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Police Encounters

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Police Encounters

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Police Encounters

Waddington (1999) argued that police officers define key aspects of what it is to be a citizen. Those most subject to police attention experience citizenship differently to those for whom police encounters are a rare event. These encounters, and in particular those stop and search/frisk interactions initiated by police officers, have been studied in detail in the US (for example: Epp *et al.*, 2014; White and Fradella, 2016; Ross, 2020) and in England and Wales (for example: Miller *et al.*, 2001; Quinton, 2011; Bradford, 2017). At the heart of the interest has been the use of policing powers disproportionately against black and minority communities, and particularly young men. Similar attention has emerged more recently in Scotland (Murray, 2014), Northern Ireland (Bradford and Topping, 2020) and beyond the English speaking world (Delsol and Shiner, 2015; Oberwittler and Roché, 2018; de Maillard *et al.*, 2018). However, in many countries, the issue is not one that has prompted sustained interest.

The papers in this Special Issue have emerged from an EU COST-funded Action on Police Stops (Police Stops, 2022). Our aim has been to raise the use of powers to stop citizens, to check their identity and, in some circumstances, to conduct a search as an issue of academic and public concern. We have sought to understand, in countries beyond the US and the UK, how these powers are experienced, how policing practitioners are held accountable and the politics surrounding the use of these powers. This Special Issue reflects our additional concern to understand how police officers themselves understand and use their power to stop citizens.

Historically, understanding the ways police make judgements and apply the law has been explored through ethnographic work, principally in the US and the UK (Bittner, 1967; Cain, 1973; Holdaway, 1983; Manning and van Maanen, 1978). Ethnography is a powerful tool in the study of policing, albeit one that can be difficult to implement due to the heavy demands it can place on time and resources for the researcher, as well as the intricacies of negotiating access to active police practitioners. Once these obstacles are overcome, however, police ethnographies can reveal rich data on the nuances of face-to-face encounters with members of the public. Statistical assessments of the number of searches conducted and the demographics of those searched are important, though these are not routinely available beyond England, Wales and Scotland. These assessments reveal the disproportionate use of powers, particularly on young Black men (e.g. Home Office, 2021). What these data cannot reveal are the context in which an encounter takes place. How does an officer decide to stop a person? What is it that arouses suspicion? How does an interaction develop? What are the words exchanged, the facial expressions, the body language and the tone of voice? These, among other observations, are also powerful data to deepen our understanding of what 'stops' mean in a particular jurisdiction and to the people involved. These insights can be employed to seek a better and more equitable use of the power, taking into account local context and social relationships.

Overview of Special Issue

The papers included in this Special Issue are rich accounts of policing and police stops. They concern police encounters in Belgium, Germany, Italy, India, Australia and New Zealand, offering the

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3 potential for fresh ethnographic perspectives from beyond the UK and US. They consider: processes
4 by which 'suspicion' is determined (which may be grounds for a stop); the role that stereotyping
5 plays in these suspicions; the 'norms' of police street encounters; considerations of context and
6 space at both individual, institutional and national levels; and how internal frameworks in policing
7 can either enable problematic behaviour or actively discourage community-focused methods. We
8 will consider each of these papers and their contribution to this area in more detail below.
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11 Research by Saudelli et al. explore the process by which police officers in Belgium develop sufficient
12 'suspicion' to stop a member of the public. Through extensive ethnographic work and interviews,
13 they found that while there are a variety of factors at play in this decision, the role of occupational
14 culture cannot be dismissed. Stereotypes in relation to ethnicity, gender and clothing are used to
15 decide if a person does not fit the 'norm' and should therefore be stopped. Some of these
16 stereotypes stem from an individual's own life experience and some from the professional culture of
17 their department which sets certain expectations and images of what is and is not 'normal'.
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21 The outcome of the unequal nature of power relations in police stops in Germany is the focus of the
22 paper from Aden et al. Continuing the theme of the origins and expressions of stereotypes in street
23 policing, they highlight the prominence of personal experiences and attitudes over that of police
24 training in these encounters. Despite a relatively well-developed legal framework, officers exercise
25 discretion in ways that appear unhindered by those laws. The paper considers the 'micro-politics' of
26 stops and how these are expressed in methods of communication and the assumptions made about
27 the person being stopped. This therefore scope for discriminatory practices and substantial
28 variability from one officer to another.
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32 In a similar vein to Saudelli et al., the process by which officers conclude that a person or a situation
33 is 'suspicious' is also the focus of the paper from Hendy who reports on ethnographic research in
34 New Zealand and Australia. Hendy's particular concern is the process by which suspicion is decided
35 prior to *informal* 'stop and chat' encounters, rather than prior to formal police stops. Hendy found
36 that officers will make a judgement based on the measure of perceived harm, the legality of the
37 behaviour and whether it is socially acceptable before deciding to initiate an encounter, a process
38 labelled 'suspicioning'. Unlike other research, there was not as much evidence in Hendy's research
39 regarding bias on grounds of ethnicity, although other social groupings did seem to attract
40 disproportionate attention (such as 'students' or 'revellers'). These would be specific to the local
41 context.
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45 The topics of ethnicity and context are brought together in Brauer et al., which examines the role
46 that space plays in policing urban areas in Germany, both in terms of institutional perceptions of
47 urban space and in terms of how these influence the work of individual police officers. Brauer
48 examines the social processes, including gender and ethnicity, that are involved in the institutional
49 constructions of space, and which influence police systems of inclusion and exclusion in these
50 spaces. These processes of 'doing space' while 'doing ethnicity and gender' allow for differentiated
51 yet legitimised police practices in the distribution of security measures in diverse communities.
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55 The importance of considering the broader context of police and citizen encounters is highlighted at
56 a more macro-level by Varghese (2022) through research conducted in India. As a postcolonial state,
57 the nature of street-level interactions here cannot be assumed to be similar to those in an
58 Anglophone world because of difference in political and institutional systems as well as different
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3 accountability structures. For Varghese, these create a particular frame for police-citizen encounters
4 that mean legal procedures are enacted selectively and with little risk of accountability for the
5 police. This is also evident at a local scale through the ethnographic data taken from two different
6 police regions which show further diversification in their relationships with local publics.
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9 The last two papers in the Special Issue have a particular focus on these internal policing
10 frameworks, but in these cases, one is particularly enabling of police brutality whereas the other is
11 disabling of engagement-based policing. Firstly, in the paper by Scalia, there is a detailed analysis of
12 the circumstances and subsequent trial surrounding the death of Riccardo Magherini in 2014 after
13 being stopped by the Corpo dei Carabinieri in Italy. The way in which the police agents involved
14 make sense of the case is a particular focus. Magherini died of asphyxiation during the stop and the
15 police account of the event differed from that of video footage taken by a bystander. The case has
16 been taken to the European Court of Human Rights. Scalia argues that the police felt they were
17 justified in their treatment of Magherini because he fitted their stereotype as a member of the
18 'dangerous classes' from whom others needed to be protected. In addition, and as the military
19 branch of the Italian police, the officers felt entitled to use force considering Magherini's perceived
20 law-breaking. Scalia highlights the role of *police knowledge* in this sense-making process, which is
21 guided more by occupational culture than by formal procedure. Scallia also uses a particular
22 approach, examining witness statements and other evidence as sources for an ethnographic analysis
23 inspired also in part by a micro-historical approach (Sullivan, 2012; Darnton, 1984).
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29 In relation to the internal disabling of engagement-based policing, action research conducted by Van
30 Praet in Belgium found an important connection between internal organisational justice within the
31 police organisation and the use of procedural justice methods when on patrol. She reports that
32 officers who did not feel supported by their managers to do community policing work or who were
33 not allocated time to reflect on their practice were more likely to execute their tasks quickly. These
34 officers felt that they were under pressure to appease the caller, to have 'satisfied customers' rather
35 than to seek the best possible outcome in a particular situation. This led to frequent use of formal
36 police stops rather than a less formal engagement with the member of the public to fully understand
37 the context of a situation.
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43 **Conclusion**

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45 Beyond the central theme of the Special Issue, the papers make for interesting reading. They open
46 up the world of policing in different jurisdictions to reveal much that is familiar across them. Those
47 who have observed officers will recognise the 'police radar' that Saudelli et al. discuss. How is it that
48 officers can spot a false car licence plate at a distance or that an ATM has been tampered with? To
49 the ethnographic observer, these levels of acuity are to be admired. What is it about the microscopic
50 detail in a scene that draws attention? For all the crude stereotypes to be found in the decisions to
51 stop some citizens, there is a sophistication to other aspects of policing.
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54 However, the detailed observations reported in this Special Issue raise some further and deeper
55 questions, ones we can only point to in this editorial. As ethnographers of policing, the detail in
56 these seven papers is recognizable across jurisdictions. That is not to dismiss this evidence as merely
57 repeating and echoing the existing and largely Anglophone ethnographic studies. These texts add
58 detail and nuance, bringing different lenses to the scrutiny of familiar practices. Instead, the point is
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3 that the practice of police stops appears to be a universal feature of contemporary policing. In one
4 sense, that is to be expected. We would expect officers, who see something they believe to be
5 wrong, to be able to intervene to prevent harm or criminality. What constitutes evidence for such
6 beliefs, however, appears also to be broadly familiar across jurisdictions. Despite the different legal
7 codes governing stops in Belgium, Germany, India, Australia, New Zealand and Italy, we recognise
8 policing we have observed elsewhere. This raises further questions. If the law appears to play only a
9 limited role in directing and constraining police stops, what other tools or levers of influence will we
10 need to use if we are to reform those aspects of the practice that lead to disproportionate use and
11 attention on young and particularly minority men.
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