

Policing Black People In Britain

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The British police have stood at the centre of concerns regarding the black community's encounters with the criminal justice system and most of all the ongoing overrepresentation of black people in prison figures (Home Office 1986, 1993, 1998, 2002, 2004, 2005). This issue of the disproportionate presence of black people in prison figures has attracted a wide range of studies into various stages of black people's contact with the criminal justice process. However, much of the existing studies have focused on the police angle of the criminal justice system, with the key question revolving around how the racial background of black people might or might not influence police practices towards the black community. Herein, police practices of stop and search and arrest have been the foci of attention in criminological debates on race and policing.

It is clearly evidenced that black people are more likely to be stopped and searched and arrested by the police than their white counterparts. According to the Home Office (2004) black people are six times more likely to be stopped and three times more likely to be arrested than white people (also see, for example, Home Office 1998, 2002, 2005). Criminological attempts to account for this racial disparity in crime statistics have produced differing and conflicting views on the possible impact of race on police-black community relations. Broadly speaking, these are reflected in two schools of thought: one school emphasises the crucial role of racial discrimination in police practices towards black people, and the other marginalises the influence of race in favour of non (or partially) race-specific factors on analyses of police-black community encounters. It is within the latter school of thought that the sociological/psychological and cultural contexts of police work have been explored with a view to understanding the role of race in policing. Before detailing these contexts of police work, the study provides an overview of examples of the contentious issue of racial discrimination in the policing of the black community with reference to police stop, search and arrest practices.

Racial Discrimination: Police Stop, Search and Arrest Practices

For those who prioritise the influence of racial discrimination in discourses of policing and the black community, key arguments have revolved around the processes through which crime is racialised and black people are criminalised (Gilroy 1987; Kalunta-Crumpton 1999, 2000). Such narratives have explored how popular imageries of race, which associate black

people with crime have developed and grown at both micro- and macro- levels of society. Crucial to the discourses is how police practices of stop, search and arrest impact upon the black community. Police stop and search operations have constituted a key strategy through which inner city black areas – such as Brixton (London), Handsworth (Birmingham) and Moss side (Manchester) – are selected for heavy policing. Despite police attribution of their use of stop and search powers in certain localities to the ‘high crime’ rates in such areas, they have been fiercely accused of using those powers indiscriminately to the disadvantage of black people. Allegations of unwarranted street stops, searches and arrests of black people, and raids on black peoples’ homes and meeting places have featured in criticisms against police practices under their discretionary powers of stop and search.

Street stop and search by a police officer is justified on the grounds of ‘reasonable suspicion’. This is also applicable to the arrest of a person. Reasonable suspicion is premised on a police officer’s ‘hunch’, which is determined by the officer’s subjective interpretations of a person’s behaviour (or even appearance) as either suspicious or unsuspecting. What this means is that there does not need to be solid, objective grounds to suspect that an offence is being or about to be committed but simply a police officer’s own interpretations of what constitutes ‘out of the ordinary’ behaviour. From this standpoint, police stereotyping may well have an influence on how suspicious behaviours are defined, which ultimately can amount to discrimination against persons according to their race, class, gender and so forth.

Police stereotyping plays a notable part in the subjection of black people to random and indiscriminate stops, searches and arrests. This was significantly evident under the ‘sus’ legislation which gave the police powers to stop, search and arrest any person suspected of loitering with intent to commit a crime. ‘Sus’ involved the charge of being a suspected person under Section 4 of the 1824 Vagrancy Act. Before the ‘sus’ provision of the Vagrancy Act was repealed by Section 8 of the 1981 Criminal Attempts Act, it was randomly and widely used in areas of black settlement, particularly during the 1970s. This was notable in the London Metropolitan Police areas such as the London Borough of Lambeth. Arrest figures for ‘sus’ showed black people to be more frequently arrested than their white counterparts. In 1975, black people comprised 40.4 percent of all ‘suspected person’ arrests in the London Metropolitan Police District, and in 1977 and 1978, the figures of ‘sus’ arrests for black people were 44 percent and 43 percent respectively (Roberts 1982; Demuth 1978).

These outcomes in the use of stop and search are mirrored in a range of studies in the 1960s and 1970s recounting police activities in the black community. For example Joe Hunte’s (1996) *Nigger Hunting in England* describes the frequent police harassment of black people through activities such as stops, searches, raids and arrests. Focusing on the London Borough of Lambeth, Hunte describes ‘Nigger Hunting’ as a statement made by police officers to indicate their work plan for the day when leaving their stations (also see Humphrey 1972; Humphrey and John 1971). The use of ‘sus’ resulted to a disproportionate number of prosecutions of black people for ‘sus’ where a conviction was very likely in light of the very

little evidence required: the corroborative testimony of two police officers to the allegation of suspicious behaviour.

The militarised activities of the Special Patrol Group (SPG) of the London Metropolitan Police further throws light on the discriminatory policing of the black community. The SPG was established in 1964 to target 'high crime' areas of London, however it identified with a differential style of policing virtually confined to black localities. By the 1970s, it had grown in strength and its activities in select inner city areas such as Brixton (London) included mounting roadblocks, random stop, search and arrest swoops, and early morning raids of black people's premises. In response to the SPG operational tactics in Brixton, the Lambeth Campaign Against Police Repression was formed in 1975 and it demanded the withdrawal of the SPG from the area. Nevertheless, the SPG continued to be deployed in the London Borough of Lambeth. Continued police assumption of Brixton as a high crime area resulted in over half of the total SPG strength being deployed in the area in 1978. During this period, over 1000 people were stopped and out of the 430 people arrested, black people made up 40 per cent compared to their resident local population of 20 per cent (Gordon 1983). On the basis of allegations of police misconduct, an inquiry into police/community relations was set up by the London Borough of Lambeth and warnings were issued regarding the tense relationship between the police and the black community in particular. Despite the warnings, the SPG activities carried on into the 1980s and one drastic consequence of their indiscriminate operations in the black community was the Brixton disorder of April 1981 and similar disorders in major cities across the country in the same year.

Classed as the most severe in the 20th century, the Brixton riots of April 1981 were sparked off by the high profile SPG operations launched in Brixton on 6 April 1981 and which functioned under the codename Operation Swamp '81. The purpose of the operation, as indicated in the instructions to police officers prior to the exercise, was to:

...flood identified areas in 'L' District to detect and arrest burglars and robbers.

The essence of the exercise is therefore to ensure that all officers remain on the streets and success will depend on a concerted effort of 'stops' based on powers of surveillance and suspicion proceeded by persistent and astute questioning (Scarman 1982: para. 4.39).

The 'identified areas in 'L' District' were those areas classed by the police as high crime areas. Brixton, an area where the greatest use of stop and search powers was made, was seen by the police as a locality with a high level of mugging (i.e street robbery with violence), with young black males perceived as 'muggers'. Whilst the police had argued that the operation had a deterrent effect on crime, it was nevertheless certain that the operation heightened the antagonism between the police and the black community since black people who had no involvement in crime were liable to the indiscriminate police 'stop' practices. Black people made up over half of those stopped during the period of Operation Swamp '81.

Such methods of policing can equally create crime in the sense that certain offences such as assault on the police and obstruction can occur as a result of police presence. This is exemplified by the offences for which most people were charged following Operation Swamp '81. Seventy five charges were made and many of them were for offences such as assault, obstruction, threatening behaviour and possession of cannabis. Eighteen of the charges were for theft or attempted theft, 1 for attempted burglary and 1 for robbery (Institute of Race Relations (IRR) 1987).

Police practices such as police raids and brutality precipitated other police-black community riots of the 1980s. One example is the 1985 riot in Broadwater Farm Estate in Tottenham (London) following the death of a black woman, Cynthia Jarrett. It was alleged that the police used violence in their dealings with her during a police search of her home. Another example is shown in the 1986 incidents of urban disorder in Brixton (London), St Paul's District (Bristol) and Broadwater Farm Estate (London) aggravated by police drug raids of black people's premises. Despite the varied explanations for the 1980s urban disorders, the dominant – commonly expressed by the Conservative Party and the police – viewed the riots as simply a matter of law and order in which the problem was located in the black community and black localities (Keith 1993). Within the racialised law and order rhetoric, the need to support and strengthen police powers was emphasised as vital to the maintenance of law and order. Apparently, the support for the police was shown in the passing of the 1984 Police and Criminal Evidence Act (which came into force in 1986) and the 1986 Public Order Act. Both Acts extended police powers.

Under the 1984 Police and Criminal Evidence Act (PACE), police discretionary powers of stop, search and arrest were increased. Scraton (1987: 158) describes this issue thus:

The powers given to the police by the Act certainly place them well beyond the realms of 'citizens-in-uniform'. They have the power to use force in stop-and-search on the street, to enter forcibly the houses of people *not* under suspicion of criminal activity, to take samples and fingerprints forcibly from people detained without charge and to use force in strip and intimate body searches.... A lawful arrest is made as long as the person is told that she or he is under arrest and has been given a reason. In specified circumstances the police can then search the person and the place where the arrest took place.

According to Scraton (1987: 159) the discretionary powers given to the police under PACE 1984 include "the use of road-blocks to seal off areas and the cordoning-off of neighbourhoods on the grounds that an offence is 'likely' to be committed. This leaves the police free to use road-blocks as they feel appropriate". Scraton further notes that the subject of discretion "dominates the phrasing of the 1984 Act and continues to be central to the use and abuse of police powers". It "remains the central issue whether this relates to 'reasonable force', 'reasonable suspicion' or 'serious, arrestable offence'".

Police discretionary practices of stop, search and arrest continued to give rise to allegations of police engagement in harassment, wrongful arrests, fabrication and planting of evidence, use of racist language, use of excessive physical violence and so forth. And invariably, they continued to lead to confrontations between the police and black people – as shown in the 1995 Brixton riot following the death of a black man, Wayne Douglas, in police custody at Brixton (London) police station. Allegations of police malpractice are frequently denied by the police. A popular police perception is that if black people are stopped or arrested more than other racial groups, it is because they commit more crime. Another notable explanation perpetuated by the police for the antagonism between them and black people is that black people are hostile towards the police. For the police, black people are arrogant, argumentative, aggressive, insolent and disrespectful. To an extent such behaviours have been attributed to the high unemployment levels among black people, which from the police point of view force them to vent their frustration and anger against the police – the perceived visible symbol of an oppressive white society.

To date, the relationship between the police and the black community remains a controversial issue. As official statistics continue to show the overrepresentation of black people in stop and search and arrest figures, so have attempts in criminological debates to unravel the controversy. As demonstrated in the following section, such attempts have included an exploration of police work in order to assess police discriminatory practices within the realm of race.

Understanding Police Discrimination: The Context of Police Work

In an attempt to question the role of race in determining police practices, some studies have explored inside the police with a view to understand and contextualise the day-to-day workings of the police. Such studies have uncovered influences specific to the police which play a role in how the police relate to people with whom they come into contact and invariably how race can become embedded within such influences in routine police practices. Primarily, these influences include police personalities and police occupational culture.

The personality of a police officer

It has been argued that a police officer's personality tends to be morally and politically conservative in nature. Linked to this argument is the observation that the police force attracts such personalities. In a study of police recruits by Colman and Gorman (1982), this analysis of police personality is made:

It seems reasonable to conclude that the police force tends to attract to it people who are conservative and authoritarian than those of comparative socio-economic status in other professions.

Similarly Reiner (1992: 122) states, the police force "...has from the start been constructed as a hierarchical, tightly disciplined organisation. Thus the police officer with a conservative outlook is more likely to fit in. Processes of selection and self-selection lead police officers to be conservative". Holdaway's (1996: 79) observation about police personality reiterates

the above points when he notes that the “men and women who are recruited are authoritarian, dogmatic, conservative”, and he also identifies these qualities as “ingredients of a racially prejudiced individual”.

Racial prejudice is thus seen as a part of police conservatism. For example, the lack of tolerance for black and Asian immigrants and patterns of police hostile attitudes towards them are consistent with conservative notions that the police themselves uphold. Thus police conceptions of black people as violent, crime-prone and disrespectful instance their views of unconventional behavioural patterns which are in disagreement with the conventionality supposedly rooted in police conservatism. To Colman and Gorman (1982) “...basic training has a temporarily liberalising effect, and...continued police service results in increasingly illiberal/intolerant attitudes towards coloured immigrants”. Such intolerant and hostile notions about minority ethnic groups are reflected in comments made by the police recruits studied by Colman and Gorman. A similar situation revealing police racial prejudice came to light in 1982 when a lecturer, John Fernandes leaked essays written by police cadets at the Metropolitan Police training school in Hendon (London). The police cadets were asked to write an essay on the topic: ‘Blacks in Britain’. The following are a number of exact quotes extracted from the cadets’ essays (Gordon 1983: 71-2):

Blacks in Britain are a pest...quite frankly I don’t have any liking whatsoever for wogs, nig nogs and Pakies...They are by nature, unintelligent and can’t at all be educated sufficiently to live in a civilised society of the Western world.

It makes me cringe when I see a black bloke going out with a white woman...England is a traditionally white country and that is how it should stay, the blacks must accept that if they are to live in this country they must fall in line under white British dictators and not try and run the country themselves from the backstreet slums.

I think that blacks are alright. I am not particularly prejudice against them but on certain occasions I have less patients with them than perhaps one of my own race. Especially at the moment with the present Falkland Crisis, the coloureds wish to be taken in as a part of the British community and yet when a crisis arises they are just sitting back. I do not think I have seen one coloured in the task force.

I think all blacks are pains and should be expelled from our society.

The relationship between police personality and prejudice has also been analysed within the realm of the class structure from which police officers are drawn. The majority of officers come from (respectable) working and lower-middle classes, which make up the bulk of society. It has on this basis been argued that the characteristics of authoritarianism found in police personality are simply typical of the social strata from which they are mostly recruited (see Reiner 1992). In the same context, police racial prejudice merely reflects the prejudices of society rather than a reflection of distinct personality qualities held by individuals who

are attracted to the police force. Given the widespread nature of prejudice in society, it is not abnormal to find prejudice mirrored in the type of individuals who join the police force.

There are other accounts that have understood the social class composition of the police within a psychological framework (see Holdaway 1996). This approach argues that an authoritarian character has a strong link to a high sense of insecurity and an excessive interest in status. These psychologically-oriented qualities are commonly found amongst the lower-middle class, which happens to share the general middle class values, morals and notions of social mobility. But the social position of the lower-middle class means that their opportunities to attain success goals are relatively restricted. Consequently, there is a tendency for people in this class structure to not only develop a feeling of insecurity but also to transfer blame onto others, usually the vulnerable. Racial prejudice is a trait that can develop from such personality. A career in the police force can therefore be an attractive way for the lower-middle class to address their feeling of insecurity given that the public respect that the police uniform attracts and the overall authority that accompanies police work are seen to provide some sort of social mobility. Since the police force tends to heavily recruit from this class, those personality traits that uphold racial prejudice are likely to infiltrate the police and police work.

In support of the view which relates class position to prejudice is the argument which draws a link between lower educational achievement and prejudice. High levels of educational qualification have never been a landmark criterion for police recruitment. The aforementioned study by Colman and Gorman (1982) had compared police recruits with a control group of professions outside the police force, and as already noted the study concluded that the police force tended to recruit illiberal individuals. However, a major criticism levelled against this study referred to the variations in the academic qualifications of the police group and the control group (see Holdaway 1996). And in doing so, the criticism highlighted the lower levels of educational attainment found in the police force as opposed to the control group which had a higher level of educational qualification:

...like had not been compared with like and the more liberal attitudes of the control group were related to their higher educational attainment than personality characteristics of authoritarianism, conservatism and so on (cited in Holdaway 1996:80).

Despite the relevance of these accounts of police personality and prejudice to our understanding of police relations with the black community and by extension the wider community, they are however flawed by their individualisation of police practices and invariably the individualisation of allegations of police discrimination. What the 'police personality' approach implies is that if police racial discrimination is down to prejudiced individual officers, then the adoption of appropriate recruitment policies and strategies will weed out the 'rotten apples' at the recruiting stage. For the prejudiced police officers already in employment, they can be retrained through 'racial awareness' training programmes. The 'rotten apple' approach has been popular in discourses concerning police relations with

minority ethnic communities. Herein, blame is placed on a few individual officers for damaging police reputation through their racist behaviours, rather than on police policies and practices at the institutional level where accusations of intentional racism have been denied at the very high levels of government.

Police culture

In some ways, prejudices harboured in police personality are not fully separated from the 'police culture' thesis argued in some studies as a relevant and probably a dominant factor for understanding police-black relations. The 'police culture' theory defends the rank-and-file occupational culture of the police as primarily representing certain values and norms through which police work and actions are defined and authorised. Located within those norms and values found in the occupational culture are prejudices into which individual police recruits are socialised regardless of what prejudices they held prior to joining the police force. Whatever form the prejudices take, they serve to maintain the functioning of an occupational culture governing relations between the police and the public.

Police culture is, according to Reiner (1992: 111), centrally guided by "a sense of mission" to protect society from those who threaten it by engaging in unconventional activities (including crime) deemed harmful to the fabric of society. To pursue this mission, police culture identifies strongly with the notion of territorial control for the purpose of implementing a defence strategy against threats to social stability. The claim to a geographical area, Holdaway (1983: 3) argues "imposes a unity on the myriad tasks which constitute police work". Streets in which police officers patrol form their territories, over which they have the right to suspect, stop, search and arrest people in them. This concept of territorial control in police culture extends to an assumption of control over people. Each of these guiding principles of police work has an influence on police officers' relationship with social groups that they come into contact with. Thus, those groups that they perceive to pose a threat to police culture and invariably police mission to protect society against disorder are disdained. Black people, viewed by the police as disorderly, violent, disrespectful, anti-authority and crime-prone are believed to pose an immense threat to police control, a central feature of police culture. As such, Holdaway (1983: 71) states:

...the truculence attributed to blacks justifies the perceived necessity for continual vigilance and use of all the available subcultural techniques of routine policing.

The police have their own categories of problem and non-problem groups. Such categorisation cuts across social groups. According to Reiner (1992: 117) the classification is fundamentally drawn "between rough and respectable elements, those who challenge or those who accept the middle-class values of decency, which most police revere". Reiner (1992) outlines seven distinctive groups, which are identified by the police as problematic. They are: 'good-class villains', 'rubbish', 'police property', 'disarmers', 'challengers', 'do-gooders', and 'politicians' (ibid.: 118). The distinctions suggest that police notion of a problematic group goes beyond race or ethnicity to incorporate other social groups. This is exemplified by the categories: the 'challengers' and the 'disarmers'. The former includes

sections of the middle-class and the latter incorporates women, the elderly and children. However black people arguably fall into the category from which the police make most of their arrests - that is, 'police property'. Reiner (ibid.) provides a description of 'police property' thus:

They are low-status, powerless groups whom the dominant majority sees as problematic or distasteful. The majority are prepared to let the police deal with their 'property' and turn a blind eye to the manner in which this is done. Examples would be vagrants, skid-row alcoholics, the unemployed or casually employed residuum, youth adopting a deviant cultural style, ethnic minorities, gays, prostitutes and radical political organisations'

This group, as far as the police are concerned, needs to be controlled for the principal purpose of maintaining order. The extensive discretionary powers accorded the police to achieve this objective attest to the high priority status ascribed to the supposed threat posed by this category. But as Reiner observes, the likelihood of mistaking a person of high status for 'police property' poses a major police problem, for example, in the policing of minority ethnic groups "where the police officer is not attuned to the signals of respectability" (ibid: 119).

Proponents of the 'police culture' theory would argue that to portray race as a stand-alone ingredient in policing is to disrupt the fundamentals of police culture within which "values and related ideas and actions found in the occupational culture" are also "relevant and probably in the ascendant" (Holdaway, 1996: 83). Holdaway (ibid.) adds that where race features, it "mingles with other characteristics of incidents officers identify as signs and symbols that some kind of intervention is required". A similar argument can be applied to the police 'canteen culture' where social bonding between police officers and adherence to group norms thrive on expressions of prejudices of which the use of racist language is a part. This observation is popularly traced to the 1983 report produced by the Policy Studies Institute based on a study of relations between the police and the public in London. The report reveals that:

racialist language and racial prejudice were prominent and pervasive and that many individual officers and also whole groups were preoccupied with ethnic differences (Smith and Gray 1983: 109)

However, the report presented the use of 'racialist talk' as having a functional role insofar as it "helps to reinforce the identity, security and solidarity of the group against a clearly perceived external threat" (ibid.: 127). But in a law enforcement scenario, racialist talk, racial prejudice and actual street police work were not synonymous; police encounters with members of black and other minority ethnic groups were not influenced by their racial or ethnic backgrounds.

The role that racialist talk plays in the 'canteen culture' of the police can be translated to how the use of sexist language can serve similar purpose of bonding and sustaining what

Reiner (1992) refers to as 'old fashioned machismo' inherent in the 'police world'. The use of sexist language may not only express gender-based notions about the male-female dichotomy but can encompass stereotypical notions about types of sexual deviance such as paedophilia and homosexuality. Women who are believed to deviate from conventional female roles, for example in their choice of traditional male-linked occupations, can be classed by the police as unfeminine. In like manner, homosexual males can be viewed negatively by the police for violating the essence of manhood and masculinity.

Whether or not police-held prejudices spill onto the streets is open to debate but as Smith and Gray's race-related study (1983) illustrates, police prejudices and police work do not necessarily operate together. However, stereotypes and prejudices are factors known to underpin police occupational role in the sense that they go hand in hand with a crucial element of policing: suspiciousness. As Reiner (1992: 115) states "...stereotyping is an inevitable tool of the suspiciousness endemic to police work". Police suspicion that is grounded in prejudices is itself encouraged as a normal policing strategy, and this can be practised across social groups. The implication of this in terms of discriminatory practices against certain sections of society such as black people is already identified above.

Concluding Comments

With reference to the black community, this paper has attempted to provide the reader with some of the major frameworks for understanding the overall issue of race and policing in Britain. Since post-Second World War black immigration into Britain, narratives of race and policing have produced a range of competing perspectives aimed at determining whether or not race influences police policies and practices in relation to black and other visible minority ethnic groups. Despite the convergence and divergence in research findings, there exists well-documented literature which not only charts police response to black people as perpetrators of crime but also provides narratives of police dealings with black people as victims of crime. The single and collective roles of social factors such as class, age and gender are also recognised in such discourses. While it is apparent that the issue of race and policing remains a contentious one, our comprehension of the subject however is continually growing amidst the variety of approaches.

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