search in terms of technical procedure and practice. One officer stated that a running joke amongst officers was that 'PACE 3-5 *was* the only thing they had learned [at Garnerville] because they could rhyme the PDGOWISELY stuff so well'.

3.3 Related to initial and early use of the power, officers did however, make a very clear distinction between the technical procedure and practice (as noted), and the 'craft' of learning to conduct stop and search in reality. As typified in one response, while the officer felt 'fairly well trained, the craft of doing stop and search was something you had to learn. You had to find your own way to do it'. Related to this, another officer detailed how it had taken them quite a few stops to gain the

confidence to use the power, particularly to get the correct balance between authority, assertiveness and gaining cooperation from the subject. This point was made in a slightly different fashion by another officer who outlined that within their district, people would challenge the nature of a stop and search encounter, and that 'being confident was key to helping you work through that'. But equally, an officer from another district also stated that while they weren't located in 'a police-friendly area', people were 99% compliant when it came to stop and search encounters.

Also described as the 'confidence barrier', other officers also noted how they had yet to 'learn the craft' of conducting stop and search, as a learning curve within the learning curve of being a probationer constable. But equally, this was accepted as a normal part of the job. Another officer detailed how the steepest part of the stop and search learning curve was the first two-three months, after which the rate of learning flattened a little. They simply noted that more attention should be paid at the PSNI College to making officers aware of this necessary period of 'adaption' as part of using stop and search when deployed.

3.4 While the majority of officers were complimentary about stop and search training at PSNI College, as subtle issue to emerge from interviews with officers was about the expectations of usage instilled at the College. With stop and search so well 'drilled' (as noted), one officer stated that while stop and search volume appeared to be limited (see 2.6 above), they left the College 'taught as if stop and search was some kind of everyday practice'.

3.5 In a similar vein, and as part of the transition to districts, another officer noted how very PACE-oriented the PSNI College training was, when in fact PACE 3-5 stops comprised a very small proportion of most officer stops[1]. As part of what was

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[1] Indeed, this is borne out in official PSNI statistics for 2018/19 insofar MDA comprises 80% of all non-terror stop and searches. See: https://www.psni.police.uk/inside-psni/Statistics/stop-and-search-statistics/

termed the 'Garnerville gap', it was further stated that the College taught the law and procedure well, but this was 'rigid'. Related to 3.3 above, the ability to 'chat to people' was something deemed to be missing as part of stop and search encounters. But equally, it was accepted that within the limits of the programme and the use of role actors, there was little more PSNI College could actually do.

3.6   In more specific reference to 'on-the-job' learning around stop and search, most officers interviewed were complimentary about their PSO. On a general plain, the majority of officers noted how their PSO was supportive and provided useful feedback on using stop and search, especially in the early weeks of deployment. Beyond technical support, again most officers alluded to a wider, confidence-building role of the PSO when it came to stop and search to point out good and bad practice, while acting as a 'safety-net' of reassurance that officers were conducting stop and search correctly – even if they didn't think they were. Particularly in relation to 3.5 above, one officer was able to talk in terms of procedural justice during a stop and search encounter, and how their PSO had taught them to engage with the subject – which in turn helped to reduce tensions and aggravation where people understood why they had been stopped.

A similar experience was recounted by another officer who outlined how their PSO took the lead on some stop and search encounters, then allow the officer to 'jump in' when they felt confidence enough, while further offering constructive advice.

3.7   It was only in a smaller number of instances that officers where less complimentary of the PSO system of support. In one instance, an officer noted within a short period of time after deployment, their PSO was promoted and moved on, leaving them to seek learning from their wider response team. For another officer, where PSO support appeared to be less proactive, they described a 'deep-

end' policy for their deployment more generally, noting they were just told to 'get on' with doing a stop and search, while not receiving feedback of positive encouragement. But this tended to be a minority view.

3.8 The only negative comments for the transition to deployment tended to centre on recording of stop and search encounters. As highlighted in the *Phase One Report*, officers felt that more training and explanation around recording of stop and search was needed. Similarly, throughout their six months of post-College deployment, the majority of officers alluded to 'learning-on-the-go' with regard to the recording of stop and search encounters on their Samsung device. Some couldn't recall that it was actually part of PSNI College training, with one officer summarily stating they 'had to learn as they went with the recording of stop and search since it was not part of their Garnerville training'. While training around the recording of the power may or may not be an isolated issue with this particular cohort, nearly all officers, however, did express ease of use with regard to recording once they had learned to, complimented with observations and guidance from their PSO in some cases.

3.9 Finally, a small number of officers expressed some concern and discomfort with their stop and search encounters being recorded by subjects and bystanders. While reflective of similar concerns in the *Phase One Report*, there was still some unease apparent in the conversations with officers. It was not clear quite *what* officers were concerned about, with some broad issues raised relating to unspecified security worries and members of the public trying to 'catch them out'. One officer recounted being able to physically watch his own stop and search encounter on a social media platform at the end of a shift. Another officer felt being recorded in this fashion was quite restrictive for practice, which 'put you back into technical mode and you chatted less'. But in general, it was not raised as a widespread issue, but one that clearly sat on the wider spectrum of some probationer concerns.

4.0   The Use of Stop and Search

4.1   Aside from wider district context and issues of transition from PSNI College to deployment, a key focus of the research was understanding how officers found using their stop and search out in the districts – along with the dynamics underpinning use of power. The following section details some of those issues raised by the cohort of officers, broken down broadly into issues emanating from the organisation; issues impacting upon them on an individual level; and recording of stop and search encounters.

4.2   As part of the original briefing with the officers in August 2018 while at the PSNI College – and as officers were reminded for phase two of the research – a key part of the work was gaining insight as to why PSNI organisationally were using stop and search at a higher rate and with lesser outcomes than police services across the U.K. Notwithstanding the fact, as noted in 2.0, that the rates of stop and search use across officers varied significantly, a pervading theme from all virtually all interviews was a pressure to conduct stop and search.

4.3   While all officers were clear that no *formal* targets existed with regard to using stop and search powers, they was an unambiguous consensus that an *informal* target culture and pressure did exist to encourage and enable use of the power. This was consistent across officers and districts. With experience limited to six months deployment, officers themselves could not provide any particular answer or insight as to why PSNI may be using stop and search at current levels. Some had a sense that different sections may be using the powers differentially, but this was usually qualified against a lack of experience to definitively say.

4.4   Two officers, using the example of JSA powers specifically, did alluded to a senior, hierarchical direction of 'use it or lose it'. However, in relation to present

research focus on PACE/MDA powers, they did indicate that pressures to use JSA and PACE/MDA were not mutually exclusive, and that pressure to use stop and search generally was a prevalent part of their district command structure. One officer talked about their awareness of a 'culture' of high stop and search rates in his district when deployed. But that it had in fact, lessened of late. The officer could not, however, provide further qualification or explanation as to this variation.

4.5   But of significance, for those officers identifying 'pressures' to conduct stop and search, it was summarily noted by one officer that 'senior / commanding officers were interested in volume, not outcomes…they aren't interested in arrests'. As reflected across a number of interviews, volume and visible use of the power seemed to underpin officer perceptions of organisational pressure placed upon them. Various other comments from officers alluded to the fact arrest rates did not feature as part of any discernible internal monitoring or accountability process – 'there was no one apparently interested in arrest rates, this was never flagged as an issue'.

4.6   As typified in the response of another officer, again they made clear that an informal pressure did exist to conduct stop and search. But they additionally detailed how local issues and pressures from politicians did seem to filter down through the command structure on occasion in terms of being directed to be 'more proactive and doing more stop and search'.

4.7   Aside from some broad experiences of organisational pressure as identified, at the individual officer level, pressure to use stop and search took on a slightly different form. As probationer constables, one respondent noted (as with all powers), they were under pressure to 'make a good impression on the boss' – which they noted contributed to a culture of 'being seen to do stop and search'. On this issue, a number of officers were quick to qualify however, that such pressures to deliver did not sit with the legal principle underpinning reasonable suspicion and

'that you can't make crime happen'. Another officer made a similar observation, stating that at their first probationer meeting with the Sergeant, they were told to 'simply use your powers more'. And equally, another stated that 'if you're seen not to be proactive [around stop and search], it brings you to the attention of the boss'.

4.8 Other officers commented generally on how they felt 'monitored' by senior officers, highlighting a worry that 'you would be pulled up if there weren't enough stops'. When probing the issue further, officers couldn't actually detail what 'enough' actually entailed, but did note that those who tended to use 'more' stops (yet again undefined) were held up as a 'yardstick' to which officers should aspire in terms of volume.

4.9 Related to issues of probationary pressures and volume use as noted, an interesting observation was made by an officer about their ten week review and their use of stop and search. As stated, 'because we [as a section] were using the powers [of stop and search] so much, we didn't feel under pressures to have to use anymore…there was not pressure to use it because our section was using it so well'. Indeed, it appears that such reviews did not provide any self (or section) critical reflection on volume of use (or outcomes) – as an enabling environment. There was only one officer who appeared to engage in any reflection on pressure to use stop and search powers, indicating that a big improvement would be the removal of that pressure to assist them in delivering more community-oriented policing.

4.10 As part of the practicalities of 'doing' stop and search encounters and engaging formal procedure, one officer commented on how they found that when dealing with uncooperative individuals 'getting the PDGOWISLEY spiel out was difficult'. This was further qualified by comments that the PDGOWISELY process was one thing they would change, deeming it unnecessary an inconvenient for uncooperative people. Another officer commented on how in fact, the vast

majority of people subject to stop and search don't want a reference number, noting that it would be better in some cases to sidestep the PDGOWISELY process, conduct the stop, provide a reference number and 'get on with it'.

4.11   For another officer in a high demand area, they noted as part of conducting a stop and search, if they had prior experience of a subject in terms of being 'known' to their section for being uncooperative, they would 'handcuff first' as part of the detention for the stop based on prior experience and to expediate the process.

4.12   Similarly, for reasonable suspicion and its application, a number of officers did note that even within six months, their 'police instinct' did lead them to focus in on particular suspects – but always qualified such comments against the fact 'you know you have to have reasonable grounds'. While no officers said such instinct or prior knowledge would unduly influence their decision to stop and search vis-à-vis reasonable suspicion, it was inferred that particular people were naturally 'marked out' for attention, lowering the threshold for grounds.

Only one officer interviewed indicated that 'only on really rare occasions did they use stop and search where something 'wasn't right' rather than base the stop/search purely on grounds of reasonable suspicion'. Related to this, in only one instance was an officer able to provide an example of where stop and search in their section was not properly engaged, where 'a young person was made to turn out their pockets on spurious grounds that 'kids like you smoke joints'.

4.13   In terms of recording stop and search encounters, and in spite of concerns raised about this issue as part of PSNI College training, it was abundantly clear that officers were comfortable with all elements of recording at the six-month stage. As summarised in one comment, stop and search 'was generally easy to record, so there was no reason not to record'. From the Samsung device generating an instant reference number to geolocation of stop and encounters, officers were clear on their

obligations. For one officer, they even noted a very distinct culture 'of doing things by the book', further describing that officers were 'terrified' of not giving a receipt for stop and searches.

However, another officer did raise a concern around the corrosive nature of accountability for practice more generally, stating that 'police want to sack each other as much as the public do'. When asked to explain, it was held that the existing hierarchical structure generated fear of failure – reducing much of their policing tasks to the technical compliance. But also, promotion was used as an excuse to 'trample over each other' – related to finding mistakes in other officers' practice. Again, this all fed into an over-concentration on process, not outcomes, of stop and search practice.

4.14 Finally in terms of body worn video (BWV), nearly all officers indicated that its use was positive as part of recording a stop and search encounter. It was seen as a 'safety net' for officers in conducting their role; a deterrent from people making vexatious complaints; and had a 'calming' effect where people knew the stop and search was being recorded. While in some districts, however, the use of BWV seemed to be a very standard tool for stop and search (linked by officers to the drop-down menu on the Samsung to justify non-recording), in other districts there appeared to be a more relaxed approach to its use, where it was noted 'that some officers didn't bother with it much', further linked to what was described as only general advise around use.

5.0 Effectiveness, Effect and Impact

5.1 Outside the immediacy of using stop and search, and experiences thereof, the other key element of the research was to examine officer perceptions of both the *effectiveness* of stop and search; and the *effect* it had at community level. Related to the concept of 'calibration' of the power in section 2.0 set against district demands, this line of inquiry was about understanding what officers thought about utility of the power more generally set against wider PSNI practice and goals.

5.2 In terms of the effectiveness of stop and search a police power, this was the element of conversation which elicited least certainty from officers. Perhaps related to the focus on compliance with technical and procedural aspects of stop and search as part of their initial transition from the PSNI College, the majority of officers could only provide a generic, speculative answer as to the effectiveness of the power. Further related to the lack of internal monitoring or pressure to achieve outcomes (or arrests) as noted in section 4.0, stop and search was never actually qualified against any technical details or statistics, nor did the officers seem equipped to assess use of power in that context. As noted already, most officers appeared to be surprised or indeed, totally unaware of PSNI's overall usage patterns vis-à-vis the basis of the present research.

5.3 Most officers did see the power as one of many on the spectrum of their available powers, with only officer describing it as a key or crucial police power, stating that 'stop and search is the most effective tool I have – you can talk all day, but the power is sometimes needed'. However, of those officers who did not see stop and search as a crucial policing tool, there was some reflection on the practical utility of the using the power.

5.4 As part of such reflective thinking on practice, one officer was able to recount how stop and search had no deterrent effect, especially for habitual drug users and

addicts. But that the power did work for dealing with organised fights and anti-social behaviour. However, it is of note that for PACE/MDA powers, the technical investigative legal basis seemed to be lost, with the officer evidencing an assumption that stop and search was for deterrence. Another officer highlighted the fact they thought stop and search was rather limited for all but low-level drug possession. Again, no qualifying or comparative understanding was articulated in relation to the low arrest rates for drug stop and searches by PSNI[2].

5.5   On a similar plain to conversations around utility, another officer considered stop and search be a 'good form of visible policing…a form of policing which is disruptive to crime in the public eye'. While an honestly held view, this represented another perspective which missed the legal basis of conducting PACE/MDA stop and search in the first place. One final view came from an officer who, in relation to ASB 'hotspots', noted that 'if you go to the right place, you'll get a stop and search'. This was an indication that there was from their perspective, an identifiable 'availability pool' of particular people in certain locations which could be relied upon for effecting stop and searches 'results'.

5.6   Moving from effectiveness to effect, interviews with officers turned to their perceptions of impact the power was having on the communities in their districts, along with precisely 'where' the power sat within PSNI's wider Policing with the Community (PwC) philosophy. Indeed, most officers to an extent considered that stop and search was an inherently confrontational encounter, as point they raised in the *Phase One* report. One respondent indicated that 'no one every wants to be stopped and searched'. However, set within their present 'learning curve' in relation to the power, the vast majority of officers did not equate their use of stop and search to wider the potential for wider community impact. With officers predominantly

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[2] The current PSNI arrest rate for 2018/19 in relation to drug-related stop and search is 6.1%. See: See: https://www.psni.police.uk/inside-psni/Statistics/stop-and-search-statistics/

concerned about procedure and wider role pressures, one officer summarily noted that due to their response role,' they didn't have time to think about that [impact of stop and search]…they only acted on the evidence in front of them'. This general observation sits within the findings of the *Phase One* report which recommended the wider historical and criminological basis to stop and search should be taught to officers.

5.7 Further set against the apparent lack of wider knowledge about overall PSNI stop and search usage patterns, another officer indicated that 'repeated stop and search would seem like harassment for the 'usual suspects', but that their preformed opinion because of stop and search would influence *your* stop and search, regardless of the grounds'. Again, demonstrating that in the minds of the officers individual and procedural propriety trumped wider appreciation of impact at the community level. Furthermore, conversations with officers further demonstrated that no apparent monitoring of community impact around stop and search – or potential thereof – at a higher level of command was communicated to the officers.

5.8 Relating stop and search to PSNI's PwC ethos, another broad commentary from officers was that the power simply did not 'fit' with the broad community policing philosophy of PSNI. As variously noted by officers, 'you can't sugar coat stop and search' in terms of the invasive nature of the power; 'it was really just a tool for us, ,it wasn't really a community-oriented practice'. With another officers stating 'the two ends [PwC and stop and search] will never meet – no one ever wants to be stopped, so PwC is out the window from the start'. There was only one officer who noted that PwC could be 'squared' with stop and search, indicating that where you stuck to the principle of your grounds, it was the basis of preventing crime in the community. This was however, another example where self-awareness around arrest rates, effectiveness and impact of stop and search practice was absent in the face of individual perspectives on use.

5.9   Similarly to the points above, there was no substantive recognition by officers that the volume of stops and limited arrest rates may actually be contributing to what they perceived was the *de facto* confrontational outworking of the power at a community level. Indeed, only in one response to did an officer state that 'in some areas, you don't do a stop and search unless you really have to, otherwise in two minutes it kicks off, people come out of their house, they know who you're stopping, they shout abuse'. When probed a little on this point, the officer finally realised such a calculation did in fact fit with PwC to the extent of knowing different community / areas, and different styles of policing.

6.0   Children and Young People

6.1   The final element of research inquiry focused on the issue of stop and search in respect of children and young people (CYP). With current research evidence demonstrating quantitatively different attitudes towards PSNI between under 18s and adults, while raising challenging issues around stop and search specifically[3], it was deemed important to consider the views and experiences of using stop and search against this particular demographic.

6.2   As part of interview discussions around CYP and stop/search, no officers recounted to the researcher specific instances or encounters with subjects who they defined as children in a separate sense of identity or treatment, or procedure in place to make that differentiation. In general, all officers made it clear that children and adults were not treated differentially when it came to using stop and search. Specifically, one officer detailed that there existed an attitude of 'don't see kids as children, treat them like adults'. As variously noted across officer interviews, it was further seen as difficult (in an operational sense) to differentiate between children and adults in most stop and search encounters, particularly in relation to the late-teens category around 15-17 years old.

6.3   As a broad sentiment captured in the views of one officer, children as well as adults were also potentially deemed to be criminal: 'when committing the same as a twenty-one year old, you can't treat them [referencing a 12 year old child] differently'. When asked to elaborate, the officer indicated that for the 'usual' ASB 'hotspots', 12 year olds were mixing with 17-18 year olds, so it meant that large swathes of CYP fell under suspicion.

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[3]Topping, J. and Schubotz, D. (2018) 'The Usual Suspects?: Young Peoples' Experiences of Police Stop and Search in Northern Ireland'. Belfast: ARK / Young Life and Times Survey, available at: https://www.ark.ac.uk/publications/updates/update120.pdf

6.4 When asked about monitoring of stop and search for CYP, or indeed application of the principles of the UNCRC contained in PACE Code of Practice A[4], officers clearly indicated that treating children as a separate category didn't actually matter, summarised by one officer who noted 'because they only worked off reasonable suspicion and followed evidence. So it didn't matter if they were technically under 18 or not'. This point was made in a different fashion by a number of officers, noting variously that grounds superseded age; there was no way of ascertaining age; they could only work with what was in front of them in terms of information and incidents, so age was an irrelevance.

6.5 Furthermore, when questioned about the process and monitoring of conducting stop and search on children, it evident that officers were not subject to any internal scrutiny in relation to use of the power against children (or outcomes); or that it was even seen as desirable or necessary to even attempt to apply principles of the UNCRC as enshrined in PACE Code of Practice A. As one officer recounted in relation to their district, there was a visible issue of people 'under the influence' in the city centre, which extended to children. However, this was only viewed through the lens of viability to conduct stop and search for low level drugs possession, rather than any wider considerations as part of the UNCRC, as noted.

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

7.0   Summary & Observations

7.1   As the second 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 six months of being deployed 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[5].   Indeed, the purpose of this research is 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.

7.2   As the second phase of the overall research, this report represents a unique understanding of the learning and nature of use with regard to stop and search as it evolves from being taught in the PSNI College. With the *Phase One* report demarcating a discreet 'end' to training at the College, it thus enabled 'recommendations' in relation to training around stop and search as part of the SOTP. This report, however, is part of an on-going officer process of learning and application in relation to use of stop and search. The following therefore provides summary observations, rather than definite recommendations, which will more usefully be made following the subsequent *Phase Three* final report, expected at the end of 2019.

7.3   At a broad level, this report does not necessarily highlight critical, short-term operational concerns related to stop and search practice. But on more strategic level, the research does raise a number issues which feed directly into wider debates about

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

the use of stop and search by PSNI[6]. In this regard, the following key observations can be drawn from the second phase of research:

1. The issue of drugs provides for the main, pre-emptive and justificatory rationale for stop and search use across districts, as a 'gateway power' to deal with a variety of other crime issues, both for CYP and adults. Yet arrest rates for drugs stop and search sits at 6.1%, the inference being that this justificatory context and 'object' is not matching the 'outcome'.

2. Training at the PSNI College is very well received and provides an excellent operational stop and search platform for deployment in districts. But more focus in training on the reality of the 'adjustment' period in early months would help reassure future probationary constables. Similarly, wider context around history, impact, volume and orientation of stop and search use would be beneficial while at the College.

3. Significant pressure to conduct stop and search was identified by officers, coupled with an identifiable absence of monitoring around arrest rates or community impact within districts. In essence, the environment for probationer constables within their first six is one which enables and encourages use of stop and search provided individual, procedural compliance is adhered to. Volume stop and search is, at a cultural level of officers, the defining metric of success.

4. As identified in sections 4.10 – 4.12, the present environment has created potential for stop and search practice to morph beyond its procedural framework.

5. Within the first six months, the technically investigative, legal basis of PACE/MDA stop and search has to an extent evolved into a deterrent power for officers in term of dealing with certain forms of crime.

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[6]https://www.researchgate.net/publication/327605093_Now_you_see_it_now_you_don't_On_the_invisibility_of_police_stop_and_search_in_Northern_Ireland

6. Officers do not see the power to stop and search as connected to PSNI's principles of Policing with the Community. If they should be, it is not clear to officers how this power can be mapped onto PwC ethos.

7. CYP are treated in exactly the same fashion as adults. There is no practical, individual officer obligation or process to determine whether they are stopping and searching children; or apparent internal monitoring around the stop and search of CYP. Nor is there any discernible application or consideration of obligations under the UNCRC as enshrined in PACE Code of Practice A.

8.0   *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.