AN EXAMINATION OF HOW CHANGES IN POLICING PRACTICES HAVE AFFECTED CRIMINAL JUSTICE DISCRIMINATION AGAINST MINORITY ETHNIC COMMUNITIES.

By DANIELLA NARDUZZO[1]

Abstract

The increase in the number of people from different ethnic backgrounds and countries is one of the most significant changes in Britain. In the twenty-first century minority ethnic groups are still considered to be a problem in society, just like they have been throughout history. Subsequently, the relationship between the British police and ethnic minority communities has not been a happy one.

This dissertation examines the extent to which changes in policing practices have affected criminal justice discrimination amongst British minority ethnic (BME) communities. The question of whether the police operate in a discriminatory way has recently been bought to attention since the Stephen Lawrence Inquiry (1999). Using a library-based, documentary review, as a basis for critical research, this work attempts to investigate and analyse the size and scope of the problem between the police and BME communities, the changes that have occurred as a result and the difficulties faced by the police.

[1] Daniella Narduzzo, Division of Criminology, Public Health and Policy Studies

1.   Introduction

Britain has, in many respects, undergone remarkable change since the Second World War. The increase in the number of people from different and diverse ethnic backgrounds and countries is by far one of the most significant changes in Britain. In recent decades, research has identified serious concerns about the treatment of people from ethnic minorities by the criminal justice system (CJS), and continues to show a negative experience at the level of enforcement and sentencing (Hood: 1992; Bowling and Phillips: 2002; Home Office: 2003).

The fact that the police service is the 'gateway' to the CJS and the main visible point of contact to the public in tackling crime and disorder, subsequently means that they have the most direct impact on people's lives than any other enforcement agency of the Home Office. Therefore, their behaviour and probitiy in dealing with members of the public fairly and effectively is crucial.

In the policy arena the Government has committed itself to a fair and effective criminal justice system. In order to meet this commitment, its practices must be seen to be just and free from discrimination so that all ethnic groups are confident in its ability to deliver justice and community safety. The question of whether the criminal justice system operates in a racially discriminatory way has recently been brought to the top of the policy agenda with the Stephen Lawrence Inquiry and publication of the Macpherson Report (1999).

The nature of the relationships between the police and the communities it serves has been a focus of increasing attention and frequent criticism, particularly in relation to ethnic minority groups. Therefore, the general research aim of this dissertation is to examine the extent to which changes in policing practices have affected criminal justice discrimination amongst minority ethnic communities in Britain.

The delivery of policing – whether in the form of 'force' or 'service' - should not be greatly inferior for some social groups than others. And yet, the research evidence shows that, in general, people who are seen as 'white' tend to have a more satisfactory relationship and experience of the police than people whose ancestry lie in Asia, Africa and the 'islands of the sea' (Bowling and Phillips: 2002). The so-called 'colour line' that the pioneering sociologist Du Bois (1989: 13) predicted would be the 'problem of the twentieth century' can be discerned clearly a hundred years later in the relationship between the police and ethnic minority communities and in numerous countries around the world (Bowling and Phillips: 2002).

1.1   Justification For Research

The perception that racism exists in the police forces in Britain, whether justified or not, undermines public confidence which is fundamental to the establishment of safe and cohesive communities. During the last three decades of the twenty-first century people

from ethnic communities have faced a disproportionate risk of both victimisation, discrimination and are subject to differential criminal intervention and penal sanction (Hood: 1992). Historical research shows that ethnic communities have been 'targets of verbal abuse, harassment and physical attacks' (Bowling and Phillips: 2002: 108), this is therefore a concern that needs to be addressed and subsequently resolved.

The decision to question the treatment of minority ethnic groups arises from an interest in the problem within the African Caribbean community. The moral panic surrounding young black men since the 1970's resulted in discriminatory rates of stop and search and conviction by agents of control, the police (Cohen: 1972). African Caribbean people in particular have often been stereotyped as potential criminals and consequently policed in a discriminatory and over-zealous fashion. Criminal statistics indicate that African-Caribbean's constitute only 2.3% of the British population but make up one tenth of the male prison population (Home Office: 2002: cited in Chapman: 2005). In addition, young black males were eight times more likely to be stopped by the police compared to their white counterparts (*ibid*: 2005). However, since post New York's 9/11 and London's 7/7 terrorist attacks the focus on African Caribbean's has somewhat shifted towards that of the Asian and Muslim communities. Therefore, this dissertation also seeks to establish if 'other' minority groups will be targeted in the future and identify whether history would be repeating itself.

Finally, the topic is justified due to its relevance; peoples whose skins are not white have typically been seen as a problem for social order, their very presence giving cause for concern. Hence, it is important to identify whether changes in police practices and discrimination have or will affect BME communities.

1.2 **Context**

English law is supposed to be a bastion of equality for all. It may be argued that there is no greater personification of equality than a clear disregard of race or colour. Perhaps the most common observation is that people seem to have different experiences of crime and justice depending on whether they are 'white', Asian, Black, or 'other ethnic origin'.

The issue of racial discrimination was first addressed in the Race Relations Act 1965, strengthened by the Race Relations Act 1976. Under English law, racial discrimination is defined as treating an individual less favourably than any other on the grounds of perceived ethnic or racial difference. Irrespective of this treatment, the fact that a difference has been identified on the part of the victim is enough to make it unlawful (Elliot and Quinn: 2002).

The right to equality before the law and protection against discrimination are central to conceptions of human rights (Human Rights Act 1998). The Race Relations (Amendment) Act 2000 now makes it unlawful for a public authority, including any government department, to discriminate while carrying out its functions. There is a positive duty on public bodies to promote race equality and have due regard for the need

to eliminate racial discrimination, to promote a fair arena of opportunity and ensure good relations between people of different ethnic groups (Solomos: 2003: 92). Failure to adopt certain policies and practices might place the authority in breach of the law (Young and Connelly: 1981).

1.3 Chapter Breakdown

1 **Chapter Two** will provide a brief description of the approach taken to the gathering and analysis of relevant literature.

1 **Chapter Three** begins the substantive discussion by trying to establish the size of the problem of minority ethnic communities in Britain and the existence of a racist culture. This will be achieved by referring to minorities and racism in early British history, and to what extent, if any, the police target and discriminate against these groups in the twenty-first century.

2 **Chapter 4** focuses on stop and search - a practice which has been the most controversial issue in debates about policing ethnic minority communities. Inadequate guidelines and the development of statute from pre to post Police and Criminal Evidence Act 1984 (PACE) will be examined. Thus a clear understanding of the rules governing stop and search will be sought. This will allow for the identification of any ambiguities or problems in the stop and search procedure and the opportunity this provides for police misuse of such powers.

3 **Chapter 5** endeavours to discuss discrimination and the existence of institutional racism within the police force. Referring to key reports by Lord Scarman and Sir William Macpherson, the extent to which racism exists in the police force will be examined. The extent to which such behaviour manifests itself in the activities of the police will be considered in relation to recruitment and police culture.

4 **Chapter 6** is primarily concerned with whether or not real changes have occurred within the police service since Macpherson's recommendations. Comparisons will be made in relation to the murder of Stephen Lawrence (1993) and Anthony Walker (2005) and how the police tackled these cases. Subsequently this will allow for the identification of whether racial prejudice currently exists in the police forces in Britain.

5 **Chapter 7** draws together the strands of the previous four chapters. In the conclusion there are some brief recommendations about future concerns and possible improvements to policing and discriminatory practices. Hopefully then, changes and the extent to which the police discriminate towards minority ethnic communities will be identified.

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2.   <u>Methodology</u>

Initially it appeared that the task of researching the purported changes in policing practices in relation to discrimination and minority ethnic groups would be relatively straightforward. It was indeed an important question, of great topical concern, particularly within the media and government. A mixed strategy, using both narrative and textual accounts, seemed to be the best approach (Noaks and Wincup: 2004; Jupp: 2000). Here, the first task would to be to consult the official crime figures for an assessment of the incidence and prevalence of the problem, followed by a critical analysis of policing and discriminatory practices. It is important to note that the terms 'race', 'ethnicity' and 'discrimination' are essentially 'contested concepts', the meaning of which varies depending on the researcher's perspective (Bowling and Phillips: 2002: xvi).

The information collected in this study is drawn from a literature review and therefore is an analysis of secondary sources. As Macdonald and Tipton (1993: 187) identify

> 'The methods available to a social researcher are usually thought of as being of two kinds: either the survey, using questionnaires, or field research in one form or another. But in fact there is a third type of method, whose history is longer and whose importance is scarcely less than the other two, namely documentary research.'

It was decided that with the time and resources available, the only possible method would be a library-based documentary review, which included academic texts, journal articles, public investigation reports, news reports, pamphlets and any other relevant materials. Although no new data would be produced, examination, evaluation and integration of the existing material would be a worthwhile objective (Noaks and Wincup: 2004; Bryman: 2004). This would be 'critical research' as described by Jupp (2000: 18), drawing 'upon abstract concepts such as ideology, power and discourse, and also on bodies of ideas which are expressed in terms of these'. Bryman (2004) suggests such a method allows researchers the opportunity of evaluating the highest quality material, and additionally allows new interpretations to be made.

The decision to review secondary resources stemmed mainly from the comprehensive reporting of race and stop and search in research studies over the past thirty years, primarily by the Home Office. Such empirical evidence provides the opportunity for consideration and interpretation of a broad spectrum of research findings which would not be feasible through primary research.

However, as the majority of research was commissioned by the Home Office and Metropolitan Police it would be naïve not to consider that interpretation of statistics is likely to favour the institutions they were produced for. Therefore failure to consider researcher bias in favour of the police may impede the analysis of race and stop and search, and thus restrict the inference that may be drawn from such research findings.

Bryman (2004: 28) suggests statistical analysis of secondary data can be problematic, firstly because of validity problems and secondly because the context in which it was gathered may differ. Therefore, using government statistics, such as the British Crime Survey and the Census 2001 findings should prevent the possibility of incorrect or missing data.

In addition to the texts listed above, as a source of current information, the internet was 'an invaluable tool for accessing data' (Noaks and Wincup: 2004: 129), especially in providing current data and statistics in relation to minority ethnic groups and assisting with a critical reflection of issues within the media. The Home Office and regional police web-pages were of particular interest, as were the many academic on-line journals sourced through NTU Electronic resources and Google Scholar. The merits of using the internet are that the volume of data available is significant, and that figures are likely to be up-to-date. It was deemed less expensive and less time consuming than primary research and moreover, it by-passed the issue of ethics that is collective with empirical research.

Choosing a library based method of research meant that ethical issues associated with primary research, such as intrusion and breaking of trust and confidentially were not key (Bryman: 2004). In an ideal world, attempts to directly approach the police and agencies might have been made, through questionnaire or interview, however, this field is notorious for its access problems (Whyte: 2000). Undertaking empirical research has the possibility to cause emotional harm, particularly in relation to specific discriminated groups, therefore this method was deemed unfair. Furthermore accessing such people and the police may have proved difficult due to the sensitive subject of racism and discrimination.

Analysis of documentary research is of importance if the data is to be considered both valid and reliable. Thus the authenticity of documents must be considered to avoid evaluation and interpretation based on falsehoods. Identification of errors, omissions or distortions in the reporting of research findings may also affect the credibility of documents.

The perceived limitations of the research concluded that whilst it was relatively easy to gain information about minority ethnic groups, it was challenging to evaluate the merits and drawbacks in relation to changes in policing practices and discrimination. Therefore rigorous analysis of literature from a criminological point of view is essential if the review process is to be considered meaningful.

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3.   The Problem of Minority Ethnic Communities in Britain

One of the aims of this dissertation is to examine the extent to which changes in policing practices have affected criminal justice discrimination against minority ethnic communities in Britain. This may seem like a relatively straightforward task at first glance, but in fact it is fraught with difficulty.

When seeking to understand the state of race relations in twenty-first century Britain, one must gain a clear picture of the nature of racism: it is the belief that one group of people with a particular biological make up is superior to other groups with a differing biological make up (Miles: 1989). In general, these groups deemed superior tend to gain economic power and social dominance over the other groups considered inferior.

Like 'race' and 'racism', there is no universally agreed definition of the term 'ethnicity'. However, it is intended to describe 'differences in groups without resorting to the racist notions of superiority and inferiority' (Kleg: 1993; cited in Bowling and Phillips: 2002: 24). For Kleg, an ethnic group may be defined as consisting of;

> 'individuals who share a distinct culture and are bound together by ties
> of cultural homogeneity' that result in a 'common way of perceiving,
> thinking, feeling and interacting with reality' (ibid: 38).

3.1   Minorities and Racism in Early British History.

Racism and prejudice has always existed among man, but in different forms depending on the time in history. The existence of a racist culture in Britain has manifested itself in a variety of ways, most potently in the form of racist violence (Solomos: 2003: 3). This year (2007) marks the 200th anniversary of the abolition of the slave trade (1807). Therefore, in order to examine and identify changes and potential future concerns for minority ethnic groups it is necessary to briefly reflect on the past. For example, it could be argued that Britain's colonial past holds the key to everyday notions about race, discrimination and colour.

The history of racist violence in Britain is a long but discontinuous one (Bowling: 1999). There is evidence of attempts at forced removal of people of colour since the time of Elizabeth I and examples of attacks against the Jewish community stretching back to the twelfth century (Fryer: 1984; Panayi: 1996). However, the first clear evidence of racism occurred at the end of the sixteenth century, with the start of the slave trade from Africa to Britain and to America.

The perception of people from ethnic minorities as being criminal and disorderly has had a long history in Britain (Cohen: 1972). The minorities which have been recognised as facing the most widespread animosity include the nineteenth century Irish immigrants (Miles and Phizacklea: 1984), the Russians, the Jewish newcomers from Eastern Europe

(Holdaway: 2003) and the post-1945 immigrants from the British Empire and Commonwealth, particularly those originating in India, Pakistan and the West Indies (Curtis: 1968; Panayi: 1996). All of these groups were popularly associated with habitual criminal activity and moral panics were generated about foreigners and aliens, premised on racist caricatures (Holmes: 1988; Bowling and Phillips: 2002).

The violent targeting of black, Asian and Chinese sailors in British ports immediately after World War I (1919) and World War II (1948) is well documented (Gilroy: 1987; Jenkinson: 1996; Panayi: 1996). Hall *et al.* describe the demonisation of the British black population and the creation of a new powerful 'folk devil' (1978). The arrival of black colonial citizens in Britain was unexpected, unplanned and generally unwelcome to politicians and public alike (Panayi: 1997: 185), for example in the 1950s - landlords commonly used signs saying "no Blacks, no Irish, no dogs".

During the period from 1840 until 1950, as well as the years before then, no minority group in Britain had escaped attacks upon its persons and property (Holdaway: 1996: 18). At the same time, some groups acted as the perpetrators of racial violence, as a response to xenophobic hostility towards them (Lunn: 1980). As mass immigration continued in the 1950's, so did the rise of racial violence and prejudice. Many areas including Nottingham, Birmingham and London experienced race-rioting, were black people were the targets of sustained violence. Subsequently, 'race' became a key component of discussions on the economy, crime and nationhood in British politics (Bowling and Phillips: 2002: 6).

No newcomers who have entered Britain in the last two centuries have escaped hostility on a significant scale. It is clear that as ethnic minorities first became established in Britain's inner cities, the racialisation they experienced affected the ways in which they were labelled criminals within the host society and how they became victimised. The effects of racial stereotyping and rigidity in thought and procedure on the part of the police, coupled with ethnic minorities misunderstandings of the police's role set in motion the process that would culminate in the mistrust of later decades.

3.2   Police Targeting: The Criminalisation of Ethnic Minority Communities

Britain has traditionally been, and remains, a predominantly white nation, with 92% of its population in 2001 declaring themselves white British, white Irish, or white 'other' (Census: 2001; citied in: Lupton and Power 2004). However, these statistics are changing with a rapidly increasing diversity of ethnic groups and cultures.

Figure 1: _Growth of Minority Ethnic Populations in Britain 1951- 2001_
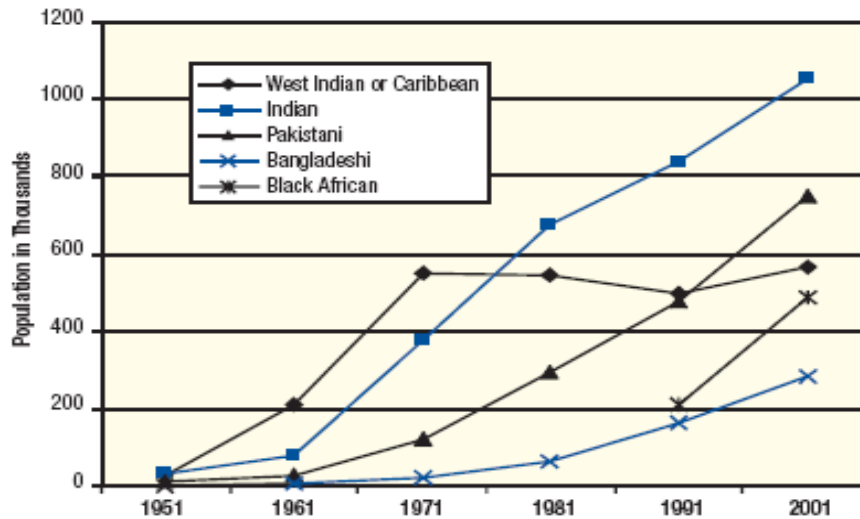
Source: Data reproduced from Peach: 1996: 2001 Census: Key Statistics: Table 6

Today, the face of racism has become multi-coloured and multicultural. With the high increase of diverse populations entering and maintaining communities all over the country, racism has expanded to include antagonism between people of many cultures. At the start of the twenty-first century minority ethnic groups, as a whole are significantly disadvantaged compared with white groups and this is linked to their historically structured experience after migration and in the following decades.

Over the last four decades, there have been many examples of how the police and ethnic minority communities have come into adversarial contact. For some commentators, policing British ethnic minorities was merely an extension of colonial policing which had existed for decades in the Caribbean, India and Africa, and which had now been turned inward to police the 'domestic colonies' (Sivanandan: 1982; Fryer: 1984; Howe: 1988). Research documenting the experiences of minority communities being subjected to oppressive policing in Britain can be traced back to the 1960s, when a report for the West Indian Standing Council, found that:

> 'It has been confirmed from reliable sources that sergeants and constables do leave stations with the express purpose of going 'nigger hunting'. That is to say, they do not get orders from superiors to act in this way, but among themselves they decided to bring in a coloured person at all cost. (Hunte: 1966: 12).

Britain could, with some justification be accused of being a 'White Man's Country' dispensing 'White Law' (Miles _et al_: 1984, cited in Bowling and Phillips: 2002: xv). In the post-war period the police have suggestively played with the idea that black people

present some kind of threat, and have often been defined 'as a social problem and given special treatment' (Cashmore *et al*: 1991: 11), emphasising their problematic status. As a result, they have often been stereotyped as potential criminals and consequently policed in a discriminatory and overzealous fashion.

The politics of 'race and crime' became more explicit than ever in the 1970's, up until this time, South Asians and African Caribbean's were not truly considered to be any more criminal than their white counterparts (Hall *et al*: 1978). However, the increasingly strained relationship between black communities and the police collapsed vividly when disorders broke out in major cities, particularly in Bristol (1980) and Brixton (1981), leading to increasing rates of arrest (Solomos: 2003; Scarman: 1981). After the crucial year of 1981, the police, aided by a hyperbole mass media, were able to nail down the problem much more precisely, 'blacks were a new force in British society and one which, unless unchecked, could undermine the nations stability' (Cashmore *et al*: 1991: 2). It is from this basis that 'black criminality' became associated with the African-Caribbean culture.

In contrast, South Asians were originally regarded as 'passive', 'inward-looking', or 'possessing strong family ties' (Gilroy: 1984). However, the disturbances during the summer of 2001 in the North of England are testimony to the increasing instances of labelling South Asian youths as criminals (Kundnani: 2001).

The conflicts between the police and African Caribbean's, and to a lesser extent Asian youths, occurred in the context of a perception of 'over policing' neighbourhoods were 'ethnic minority communities are concentrated' (Gordon: 1983: 24-50). Currently, ethnic minorities are more likely to be stopped: the stops invariably result in searches which tend to be more intrusive, including the use of clothing and strip searches (Newburn and Hayman: 2001). This has been particularly evident since the 'war on Terror', resulting in South Asian Muslim men being seemingly over-targeted (Kundnani: 2004).

The process of labelling people negatively has the impact of making real the very invention such characterisation is based on, (Gilroy: 1987; Home Office: 2003). Currently, African-Caribbean's and South Asians, as well as 'refugees and 'asylum seekers' are considered to be part of a criminal ethnic minority 'underclass'. These minority groups are more likely to be cautioned, stopped and searched, arrested and eventually sentenced; permitting the myth to become the reality.

3.3   Discrimination in Policing: The Problem

No one theory of discrimination, whether it is based on notions of individual attitudes, organisational cultures, or iniquitous social structures fully explains why racism and racial discrimination appear to be concentrated into 'pockets' of the CJS (Bowling and Phillips: 2002: 41).

The experience of minority ethnic communities within British society has undergone a fundamental transformation in recent years. Nonetheless, racist beliefs, xenophobic attitudes and racial prejudices remain widespread throughout British society. Thus, if police officers are a cross-section of society, it can therefore be expected that some will be racially prejudiced and discriminate towards certain ethnic groups (Scarman: 1981: para 6: 106; Keith: 1993).

A 1997 inspection conducted by Her Majesty's Chief Inspector of Constabulary looked specifically at community and race relations policies and practices within the police service. The report concluded that;

> 'racial discrimination, both direct and indirect, and harassment are
> endemic within out society and the police service is no exception…
> There was continuing evidence during the Inspection of inappropriate
> language and behaviour by police officers, but even more worrying was
> the lack of intervention by sergeants and inspectors (HMIC: 1997: 18).

It was accepted that discrimination, prejudice, ignorance, thoughtlessness and racist stereotyping explained ethnic minority communities' complaints that they are 'over policed…and under protected' (Macpherson: 1999: para 45: 7).

Research evidence over the past four decades has found that specific stereotypes are commonly used by police officers to classify people on the basis of their ethnic origin. Evidence suggests that police officers commonly use prejudices to classify people according to their ethnic origin; thus, for example, Asians are stereotyped as devious, liars and potential illegal immigrants (Graef: 1989) and black people by as potentially violent, aggressive and involved in drugs (ibid; Reiner: 1991).

Numerous studies (Holdaway 1983, 1997; Junger 1989; Reiner 2000) suggest that while police culture is not monolithic, racism and racial prejudice are more widespread among police officers than they are in society as a whole. Hall *et al.* (1998) argue that:

> 'while there is no automatic or straightforward link between racially
> prejudiced attitudes and language and discriminatory or differential
> behaviour…there is a consistency in the pervasive nature and expression
> of racial stereotypes and their influence on police expectations and
> behaviours'.

The fact that police powers, whilst extensive, are frequently invoked at the discretion of the police officer with no clear guidelines or criteria for decision-making (Sanders and Young: 2003), means there is considerable scope for bias in policing. This implies that discrimination can take place, and that the exercising of police powers and practices may have a disproportionately adverse impact on certain groups (Bowling and Philips: 2003). Thus, for example, although there is contradictory evidence (MVA and Miller: 2000), it has frequently been claimed that police stop and search procedures are based on age, class, gender and racial stereotyping (Norris *et al*: 1992).

4.   Stop and Search

When considering changes in policing practices, it is fundamental to consider 'stop and search'. The use of stop and search powers by the police has been the most controversial issue in debates about policing ethnic minority communities (FitzGerald: 1993). From the perspective of young black men, and increasingly young Asian men in certain areas of the country, it is perhaps the most glaring example of an abuse of police powers (Gordon: 1983; Institute of Race Relations: 1987; Kundnani: 2004; Spencer and Hough: 2000). The rate at which minorities are stopped by the police, along with the quality and content of these encounters has been seen as a major factor in shaping community - police relations.

4.1   Inadequate Guidelines:

There is no doubt that the stop and search legalities have developed considerably and traditionally been a contentious issue amongst both the police and the public (Haley: 1989). Prior to the introduction of the Police and Criminal Evidence Act 1984 an earlier version of the stop and search power was only available to police in London, this being section 66 of the Metropolitan Police Act 1839. Due to the fact that persons could be stopped simply on the premise that they are 'reasonably suspected' of carrying anything 'stolen or unlawfully obtained', this left much opportunity for subjective rather than objective interpretation by police officers (Barron: 1997). It has been argued (Greaves: 1984) that this law has provided a racist police force with access to consistently discriminate against ethnic minorities through the misuse of stop and search powers.
Among numerous operations during the 1980s was 'Operation Swamp 81', mounted by the Metropolitan police to combat the high incidence of street crime in Brixton and the surrounding suburbs.   This undoubtedly provided a clear confirmation of the disproportionate stopping of black persons in comparison to their white counterparts. During the six days in which this operation was conducted - mainly by white police officers – 943 persons were stopped of which over half were black and mainly under 21 (Scarman: 1982). Yet such a heavy-handed approach yielded only 118 people arrested on suspicion (*ibid*.). Of the seventy-five charges that ensued just twenty-two were for the targeted offences of theft, robbery and burglary, whilst the majority of charges were for "threatening behaviour", assault and obstruction, many of which are only likely to have resulted from police over-zealousness (*ibid*). It may be suggested such actions embarked upon a new chapter of police discrimination and provided a major catalyst for the rioting that followed such events.

Studies carried out (Policy Studies Institute: 1983; cited Brogden *et al*: 1988) in the wake of the Brixton riots confirmed a discriminatory pattern in the police's use of stop and search and identified the high incidence of black youths being targeted throughout inner cities. The highly detailed Policy Institute Investigation (*ibid*) illustrated that young black people tended to be stopped repeatedly and were three times more likely to come into contact with police officers than their white counterparts. Smith and Gray (1983) endeavoured to rationalise this over-representation of African Caribbean's being stopped,

suggesting that as black individuals appear to have a higher crime rate than other sections of the British population then officers may consider race an important indicator of criminality. The report noted that:

> 'Some aspects of policing behaviour seem to be clearly correlated with colour, though not necessarily racial prejudice. For example one criterion that police officers use for stopping people (especially in areas of relatively low ethnic concentration) is that they are black…In two senses this does not seem to be very closely related to racial prejudice on the part of the police. First, it is not only or mostly the officers who behave in this way. Secondly the chance of getting a 'result' from a stop may, in fact, be higher if black people are stopped…' (Smith and Gray: 1983: 110).

Undoubtedly the police use of a criminal stereotype does not adequately fulfil the criterion of reasonable suspicion, which in fact this study indicates does not even appear to be an important determinant in the officer's decision to stop and search. Thus it may be argued that this course of action illustrates a discriminatory police practice rather than the implementation of an informed generalisation by the police officer.

Abolition or a reformation of the (by then) outdated stop and search law appeared essential to help heal the growing divide between ethnic minorities and the British constabulary to combat police discrimination. However, although this power is undoubtedly a major cause of friction between ethnic minority communities and the police, abolition of such powers may have been considered unlikely. The use of stop and search is still well supported, for example, it potentially aids in the detection of crime, the arresting of offenders and is central to street policing. However, its effectiveness as a preventative tool has been in question (McLaughlin and Muncie: 2001).

4.2   The Introduction of PACE

Following public concerns about police discrimination and particularly the work of organisations, such as the 'Scrap Sus Campaign' (1979) the Police and Criminal Evidence Act 1984 (widely known as PACE) was introduced to regulate powers. This was the first legislation to properly consolidate what had been, to that time, a disparate range of powers in relation to the use of searches by police officers in Britain. It may be suggested that the implementation of new and supposedly improved stop and search powers along with appropriate safeguards under PACE came about as a direct response to the Royal Commission on Criminal Procedure (1981), which had recommended this, partly as a way of addressing both public and officer concern about the way in which searches were being carried out. The Scarman Inquiry, which addressed the riots which took place in English cities in the early 1980s endorsed these recommendations, recognising that the previous powers had contributed to the level of tension evident between police and minority ethnic communities. Reformation of this power was undoubtedly confirmed by Scarman's (1982: 176-177) concluding comment that 'The

state of law is, however, a mess, as the Royal Commission on Criminal Procedure has shown…'

The PACE powers allowed for searches to be carried out on the basis of 'reasonable suspicion', Police officers, also retained the right to carry out voluntary or non-statutory searches. As Bland, Miller and Quinton (Home Office: 2000) note, however:

> 'In practice this [PACE] was an extension of powers. The Royal Commission on Criminal Procedure recognised the need to balance this extension with safeguards to protect the public from random, arbitrary and discriminatory searches.'

A reworking of the law governing stop and search police powers was included in the Police and Criminal Evidence Act of 1984, which came into force on the 1st January 1986. This new legislation endeavoured to prevent harassment of members of the public by over-zealous police constables and in turn redress the imbalance in favour of the rights of the individual (Haley: 1989). As recommended, the concept of reasonable suspicion was retained under PACE 1984 with the supporting code of Practice A, endeavouring to provide a new guideline for officers that would offer a clearer objective test. The Code of Practice states that:

> 'Whether reasonable grounds for suspicion exist will depend on the circumstances in each case, but there must be some objective basis for it. An officer will need to consider the nature of the article suspected of being carried in the context of other factors such as the time and place and the behaviour concerned or those with him' (Home Office: 1991: 13).

Further guidelines aimed to limit the scope of misuse of stop and search powers by the police – through stereotyping and individual prejudice against particular 'types' of person – highlighting how:

> 'Reasonable suspicion can never be supported on the basis of personal factors alone without supporting intelligence or information. For example, a person's colour, age, hairstyle or manner of dress, or the fact that he is known to have a previous conviction for possession of an unlawful article, cannot be used alone or in combination with each as a sole basis on which to search that person. Nor may it be founded on the basis of stereotyped images of certain persons or groups as more likely to be committing offences' (Home Office: 1991: 14).

Alongside such guidelines, new safeguards required that officers, before searching an individual, must state both the aim of their search and their reason behind undertaking it. Also all searches carried out under PACE are to be recorded and monitored – including the purpose, grounds, date, time and place of the search, its outcome and self-defined

ethnicity of the person – and a copy of this report made available to the suspects (Home Office, 1999).

4.3 Post PACE: Effective Changes?

It is evident that the new safeguards introduced under PACE have failed to fulfil their goals of preventing the misuse of the concept of reasonable suspicion and the abuse of the stop and search power (McLaughlin and Muncie: 2001). Home Office research (Brown: 1997) suggests that one of the main difficulties with stop and search has been the extent to which the views of officers are, despite the guidance, influenced by inappropriate factors. Brown questions the extent to which suspicions are articulated in a way which allows suspects to give what he describes as 'informed consent'. As Bland, Miller and Quinton (Home Office, 2000) note:

> 'Research has pointed to the difficulty, in practice, of making a clear distinction between PACE searches and those involving consent. An early evaluation of the impact of PACE in one force highlighted confusion about the distinction at both policy and operational level. There was evidence that some officers used consent to avoid the requirements of PACE for reasonable suspicion and that public consent was often given when ignorant of the right to refuse' (Bottomley, et al., 1991)

Dixon (1997) identifies through his interview based study, that the supposed critical changes made to stop and search powers through PACE, have had little impact on the activities of the police. He notes that of those officers surveyed who had pre 1986 operational practice, 71 percent considered PACE to have not influenced or changed the way in which they performed stops. Thus Dixon (1997) concludes that PACE, and the accompany Code of Practice, have done little more than provide the police with what the Policy Institute calls 'presentational rules' which;

> '…put a gloss on policing behaviour so as to make it acceptable to the wider public…presentational rules…exist to give an acceptable appearance to the way that police work is carried out. It is important to realise that it is not only or mainly the police who seek to put this gloss on the reality of policing behaviour and interactions between the police and the public. Most of the presentational rules derive from the law and are part of a (successful) attempt by the wider society to deceive itself about the realities of policing.'
> (Smith and Gray: 1985: 441-2).

Much discussion of this subject, however, has failed to distinguish between stops as such and the searches which follow from these stops. Nor has sufficient account been taken of the marked differences in the extent to which different forces use their formal powers of

stop and search (MVA and Miller: 2000). For example, the Metropolitan police have always relied more heavily on these powers than any other force (Willis: 1983).

The most recent official condemnation of stop and search power has come from the Stephen Lawrence Inquiry (1999) which identified searches as a major cause of concern among minority ethnic communities.

> 'If there was one area of complaint which was universal it was the issue of 'stop and search'. Nobody in the minority ethnic communities believes that the complex arguments which are sometimes used to explain the figures as to stop and search are valid…It is not within our terms of reference to resolve the whole complex argument on this topic. Whilst there are other factors at play we are clear that the perception and experience of minority communities that discrimination is a major element in the stop and search problem is correct.' (Macpherson: 1999: 312).

In contradiction to the statement above, the Stephen Lawrence Report recommended (Recommendation 60) that:

> 'The powers of the police under current legislation are required for the prevention and detection of crime and should remain unchanged' (Macpherson: 1999: 333).

Stops and searches under anti-terror laws have risen dramatically since the London suicide bombings of 7th July. In 2001 there were there were 8,500 stops and searches under the Terrorism Act 2002 (Fraser: 2005). The following year, there were 21,500 and for the year 2003-04, there were 29,407 (ibid). As with the black community, the number of stop and searches are now higher than they have ever been. Table 1 (next-page) shows the number of stop and searches per 1,000 of the respective populations for 2001/02 and 2002/03.

Table 1
Total stops and searches under PACE per 1,000 of the population 2001/02 to 2002/03

Ethnic appearance	2001/02	2002/03
White	14	16
Black	67	92
Asian	20	27

Source: Home Office: 2003: *Statistics on Race and the Criminal Justice System*.

These figures disguise large variations in the use of the PACE power between different police forces. As can be seen, the per capita rate for white people has increased from 14 to 16 per 1,000, whereas the rate for black people has increased from 67 to 92 per 1,000 (Home Office: 2003). The Asian rate has gone up from 20 to 27 per 1,000; however, this is likely to be increasing dramatically since the 'war on terror'.

Disparate stop and search practices have significant consequences for police-community relations; they further alienate the affected communities, exacerbating historical trends. Ultimately, this has consequences for the ability of the police to do their job, as it fosters unwillingness to cooperate. Research suggests that disproportionate stops and searches of British minority ethnic groups contribute to their subsequent over-representation as arrestees, and as victims of police violence. Statistics reveal that an arrest is more likely to be forthcoming for black and Asian people who are stopped and searched than is that case for their white counterparts (Lowe: 2004).

Although Macpherson identified fundamental flaws in stop and search statute and racially biasness in police forces, nevertheless he concluded that such an authority was essential and should therefore be retained. As a result of Macpherson's recommendations, PACE Codes are now revised on annual basis. In addition, A stop and Search Action Team (SSAT) has been launched (July: 2004) with the aim of ensuring that the police use their stop and search powers fairly and as effectively as possible to prevent and detect crime. Specifically, SSAT aims to increase the confidence that BME communities have in the police.

It could be said that PACE is the single most significant landmark in the modern development of police powers (Reiner and Leigh: 1992). For historic reasons, PACE stop/and searches have important symbolic significance in the context of the 'race and crime' debate, although they are relatively insignificant in terms of the number of suspects they bring into the criminal justice process. The consequences of the abuse of stop and search powers are wide ranging. It undermines ethnic minorites' confidence in the police, their willingness to co-operate by providing information about crime, and to co-operate with other aspects of the criminal justice process (Bowling and Phillips: 2002; Hood: 1992).

It is evident that the development of stop and search police power has not been smooth. Since its codification in the mid-nineteenth century this command has been the subject of much criticism (Royal Common on Criminal Procedure: 1981; Scarman: 1982; Macpherson: 1999). The identification by the Royal Commission on Criminal Procedure, Lord Scarman and a number of research studies in the early 1980's that police prejudice and racially discriminated behaviour manifested itself in this power, provoked a benevolent reformation of statute. However, efforts to increase the objectivity of the loose concept that is reasonable suspicion appear to have failed.

Although PACE and the Codes of Practice have frequently been amended to give the police greater powers, there is still much opportunity for the police's racial bias to be transmitted through their decisions to stop and serch individuals. Therefore, it is

essential to keep PACE powers and procedures under close review to ensure that they fully reflect what is needed in a fast changing world, and that every opportunity is taken to simplify and rationalise wherever possible.

5.   Discrimination in Policing

As Bowling and Phillips note (2002), racism has been an enduring aspect of the demographic changes that have seen major influxes of minority groups in Britain. The extent to which such behaviour manifests itself in Britain's police force has also been the topic of much debate, most notably over the past thirty years (Institute of Race Relations: 1979; Scarman: 1982; Macpherson: 1999). The nature of police relationships and the policing of minority ethnic communities has been the subject of considerable attention, and no little controversy. However banal, it is essential that a review is conducted into the findings of both the Scarman report of 1981, and the more recent Macpherson report (1999). This will provide an understanding of the development of racial prejudice and discrimination in the force and the extent to which it currently permeates and influences police behaviour and policing practices towards BME communities.

5.1   Early Opinion:

Prior to the Scarman report and the preceding Macpherson report, black people in particular were often the predominant targeted group. The Institute of Race Relations (1979) in their report 'Police against Black People' identified that:

> 'Britain is moving towards two societies, one black, one white – separate and unequal, the police will have had no small part to play in that polarization.' (*ibid*. 1).

The report develops to highlight that police powers are being used to harass the black community and that this, augmented with police failure, and often refusal, to protect such sections of society from deviant elements appears to illustrate a service that is inherently racist.

The report concluded that the police and society as a whole need to move away from the stereotypical notion that the black man

> '…is a criminal, a wild man, emanating from the jungles of Africa via the Caribbean – mixed up with drums, voodoo and dark, dark rites…' (*ibid*. 2).

It is suggested that at present, development and changes of police powers and practices would not serve to protect society but instead put citizens '…at risk to the police' (*ibid* 3).

5.2   <u>From Scarman…</u>

Lord Scarman's report on the 1981 Brixton disorders is widely regarded of great importance in the development of policing practices. Scarman's inquiry was given added urgency by the rioting which flared again across the country in July of the same year. This was fundamentally about the police failure to handle riots, which resulted from oppressive policing, the collapse of consent and the failure of competence in dealing with conflict and public disorder. As Reiner (2000) identifies, it is central to much of the police reformation that was conducted throughout the 1980's. When considering changes in policing and discriminatory practices, Lord Scarman (1982: 11 para. 2.22), in his report concludes that:

> 'It was alleged by some of those who made representations to me that Britain is an institutionally racist society. If by that is meant that it is a society which knowingly, as a matter of policy, discriminates against black people, I reject the allegation'.

Scarman (1982: 64 para. 4.62) develops this argument to assert:

> 'The direction and policies of the…Police are not racist, I totally and unequivocally reject the attack made upon the integrity and impartiality of the senior direction of the force. The criticisms lie elsewhere – in errors of judgement, in a lack of imagination and flexibility, but not in deliberate bias or prejudice. The allegation that the police are the oppressive arm of a racist state not only displays a complete ignorance of the constitutional arrangements for controlling the police: it is an injustice to the senior officers of the force.'

However, Scarman did note that a few street officers may occasionally partake in racially discriminative behaviour, which he rationalised as a phenomena created through their struggle to combat the '…inexorably rising tide of street crime…' (Scarman: 1982: 64 para. 4.63). He stressed that;

> "racist prejudice and behaviour does occur and every instance of it has an immense impact on community attitudes and beliefs…It is therefore essential that every possible step be taken to prevent and to root out racially prejudiced attitudes in the police service" (1982: 64 para. 4.64).

As a result of his inquiry, Scarman concluded that the lack of consultation with community representatives prior to '*Swamp 81* was 'an error of judgement' (Scarman:

1982: para 4: 73) and that the whole operation was 'a serious mistake, given the tensions which had existed between the police and local community'. (1982: para.4: 76). Consequently, he recommended that concerted efforts be deployed to recruit more ethnic minorities within the police force, and allow for changes in training and law enforcement.

As Graves (1984: 69) identified, many considered Scarman's findings to have resulted from what he called a '…blinkered view'. Boateng (1984) suggests a more realistic statement would have highlighted that as racism is deeply rooted in many of Britain's individuals and institutions, it would therefore be unsurprising to find racial prejudice within policing practices and the police force.

5.3   …to Macpherson

The publication of the Macpherson Report in February 1999 into the murder and subsequent 'incompetent' police investigation of teenager Stephen Lawrence, heralded a new chapter in the political sphere of police failure in race relations. Although the damning report addressed a number of areas of police deficiency and inadequacy to include, professional incompetence and a failure of leadership by senior officers, the issue that attracted the majority of public concern, attention and debate was that;

> 'institutional racism…exists both in the Metropolitan Police Service and in other Police Services and other institutions countrywide.' (Macpherson: 1999: para. 6.39; cited in: Bridges: 2000: 304).

The report defined institutional racism as:

> 'The collective failure of an organisation to provide an appropriate and professional service to people because of their colour, culture, or ethnic origin. It can be seen or detected in processes, attitudes and prejudice which amount to discrimination through unwitting prejudice, ignorance, thoughtlessness and racist stereotyping which disadvantage minority ethnic people.'(Macpherson: 1999: para. 6.34)

The evidence submitted to the Inquiry painted a disturbing picture of the lack of confidence in the police, both from the public and among ethnic minority communities. The Inquiry concluded that incompetence alone could not account for police failures and it suggested that the very fact that the victim was black led directly to less competent behaviour on the part of the officers, in particular with regard to their actions at the scene of the crime, in connection with family liason, the treatment of Duwayne Brooks and in the use of inappropriate and offensive language.

Seventy recommndations were identified, many specifically aimed at introducing changes to policies and policing practices to enstil trust and confidence within ethnic communities. These amounted to, 'the most extensive programme of reform in the

history of the relationship beween the police and ethnic minority communities' (Bowling and Phillips: 2002: 16).

Moreover, as Bowling and Phillips note 'where Scarman was hesitant on the question of accountability, Macpherson was strident' (2002: 18). Since the Lawrence Inquiry had concluded that the failings of the police were systemic and the result of insufficient accoubtability, it recommended the introduction of lay oversight into all areas of police work, and the creation of a fully indepedant complaints system. Crucially, the Inquiry recommended bringing the police into the ambit of race relations law, a proposal that had been roundly rejected two decades earlier.

The report recommended improvements in the recording, investigation and prosection of racist incidents. In response, the Home Office producted a Code of Practice on Reporing and Recording Racist Incidents (April 2000) which applied to all statutory, voluntary and community groups, and the Association of Chief Police Officers (ACPO) drafted its own guidance, 'Identifying and Combating Hate Crimes' (2000), which is now used in all forces (Bowling and Phillips: 2003: 540). The Metropolitan Police Service (MPS) implemented a number of changes in addition to those recommendations, including the creation of a Racial and Violent Crimes Task Force and the establishment of community safety units (CSUs) in all boroughs across London (1999), with officers speficically trained to investigate 'hate crimes' (ibid). It is clear that there has been an increase in the willingness and ability of the police to record racist incidents and that these policies have has some impact on police practices.

The fact that the Metropolitan police were found guilty of being institutionally racist may be considered to have simply provided an 'official' stamp to a phenomenon many new already existed. Macpherson's efforts to confront such an important topic undoubtedly carried ramifications for the whole of British society, in contrast to a less authoritative Lord Scarman who opted to side step this issue. As Reiner (2000: 211) suggests the Macpherson report:

> '…has transformed the terms of the political debate about black people
> and criminal justice…which had not [previously] featured in public
> awareness and political debate was the disproportionate rate at which
> black people suffered as victims of crime…'.

As Walklate (1996) identifies, Macpherson's discovery has impacted on a great number of areas of the Criminal Justice System and will continue to do so for many years to come. However, there is no doubt that institutional racism is likely to have further soured relations between Britain's police forces and the majority of already distrusting ethnic minority groups.

5.4   Recruitment

Increasing the recruitment of ethnic minority police officers was on the agenda of the Home Office and senior police officers even before the Scarman Report. However,

noticeable changes occurred when Lord Scarman identified that there were so called *rotten apples* in the police service and even more so, when Macpherson concluded that institutional racism existed within working-organisations in Britain.

Having accepted Macpherson's findings of the existence of institutional racism within the Metropolitan Police the government responded with amendments to the Race relations Act 1976 (now 2000). In addition to the seventy recommendations, the Home Office published a ground breaking report entitled Dismantling Barriers (Home Office: 1999), which sets out targets for recruitment, retention and progression of both minority ethnic police officers and police support staff.

Currently, the number of police officers in England and Wales is in the region of 138,000 and while some seven percent of the general population is comprised of British minority ethnic citizens only three percent of the total in all the 43 police forces are minority ethnic officers. Mason (2003) reveals that;

> '…it is difficult to avoid the conclusion that, despite 35 years of 'race relations' legislation, discrimination continues to play a significant part in the labour market placement of minority ethnic groups.'

Practical efforts to encourage local people from ethnic minority backgrounds to join the police service, such as conducting target recruitment campaigns ("Could You?") have been implemented. However, these efforts are hindered by the fact that applicants will carefully consider their likely experiences of racism and discrimination as a minority within a traditional white and male dominated hierarchy (Wilson *et al*: 1984).

Despite the recent provisions and setting of targets within the police service, problems still remain in relation to the predominantly white working environment and macho culture (Macpherson: 1999; Waddington: 1999). For example, there is a great deal of up-to-date literature on the presence and impact of racism against Black police officers in Britain. Research found that officers from British minority ethnic communities felt that their racial status could never quite allow them to fully integrate into their professional status, as they were seen first as Black, or Asian, and then as police officers (Holdaway: 1996; Holdaway and Barron: 1997).

Once again the police service has been subject to intense scrutiny. The Commission for Racial Equality (CRE) conducted a formal investigation of the police service following the broadcast of a BBC documentary, '*The Secret Policeman*' (2004), which revealed inexcusable instances of anti-Asian racism within Manchester Police Service's training college. At the same time, a review of police disciplinary procedures was conducted (Bill Taylor), in addition to an inquiry into professional standards and employment matters in the Metropolitan Police Service (Sir Bill Morris)

The spur for these inquiries – and their findings – suggest that the progress which has been made since the Lawrence Inquiry has not been swift enough or sufficiently deep-rooted. Although the majority of Macpherson's recommendations have been implemented and considerable progress made, the impact of the recommendations has not yet revolutionised employment practices or police/public interactions.

5.5   Police Culture:

Much criminological and sociological research and theory studying the police (Kinsey and Young: 1982; Fielding: 1988; Holdaway: 1991; Reiner: 2000), supports the official finding that racism is inherent in many of the attitudes, processes and practices of the police.

The disturbing literature subsequent to the Stephen Lawrence Inquiry shows the persistence of a discriminatory culture, even in the light of concerted efforts to confront and reduce racism in response to the Report's recommendations.   Central to such literature is the much-lauded concept of 'Cop culture', which provides an understanding of police behaviour, self-perception and function (Reiner: 2000). As Kinsey and Young (1982) have identified, it may be suggested that racial bias is not simply an institutional problem that affects the police and several other agencies, but it is a cultural aberration that impinges on many levels of British society. Bayley
and Mendelsohn (1968) identify that the views of police officers represent the dominant attitudes of the majority of society towards the minority. Therefore, it may be considered that officers show no greater racial prejudice than the majority of society whom they endeavour to assert control over.

Holdaway (1996) identifies how increased police consciousness of the growth in importance of race as an issue has failed to ameliorate problems, instead strengthening the police's disdain for supposed pro-discriminatory practices and ossifying their tendency to hold racial prejudices. Continuing unabatedly, are the efforts to provide a force whose composition provides a representation of the general public it polices, and in turn improve the quality of community race relations. However, it is important to note that cultures vary between forces, shaped by differing patterns and problems of their environments.   Attempting to provide a workforce that reflects the diversity of contemporary society has resulted in ambiguities in entry requirements and promotions that has seen much resentment from the majority of (white) officers (Holdaway: 1991).

As Bowling (1996: citied in Panayi: 1996) identifies in 'The Emergence of Violent Racism as a Public Issue in Britain, 1945-81', racial prejudice and British history are increasingly intertwined.   The current political and media interest in terrorism, immigration and the intensifying of the racialised language deployed by politicians and journalists alike, (Howard: 2001; Webster: 2001) may be considered to have only exacerbated racial tensions in both general society and the police force. Yet it would be unfair to suggest that no attempt to eradicate institutional racism from within the organisation has been made. For example, John Grieve, Director of the Met's Racial and Violent Crimes Task Force, described how the Metropolitan police were making a concerted effort to meet all the recommendations made by the Stephen Lawrence Inquiry (Anon: 2000). Grieve emphasised how efforts were made to improve race relations with the training of family liaison officers and the implementation of specialist hate crime units, thus combating racially motivated crimes (Fitzgerald: 2001).

A recent Home Office report (Foster *et al*: 2005) provides insights into changes (or lack there of) in policing, in response to the Macpherson Inquiry. A very interesting paradox emerged from the findings of the report – in relation to racist language and bantering, not surprisingly, BME officers were sceptical of the depth of change in police culture. Foster notes the dilemma:

> 'Although the general excision of racist language from the police service is an important and marked change, it raises the question of the extent in which this is indicative of changes in the culture and practices of the police service more broadly' (2005: 38).

It may be argued, if not somewhat sceptically, that eradication of racism from within police forces it likely to be difficult, if not impossible, when such prejudice, discrimination and racial hatred appears in both the history and fabrics of British society (Panayi: 1996; Human Rights Watch: 1997). And as Ashworth (2000: 202) notes, '…unless there is an end to racial discrimination in society, it is likely to manifest itself in the criminal justice no less than elsewhere.'

There are many differences between the Scarman and Macpherson Inquiry, in terms of the incidents that gave rise to them, the speed with which they were called and their recommendations (Bowling: 1999). Lord Scarman's (1982) report, whilst identifying a number of areas of police deficiency and inadequacy, explicitly rejected 'institutional racism' as an explanation for the problems that has precipitated the Inquiry. He concluded that although racial bias may manifest itself in a few street officers, the '…Police are not racist…' (*ibid*. 64). A little over a decade, the Macpherson report contradicted the findings of Lord Scarman's account, instead memorably concluding that institutional racism exists in the majority of police forces in many of Britain's institutions. This conclusion aligns itself with the majority of studies and literature (Bayley and Mendelsohn: 1968; Kinsey and Young: 1982; Holdaway: 1991; 1996; Reiner: 2000) focusing on the police, which identify that racial prejudice exists in the attitudes and behaviour of the great majority of rank and file officers. At present there appears to be a general consensus that many of Britain's police officers hold racially prejudice views, which result in discriminatory practices, impinging upon their neutrality and impartiality as law enforces. Such racism within police officers, coupled with inadequate laws and changes in policing practices would suggest that there is much scope for abuse of this power. As a consequence, this may have led to a greater number of ethnic minority individuals being drawn into the criminal justice net as a result of police discrimination and less BME individuals wanting to join the police service.

6.   The Lawrence Legacy: early days yet?

In the years since the Stephen Lawrence Inquiry, the primary difficulty has been in assessing whether or not real changes have occurred within the police. Bourne (2001: 13) argues that 'the promise the report appeared to hold out is not being met', a view shared by Doreen Lawrence, the murdered teenage mother, who said that 'nothing has

changed' and that 'black people are still on the outside looking in' (The Observer: 24 February 2002).

6.1   Stephen Lawrence versus Anthony Walker

Ever since news of the death of Anthony Walker, inevitable comparisons with the murder of Stephen Lawrence have been made throughout the media and also by the mothers of both victims. It is therefore necessary to critically reflect (Holdaway: 1996) on these findings and assess whether police practices have changed.

Both men were eighteen year old black students killed in unprovoked racist attacks whilst waiting with friends at bus stops. Stephen was stabbed to death by a gang in Eltham, south east London in April 1993. Anthony was killed with an ice-axe in Huyton, Merseyside, twelve years later (July 2005). The day after her son's death, Anthony's mother Gee said:

> "This is on a level with the Stephen Lawrence case. My son was killed
> purely because of the colour of his skin. We cannot change our colour."

While an inquiry into the Metropolitan Police investigation into Stephen Lawrence's murder concluded the force was guilty of "institutional racism" and had made a catalogue of errors, Anthony Walker's family have nothing but praise for Merseyside Police. Mrs Walker said:

> "That was 13 years ago, when Stephen Lawrence was killed, and times
> have changed…The police's determination and efficiency in their
> investigation was there to see. We appreciated it… There are people
> waiting to go to court for something that happened 14 or 15 months ago,
> but here we are, four months later…"
> (cited in Allen: BBC News: 2005).

The contrast between the early stages of the police investigations into both murders could not have been more marked. The reluctance of officers to accept that Stephen's murder was racially motivated led to "lots of missed opportunities" in the investigation, "early on, there were massive opportunities if the police had acted quickly and believed Stephen's parents" (Bellos: 2005). However, in the case of Anthony, "police said, literally within hours, that the attack was racially motivated" (Mullard; cited in BBC News: 2005).

The National Black Police Association (NBPA) said forces had "moved a long way" since Stephen's death. "There have obviously been huge training and development changes around dealing with victims of hate crime especially with the family liaison side of things" (Powell: 2005; cited in Allen: BBC News: 2005).

When recently asked if the police were still institutionally racist, Doreen Lawrence pointed to the BBC documentary 'The Secret Policeman', which recorded Manchester

policeman using highly racist language, including derogatory comments about Stephen and her family:

> 'Sir Ian Blaire [the Metropolitan police commissioner] would tell you things are completely different,' she said. 'But he is not on the ground. He's involved in a PR exercise. I still believe that there's a lot of racism in the police force' (cited in Mathiason: The Guardian: 2005).

It could be argued that although significant changes have been established since Macpherson's recommendations to increase trust and confidence in policing amongst minority ethnic communities – "how many young people have to die before society sees and actually makes [these] changes?" (Doreen Lawrence: 2006; cited in: Shennan: Liverpool Echo: 2006).

6.2   <u>Overview</u>

Macpherson's recommendations, almost all of which were accepted by the government, amounted to the most extensive programme of reform in the history of the relationship between the police and ethnic minority communities. As critics like Bourne (2001) and Bridges (2001) point out, the government is attempting to eradicate racism with one hand, but entrenching it with the other. They argue that legislation such as the Immigration and Asylum Act 1999 and the Criminal Justice Bill 2002 will disproportionately affect ethnic minorities because of strongly engrained institutional racism (Bourne: 2002; Bridges: 2001). The Anti-Terrorism Act 2001 likewise is argued to be discriminatory, and is perceived to be enduring many basic rights on the grounds of national security (McLaughlin and Murji: 1999: 382).

Of these, the most important legislative change was the Race Relations (Amendment) Act 2000 which applies the Race Relations Act 1976 to public authorities including the police, who had hitherto been exempt. In principle this represents a very significant step forward because it makes unlawful both direct and indirect discrimination in the provision of police services and in the use of cohesive powers (Mirza: 2003: cited in Manson: 2003). All forces have now appointed Diversity Champions. These are chief officers who have overall responsibility for promoting good practice in race and diversity issues as well as ensuring that the necessary support and resources are in place to implement race and diversity policies. This is a move that was welcomed by the Commission for Racial Equality (CRE) in their recent report into the police service (Home Office: 2004).

The government has recently published the police reform White Paper, 'Building Communities, Beating Crime' (2004), which marks the second stage in a sustained programme of police reform to enable the police service to better meet the challenges of the twenty-first century. In addition, the Home Secretary has used his statutory powers under section 36A of the Police Act 1996 (as inserted by the Police Reform Act 2002, section 1) to set strategic priorities for the police. One of the priorities set out in the

National Policing Plan 2005-08 takes into account confidence in policing amongst minority ethnic communities, aiming to:

> 'Provide a citizen focussed police service which responds to the needs of individuals, especially victims and witnesses, and inspires public confidence in the police, particularly among minority ethnic communities' (Sixth Annual Progress Report: 2005: 21).

There can be little doubt that the Lawrence Inquiry was an important element in bringing about change. The Inquiry focused many of its recommendations on discrete areas of reform such as improving relationships with British minority ethnic communities, training and introducing a new definition for racist incidents. However, though centrally concerned with institutional racism, it did not include in its recommendations any details on *how this* might be tackled. Of course, this was not necessarily the responsibility of the Lawrence Inquiry and it may reasonably have been assumed that police forces would begin by examining their practices and the ways in which they might wittingly or unwittingly disadvantage minority ethnic groups. However, in practice it appears many forces concentrated their reforms on areas where they were explicit and clear recommendations and, more particularly, where structural changes might be made (Foster *et al*: 2005).

Research (*ibid*) has identified that there is a strong sense among minority officers that changes in the general climate of policing were largely 'cosmetic'. Although considerable efforts had been by many police forces (if not most), in relation to BME communities, there are still continuing problems connected with routine police working practices and styles of service delivery (Sixth Annual Progress Report: 2005). These largely stemmed from a failure to understand the ways policing is perceived and received in different communities, and, more particularly to understand the principle of 'policing according to need' (Foster *et al*: 2005).

It therefore appears that, although the term 'institutional racism' was the single most powerful message that officers received from the Lawrence Inquiry, it did not prompt forces to consider very fully the collective and systemic aspects of discrimination which the term was trying to capture. There are a number of potential reasons for this. In part, it is likely to have resulted from the fact that individual acts and instances of racist behaviour are easier to understand and address than more intangible and embedded aspects of police practice (*ibid*). It is also possible that the term 'institutional racism' may itself have acted in some respects as a barrier to change (ibid).

7.   Conclusions and Future Concerns

In common with experiences in many parts of the world, the relationship between the British police and ethnic minority communities has not been a happy one (Bowling and Phillips: 2002).   Britain has often been defined as a racist society (Panayi: 1996; Macpherson: 1999).   As Macpherson identifies, racism is embedded in '…institutions countrywide' (1999: para 6.39).

Due to the fact that the police are the guardians of liberty and the gatekeepers of the criminal process, discriminatory policing has the effect of criminalising entire communities and denying them justice. Todays' controversy about the abuse of police power, the failure to investigate crimes against people from ethnic minority communities properly and the view that the police are unresponsive and unaccountable to the communities they serve, echoes a long and troubled history (Cohen: 1972; Fryer: 1984; Panayi: 1996; Solomos: 2003). This is not to say that nothing has changed.

Clearly the Scarman (1981) and Macpherson Inquiry (1999) are landmark elements that have made changes with regard to improvements in policing in the past few decades, particularly in relation to the black community. However, whether the police have learnt lessons regarding the past and improved their relationship with BME communities is open to debate.   On the contrary, the face of the British police service has changed radically by the recruitment of police officers from ethnic minority communities (Mason: 2003). Subsequently, racism is less overt. There have been a number of attempts to reform policing through legal changes and attempts to transform police culture and restructuring systems of accountability (Chan: 1997). Nonetheless, discrimination, xenophobia and intolerance persist in the British police.

Much of the literature reviewed (Bayley and Mendelsohn: 1968; Kinsey and Young: 1982; Holdaway: 1996; Reiner: 2000) has suggested that such racist attitudes are carried into the occupational culture of rank and file police officers through the employment of primarily the white working class. Yet despite evidence (Anon: 2000; Fitzgerald: 2001) illustrating that the police are making a considerable effort to eradicate racial bias, as such prejudice appears entrenched in British society, police management of, let alone complete removal, may be considered unlikely. Thus racism is likely to continue to colour the '…process, attitudes and prejudice…' (Macpherson: 1999: para 6.34) of police and therefore continue to '…disadvantage minority ethnic people' (*ibid*).

The power of stop and search has suffered much condemnation since its conception. Reform of this law following the race riots of 1981 has done little to stem this flow of criticism. However, whilst key documents (Royal Commission on Criminal Procedure: 1981; Scarman: 1982; Macpherson: 1999) have continuously highlighted areas of inadequacy and deficiency, they have still deemed the power an essential police tool that must not be abolished. Yet stop and search legistlation under PACE is undoubtedly ad hoc and rather piecemeal. The guidelines governing the notoriously loose concept of reasonable suspicion do not prove an adequate objective test for officers (MVA and

Miller: 2000). As a consequence, the power is open to considerable abuse, particularly in relation to BME communities.

It is clear that members of the police force hold racist views (Macpherson: 1999). This may provide officers with a motive to abuse their position if they so wish. Statute governing stop and search is also wholly inadequate and provides occasion for frequent misuse. The combination of these two elements would suggest that police racial prejudice has the opportunity – and is likely to – manifest itself in stop and search practices.

In recent years, the British police have drifted further towards a 'military model' of policing that emphasises crime fighting, the pursuit of 'enemies within' and adopts practices such as stop and search 'swamps', surveillance and proactive intelligence gathering (Bowling and Foster: 2002). It is perhaps understandable that police commanders and politicians fearing the 'soft on crime label' would opt for this approach in the fact of stubbornly high rates of crime and violence. However, this shift to a 'law and order society' is likely to be both counterproductive and undermine fundamental human rights (Bowling and Phillips: 2002). Paramilitary policing is part of a vicious circle that contributes to the criminalisation of marginalised communities and undermines not only the 'confidence and trust' in the police but also the legitimacy of the state itself (*ibid*).

This dissertation concludes, therefore, with a mixed message. There have been some substantial changes in policing over the years, not least the general excision of racist language, together with other positive developments in relation to the reporting, recording and investigation of hate crimes, murder investigation, family liaison and community consultation. However, there remain a number of very important caveats to this picture. First, the positive developments noted here are not uniformly visible across police forces. Second, forces – perhaps understandably – have tended to focus attention on those changes that are most obviously identifiable and, possibly, achievable. Finally, as has been outlined in some detail, the greatest continuing difficulty is understanding the nature of, and designing responses to, the problem of 'institutional racism' and that, despite intentions, certain groups may receive an inappropriate or inadequate service because of their colour, culture or ethnic origin.

Undoubtedly racial prejudice from the police or at any stage of the Criminal Justice System is unacceptable. Providing a police service in which all sections of our multi-ethnic and multi-cultural society can have trust and confidence is not peripheral to policing – it is the core task of policing. It is crucial that the police service is internally democratic, reflects the demography of the communities served and is accountable to them. The challenge for the future is to envision effective ways of reducing crime and disorder and ensure that policing and its practices are free from discrimination.

References

Alexander, C. (2000) *The Asian Gang: Ethnicity, Identity, Masculinity*. Oxford: Berg.

Allen, L. (2005) BBC News (online) *Crucial Lessons on Race and Policing*: Available at: http://news.bbc.co.uk/1/hi/uk/4739521.stm Accessed: 2nd March 2007.

Ashworth, K. (2000): "Responsibilities, Rights and Restorative Justice" *British Journal of Criminology* 42(3) 578-595: Available at: [*http://bjc.oupjournals.org/cgi/reprint/42/3/578.pdf* Accessed: 2nd March 2007.

Barron, T. (1997). *The Special Constable's Manual*. 2nd ed. London: Police Review Publishing.

Bayley, D. and Mendelsohn, H. (1968) *Minorities and the Police*. New York: Free Press.

Bell, J. (2005) *Doing Your Research Project:* Forth Edition:

Black Police Association (1997) *Annual Report*: *1996-97:* London

Bland, N., Miller, J. and Quinton, P. (2000) *Upping the PACE? An evaluation of the recommendations of the Stephen Lawrence Inquiry on stops and searches*. Police Research Series Paper 128. London: Home Office Policing and Reducing Crime Unit.

Bottomley, A., Coleman, C., Dixon, D., Gill, M., and Wall, D. (1991) *The Impact of P.A.C.E.: Policing in a Northern Force*; Hull University Press: Hull.

Bourne, J. (2001) 'The life and times of institutional racism', *Race and Class*, 43(2): 7-22.

Bowling, B. (1999) *Violent Racism: Victimisation, Policing and Social Context*, Revised (ed): Oxford: Oxford University Press.

Bowling, B. and Phillips, C. (2002) *Racism, Crime and Justice*, Harlow: Longman.

Bowling, B. and Foster, J. (2002) 'Policing and the Police', in M. Maguire, R. Morgan, and R. Reiner, The Oxford Handbook of Criminology (3rd edition), Oxford- Oxford University Press.

Bridges, L. (1982) 'Racial Attacks,' *Legal Action Group Bulletin*: January.

Bridges, L. (2000) *'The Lawrence Inquiry – Incompetence, Corruption and Institutional Racism'*, Journal of Law and Society, 26, 3, September, 289 – 322.

Brodgen, M., Jefferson, T. and Walklate, S. (1988) *Introducing Policework*: London: Unwin.

Brown, D. (1997) *PACE Ten Years On: A Review of the Research*, Home Office Research Study 155; Home Office Research and Statistics Directorate. London: Home Office.

Bryman, A. (2004) *Social Research Methods*. London: Oxford University Press.

Bucke, T. and Brown, D. (1997) *In Police Custody: Police Powers and Suspects' Rights Under the Revised PACE Codes of Practice*. Home Office Research Study 174. London: Home Office.

Cabinet Office (2003) *Ethnic Minorities and the Labour Market: Final Report.* London: Cabinet Office.

Cashmore, E, and McLaughlin, E (1991) *Out of Order? Policing Black People,* London: Routledge.

Census (2001) *Census 2001: The most comprehensive survey of the UK population.* (online) Available at: http://www.statistics.gov.uk/census2001/default.asp; Accessed: 26th February 2007.

Champan, S. and McNeill, P. (2005) *Research Methods.3rd edition.* London: Routledge.

Chan, J. (1997) *Changing Police Culture: Policing In A Multicultural Society*: Cambridge: Cambridge University Press

Cohen, S. (1972) *Folk Devils and Moral Panics: The Creation of Mods and Rockers*: London: MacGibbon and Kee.

Combs, C.C. (1997) *Terrorism in the Twenty-First Century,* New Jersey: East End Publishing

Commission for Racial Equality (CRE) (2004) *A Formal Investigation of the Police Service of England and Wales: Interim report.* London: CRE.

Curtis, P. (1968) *Anglo-Saxons and Celts*: Connecticut: University of Bridgeport.

Dixon, D. (1997) *Law in Policing - Legal Regulation and Police Practices*, Oxford - Oxford University Press

Du Bois, W.E.B (1989) *The Souls of Black Folk*: Harmondsworth: Penguin Books.

Elliot, C. and Frances, Q. (2002) *English Legal System*, forth edition: London: Pearson Education.

Fitzgerald, M. (1993) *Ethnic Minorities in the Criminal Justice System*. Home Office Research and Statistics Department. Research Study No. 20. London: HMSO.

Fitzgerald, M. and Sibbitt, R. (1997) *Ethnic monitoring in police forces: A beginning*. Home Office Research Study 173. London: Home Office.

Foster, J., Newburn, T. and Souhami, A. (2005). *Assessing the Impact of the Stephen Lawrence Inquiry*. London: Home Office.

Fraser, C. (2005) (online) *Are police misusing stop-and-search?* BBC News: Available at: http://news.bbc.co.uk/2/hi/uk_news/4365572.stm Accessed: 15th March 2007.

Fryer, P. (1984) *Staying Power: The history of Black People in Britain*: London: Pluto.

Geoffrey, P. (1983) *Hooligan, a history of respectable fears.* London: Macmillan.

Gilroy, P. (1987) *There Ain't No Black in the Union Jack*. London: Hutchinson.

Gordon, P. (1983) *White Law: Racism in the Police, Courts and Prisons*. London: Pluto.

Greaf, R. (1989) *Talking Blues: The Police in Their Own Words*: London: Collins Harvill.

Greaves, A. and Pickover, D. (1984) *Police and Criminal Evidence Act, 1984*: London: Police Review.

Hall, S., Critcher, C., Jefferson, T., Clarke, J., and Roberts, B. (1978) *Policing the Crisis: Mugging, the State and Law and Order*: London: Macmillan.

Hall, S., Lewis, G., and McLaughlin, E. (1998) *The Report on Racial Stereotyping* (prepared for Deighton Guedalla, solicitors for Duwayne Brooks: June 1998). Milton Keynes: Open University.

Her Majesty's Inspectorate of Constabulary (HMIC) (1997) *Winning the Race: Policing Plural Communities*; HMIC Thematic Inspection Report on Police Community and Race Relations 1996/7; London: Home Office.

Her Majesty's Inspectorate of Constabulary (2000) *Winning the Race: Embracing Diversity. Consolidation Inspection of Police Community and Race Relations* 2000. London: Home Office.

Holdaway, S. (1996) *The racialisation of British Policing*: Basingstoke: Macmillan.

Holdaway, S. (1999) Statement to The Stephen Lawrence Inquiry, in *The Stephen Lawrence Inquiry*. Report an Inquiry by Sir William Macpherson of Cluny, CM 4262-1. London: HMSO.

Holdaway, S. (2003) *'Ethnicity, crime, and policing'* in Martin Holborn (ed.), 'Developments in Sociology', Causeway Press, pp 15-29

Holdaway, S. and Barron, A. (1999) *Resigners? The Experience of Black and Asian Police Officers.* Basingstoke: Macmillan.

Holmes, C. (1988) *John Bull's Island: Immigration and British Society, 1871-1971.* London: Macmillan.

Home Office (1981) *Racial Attacks.* London: Home Office.

Home Office (1984) *Police and Criminal Evidence Act 1984 (s.66) Code of Practice (A) on Stop and Search*, London: Home Office.

Home Office (1999a) *Stephen Lawrence Inquiry; Home Secretary's Action Plan*. London: Home Office Communication Directorate.

Home Office (1999b). *Dismantling Barriers*. London: Home Office.

Home Office (2000) *Statistics on Race and Criminal Justice System 2000*, A Home Office publication under section 95 of the Criminal Justice Act 1991. London: Home Office.

Home Office (2001) *Race Relations (Amendment) Act 2000: New Laws for a Successful Multi-Racial Britain. Proposals for Implementation.* Home Office.

Home Office (2002) Police & Criminal Evidence Act 1984 – Code A: Code of Practice for the exercise by police officers of statutory powers of stop and search and recording of police/public encounters

Home Office (2003) *Statistics on Race and the Criminal Justice System*: A Home Office publication under Section 95 of the Criminal Justice Act 1991, London: Home Office.

Home Office (2004). *Race and the Criminal Justice System: An Overview to the Complete Statistics 2002-2003*. London: Home Office.

Hood, R. (1992) *Race and Sentencing*. Oxford: Clarendon Press.

Howe, D. (1988) *From Bobby to Babylon: Black and the British Police*: London: Race Today Publications.

Howard, D. (2001) *Coloring the Nation: race and ethnicity in the Dominican Republic*, Lynne Rienner: Boulder.

Human Rights Watch (1997) Human Rights Watch World Report: Seven Stories Press U.S.

Hunte, J. (1966) *Nigger Hunting in England?* London: West Indian Standing Conference.

Institute of Race Relations (1979) *Police against Black People: Evidence Submitted to Royal Commission on Criminal Procedure,* London: Institute of Race Relations.

Institute of Race Relations (2005) *Annual Report*. Available online: www.irr.org.uk

Johnston, L. (2001) *Policing Britain*. Harlow: Longman.

Jupp, V., Davies. P., and Francis, P. (ed.) (2000) *Doing Criminological Research,* London: Sage Publications Ltd.

Keith, M. (1993) *Race, Riots and Policing: Law and Disorder in a Multi-Racist Society*. London: UCL Press

Kleg, M. (1993) *Hate, Prejudice and Racism*: Albany: State University of New York Press.

Kundnani, A. (2004) *'Analysis: the war on terror leads to racial profiling'*: Institute of Race Relations News (online)
Available at www.irr.org.uk/2004/july/ak000006.html Accessed: 17th February 2007.

Lawrence Steering Group (2005) *Sixth Annual Report*: Home Office.

Lunn, K. (ed.) (1980) *Hosts, Immigrants and Minorities*: Folkestone: Dawson.

Lupton, R., and Power, A. (2004) *Minority Ethnic Groups in Britain*: Case Brookings: Census Briefings: Number 2: London: Economic and Social Research Council.

Macdonald, K. and Tipton, C. (1993) 'Using documents', citied in Gilbert, N. (ed.) (1993) *Researching Social Life*: London: Sage Publications Ltd.

Macpherson, W. (1999) *The Stephen Lawrence Inquiry, Report of an Inquiry by Sir William Macpherson of Cluny.* Cm 4262-1. London: Stationary Office.

Mason, D (2003). Changing patterns of ethnic disadvantage in employment. In Mason, D (2003) (ed.) Explaining Ethnic Differences: Changing patterns of disadvantage in Britain. Bristol: Policy Press.

Mathiason, N. (2005) Guardian Unlimited (online) *Mother hits out at police*: Available at: http://www.guardian.co.uk/lawrence/Story/0,,1593279,00.html Accessed: 3rd March 2007.

McConville, M. and Shepherd, D. (1992) *Watching Police Watching Communities*. London: Routledge.

McLaughlin, E. and Muncie, J. (2001) *Controlling Crime*: London: Sage Publications.

Miles, R. and Phizacklea, A. (1984) *White Man's Country*: London: Pluto.

Miles, R. (1989) *Racism*. London: Routledge.

Miller, J., Quinton, P. and Bland, N. (2000) *Police Stops and Searches: Lessons from a Programme of Research*. Police Research Series Briefing Note. London: Home Office.

Mirza, S. (2003) 'All the women are white, all the blacks are men – but some of us are brave': mapping the consequences of invisibility for black and minority ethnic women in Britain. In Mason, D (2003) (ed.) Explaining Ethnic Differences: Changing patterns of disadvantage in Britain. Bristol. Policy Press.

Muncie, J. and McLaughlin, E. (2001) *Crime Order and Control: The Problem of Crime.* London: Sage.

MVA and Miller, J. (2002) *Profiling Populations Available for Stops and Searches. Police Research Series Paper* 131. London: Home Office.

NACRO (1997) *Policing Local Communities: The Tottenham Experiment*. London: NACRO.

Newburn, T. and S. Hayman, (2001) *Policing, Surveillance and Social Control: CCTV and police monitoring of suspects*. Cullompton: Willan.

Newburn, T. (2003) Crime and Criminal Justice Policy, 2nd Edition, Harlow- Longman

Noaks, L. and Wincup, E. (2004) *Criminological Research: Understanding Qualitative Methods,* London: Sage Publications Ltd.

Norris, C., Fielding, N., Kemp, C. and Fielding, J. (1992) '*Black and Blue: an analysis of the influence of race on being stopped by the police*', British Journal of Sociology, 43(2): 207-23.

Panayi, P (eds.) (1996) *Racial Violence in Britain in the Nineteenth and Twentieth Centuries*: London: Leicester University Press.

Quraishi, M. (2005) *Muslims And Crime: A Comparative Study*, Hampshire: Ashgate Publishing

Reiner, R. (1991) *Chief Constables*: Oxford: Oxford University Press.

Reiner, R. (2000) *The Politics of the Police,* London: Harvester Wheatsheaf.

Rowe, M. (2004). *Policing, Race and Racism*. Devon UK: Willan.

Royal Commission on Criminal Procedure (1981) *The Investigation and Prosecution of Criminal Offences in England and Wales: Law and Procedure*, Chairman, Sir Cyril Philips. Report. Cmnd 8092. London: Home Office.

Sanders, A., and Young, R. (2003) 'Police Powers', in T. Newburn (ed) Handbook of Policing: Cullompton: Willan.
Scarman, L. (1981) *The Scarman Report,* London: HMSO.

Scarman, L. (1983) *The Scarman Report: the Brixton disorders of 10-12 April 1981*, London: Penguin.

Scrap Sus Campaign (1979) 'A Fair Deal for All: Evidence and Recommendations to the Royal Commission on Criminal Procedure', London: *Scrap Sus Campaign*: Steering Committee.

Shennan, P. (2006) Liverpool Echo (online) *Voices of peace in the face of hatred*: Available at: http://icliverpool.icnetwork.co.uk/liverpoolecho/news/walker Accessed: 2nd March 2007.

Sivanandan, A. (1982) *A Different Hunger: Writings on Black Resistance*: London: Pluto.

Smith, D.J. and Gray, J. (1983) *'The Police in Action'* (Police and People in London Vol.4) London: Policy Studies Institute.

Smith, D.J. and Gray, J. (1985) *People and Police in London*: London: Gower.

Solomos, J. (2003) *Race and Racism in Britain*: 3rd edition: Hampshire: Palgrave Macmillan.

Spencer, A. and Hough, M. (2000) *Policing Diversity: Lessons from Lambeth;* Policing and Reducing Crime Unit Paper 121. London: Home Office.

Stone, V. and Tuffin, R. (2000). *Attitudes of People from Minority Ethnic Communities Towards a Career in the Police Service*. London: Home Office.

Vertovec, S. (2006) *The Emergence of Super-Diversity in Britain:* Centre on Migration, Policy and Society. Working Paper No 25: Oxford: Compas.

Waddington, P. (1999) Police (Canteen) Sub -Culture - An Appreciation', British Journal of Criminology, 39(2) - 286 -308.

Webster, G. (2001) *9/11 Synthetic Terror*: Made in USA: 3rd edition: Tree of Life Publications.

Whyte, D. (2000) 'Researching the powerful: Towards a political economy of methods?' in King, R.D. and Wincup, E. (eds) *Doing Research on Crime and Justice*. Oxford: Oxford University Press: 419-428.

Willis, C. (1983) *The Use, Effectiveness and Impact of Police Stop and Search Powers.* RPUP 15. London: Home Office.

Young, K. and Connelly, N. (1981) *Policy and Practice in the Multi-Racial* City: PSI**.**