AGAINST SERIOUS VIOLENCE REDUCTION ORDERS

DISCRIMINATORY, HARMFUL AND COUNTERPRODUCTIVE
Runnymede Trust

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In April 2023, home secretary Suella Braverman gave a speech at the Public Safety Foundation setting out her ethos for ‘common sense policing’. In it, she made a key claim about stop and search: that it acts as a deterrent, preventing people from carrying weapons in the first place. For this she offered no evidence, and with good reason – there is none. As this report demonstrates, decades of stop-and-search powers, under counter-terrorism legislation, anti-drugs operations, the ‘war on gangs’ and so on, have done little to improve public safety. On the contrary, they are actively harmful.

Serious Violence Reduction Orders (SVROs) are the latest iteration of an expansion of police powers which are rooted not in evidence but in so-called common sense. These powers were introduced as part of the 2022 Police, Crime, Sentencing and Courts Act, and they expand the police’s power to stop and search members of the public without ‘reasonable suspicion’. Their intention is twofold: to further punish people who have previously been convicted of an offence, removing any protection against police harassment; and to punish those who have a perceived social connection with such people. Rather than being given access to housing, education, mental health provision or employment, people close to criminalisation now face a greater likelihood of searches at the hands of police. The grounds for these searches, which are traumatic by nature, will be based not on evidence or even suspicion, but on the ‘common sense’ assumption of police officers that a perceived association with crime in general is reason enough for a search.

SVROs are being introduced partly because comparable powers are being challenged and eroded by community campaigns and human rights organisations, because they are discriminatory. In 2016, the Supreme Court reconsidered ‘Joint Enterprise’, a doctrine which had sent over 1,000, mainly Black, young people to prison, not for committing violence but for allegedly being socially connected to a violent act. The police defence for these powers was often that they were part of the same ‘gang’, evidenced through a set of gang databases. A 2022 legal challenge to the largest of these databases, the ‘Gangs Matrix’, saw hundreds of young people removed from its records. This police matrix criminalised thousands of young people, connecting them to violent crime through assumed social connections, a form of surveillance which courts found breached the right to a private and family life. As with many other areas of policing, Black people were disproportionately represented on it – making up 80 per cent of those on the matrix – in another example of policing in which ‘common sense’ turns out to be little more than a set of racist stereotypes. Black people are still 16 times more likely to be prosecuted under Joint Enterprise.

In new and concerning ways, SVROs will enhance the powers of the Gangs Matrix and Joint Enterprise. They will enable police to amass new databases of suspects and punish people they perceive to have a social connection with violent crime. There are far better ways of improving safety, and those most at risk of harm are leading the conversation.

In the report that follows, we see community-led demands outlined in partnership with those working alongside those most affected by violence and harm. The researchers, community campaigners and legal practitioners who brought an end to the institutionally racist practices of gangs databases and Joint Enterprise are clear and united in their vision for an alternative approach to safety, harm reduction and social prosperity. From youth-led projects and effective mental health provisions to community-led conflict resolution, a wealth of knowledge and understanding from the ground up sheds light on what Britain’s most deprived communities need more than ever before. All we can hope for now is a government that sees sense.

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AGAINST SERIOUS VIOLENCE REDUCTION ORDERS

EXECUTIVE SUMMARY

In this report we explore some key issues in relation to the government’s new policing and court order power, Serious Violence Reduction Orders (SVROs).

What are SVROs?

SVROs are a new form of court order, introduced under the Police, Crime, Sentencing and Courts Act 2022, that equips police in England and Wales with a new high-discretion stop and search power.

SVROs can be given to people who are convicted of an offence, if the court believes that the individual used or was in possession of a knife or bladed article when the offence was committed. An individual can also be given an SVRO if someone they were with during the committing of an offence used or was in possession of a knife or bladed article, and they ‘knew’ or ‘ought to have known’ that the other person was in possession of a knife or bladed article. When an SVRO is applied, the same individual can be subject to stop and search by any serving police officer under the SVRO power.

Unlike most other stop-and-search powers, under an SVRO police officers have no legal requirement to have an evidence-based reason (i.e. ‘reasonable grounds for suspicion’) to stop and search an individual. Officers can stop and search an individual labelled with an SVRO at any time and in any location, simply by virtue of the SVRO being in place. Failure to comply with an SVRO condition without a reasonable excuse, or obstructing a police officer in the exercise of a SVRO-based stop and search, can lead to a prison sentence of up to two years.

From their inception, SVRO powers have generated a great deal of controversy. Successive home secretaries have defended the power as way to deter violence and ‘break the cycle of offending’, but various human rights groups, academics and politicians have raised objections to the power, citing a wide array of concerns about civil liberties, racial disproportionality, joint enterprise policing and collective punishment, practical ineffectiveness, and a lack of transparency about the rolling out of the powers.

The report

Despite widespread opposition to the use of SVROs, the government has pressed ahead with their implementation, with a pilot currently being deployed in four police force areas across England and Wales. Justifications for this roll-out have centred around problematic assertions that stop and search is a necessary and effective means to reduce violence and improve safety, and that related powers are not racially discriminatory given allegedly high levels of violent victimisation in racially minoritised communities.

For many campaigning organisations, community organisers and individuals with direct experience of policing, these justifications for SVROs may ring hollow and contrast dramatically with experiences on the ground. Within this report we stand with these groups while aiming to add an extra dimension to these voices of opposition, centring around the existing evidence and research related to these powers. With political support becoming increasingly


7. SVROs may also include positive conditions, such as reporting conditions, similarly to Knife Crime Prevention Orders.


popular for stop and search, do these claims made by the government about SVROs (and related powers) stand up to evidential scrutiny? And furthermore, what does the evidence say about the problems that are often associated with these powers?

The findings

In this report, we have explored and evaluated some of these claims and objections through a broad review of evidence and data surrounding SVROs and related policing and court order powers. Our review of the evidence produced striking rebuttals to most – if not all – of the key claims made by the government in support of SVROs. In short, this research review found compelling evidence that high-discretion policing powers like SVROs have next to no measurable impact on rates of violence, whether measured by police arrest rates or by ambulance call-out data. This finding was particularly striking when compared with the evidence base about the high efficacy of non-policing community-based interventions on violence reduction. We also found no evidence that civil or court orders play a role in ‘breaking the cycle of offending’, with similar powers, such as Anti-Social Behaviour Orders (ASBOs), found by multiple studies to increase levels of involvement in the criminal legal system.

In support of some of the claims already made by campaigners and community groups, we found a wealth of evidence of a clear relationship between the use of high-discretion police stop powers and a series of harmful social consequences. These include statistically significant relationships between uses of police stop powers and a range of detrimental health and mental health outcomes, including anxiety, self-harm and increased suicide attempts among searched individuals.

As is well established within a range of academic studies, police stop powers also remain highly racially disproportionate, with young Black men experiencing especially high levels of searches and use of force under these powers. Our evidence review strongly suggests that SVRO powers will continue and likely deepen this trend, with clear findings across a range of contexts demonstrating that high-discretion police stop powers lead to especially high levels of police intervention within racially minoritised communities.

We have separated our evidence review into four sections: violence reduction, court orders, institutional racism in policing, and health. Our findings under these four headings can be summarised as follows:

1. Violence reduction

- All studies we reviewed that explored the ‘deterrent’ effect of stop and search concluded that police stops had no statistically significant effects on preventing violence.
- High-discretion police searches carried out under Section 60 of the Criminal Justice and Public Order Act 1994 (560) are particularly ineffective, with an overall arrest rate of just 0.5 percent for offensive weapons between 2001 and 2021.
- High-discretion police searches under Section 44 of the Terrorism Act 2000 (544) have been similarly ineffective, with an average arrest rate of just 0.04 percent between 2001 and 2021, with no 544 stop and searches leading to a successful conviction for a terrorism-related offence over the same period.

2. Court orders

- We failed to find a single study that demonstrates a statistically significant relationship between the imposition of court or civil orders and a reduction in rates of ‘offending’ behaviour.

- Contrary to claims that civil orders ‘break the cycle of offending’ or ‘nip crime in the bud’, multiple studies have found a relationship between the use of civil and court orders and increasing levels of criminal legal system involvement.28

3. Police racism and institutional racism

- When reviewing the literature and data we were unable to find a single police stop power that did not lead to highly racially disparate outcomes.

- Researchers have consistently found that high-discretion police stops similar to SVROs, i.e. with weakened legal safeguards, are associated with especially high levels of racially disparate outcomes.29

- In the UK, ethnic disparities in searches with S60 powers.30

4. Health

- Working across large population samples, researchers have found multiple statistically significant relationships between police stops and increased rates of negative mental health outcomes, including self-harm and ‘significantly higher odds of attempted suicide’.31 These relationships also exist for those who associate socially with individuals who have been stopped by the police.32

- Researchers have also found statistically significant relationships between police stops and negative physical health outcomes, including diabetes, high blood pressure and increased body weight.33

- These relationships between police stops and negative health outcomes are especially prominent for racially minoritised individuals.34

Conclusion

Whether driven by willful ignorance or strategic political manoeuvring, it seems clear from our evidence base that the government’s rhetoric about SVROs being effective, necessary and non-discriminatory is not based on a sound assessment of any ‘reality’ of crime or violence, at least as has been explored within rigorous academic research. It seems more likely that the government is adopting a reactionary position, with SVROs being pursued as a policy position – not as a means to reduce harm in communities – but in order to win electoral success by appearing ‘tough on crime’.35

In the first instance, we therefore support a position that the roll-out of SVRO powers should be immediately scrapped. Our hope is that those with the power and willingness to pursue the repeat of


28. Lewis et al, ‘Nipping crime in the bud’; Motz et al, ‘Does contact with the justice system deter or promote future delinquency?’

29. These relationships between police stops and negative health outcomes are especially prominent for racially minoritised individuals.34


SVROs will be able to draw on the evidence base presented in this report when working towards this agenda. Given the overwhelming evidence about the low efficacy and high level of harm of police stop powers and civil orders, we also support the repeal of similar high-discretion policing powers, such as Section 60 of the Public Order Act 1994, and court order powers such as Knife Crime Prevention Orders.

Our second broad demand is to explore and invest in responses to harm and violence reduction that move away from relying on flawed assumptions about the ‘necessary’ role of policing and criminal legal system interventions. We believe this demand is more than a simple ask for actionable policy solutions or reinvestment in public services that focus (directly or indirectly) on violence and harm reduction. A simple moving of resources from policing budgets to other areas of state welfare provision (such as healthcare, education, housing and youth services) ignores the fact that many areas of state-led provision have similar issues regarding effectiveness and institutional racism. Rather, what is needed is an attentiveness to grassroots-movement-led work that plays a role in experimenting with alternative community-led responses to harm both with and beyond the state.

Alongside this pragmatic, situational and practice-based work, community groups and other civil society organisations need to continue to work together to develop a broader social and political vision for how to sustainably generate safety and reduce harm and violence in society. For decades, many organisations have campaigned for reform and greater accountability in policing and the criminal legal system. It is increasingly apparent that we need a more radical reassessment and approach.

This vision is already alive and in motion, with many campaigning groups, activists and community organisers fleshing out ideas for what social conditions need to be in place to truly begin to generate the conditions for healthy, happy and free communities.

Recommendations

Based on our findings, we ask that immediate action is taken to reduce the harms of state violence, interpersonal violence and racist policing. The government must:

- scrap the Serious Violence Reduction Orders pilot and repeal the Police, Crime, Sentencing and Courts Act
- repeal legislation on high-discretion policing powers, such as Section 60 of the Public Order Act 1994
- scrap use of other pre-crime intervention civil orders such as Knife Crime Prevention Orders and Behavioural Prevention Orders
- fund grassroots community-led and community-trusted organisations that play a role in conflict mediation, violence interruption and prevention
- fund community-led mental health support and legal advocacy for individuals harmed by police stop based interventions
1 BACKGROUND

The Serious Violence Reduction Order power

Serious Violence Reduction Orders (SVROs) are a new policing and court order power, introduced with the passing of the Police, Crime, Sentencing and Courts Act 2022 (PCSC Act). SVROs are part of a Conservative party manifesto pledge to create ‘a new court order to target known knife carriers, making it easier for police officers to stop and search those convicted of knife crime’.36 This new piece of legislation means that members of the public charged with an offence where a knife or ‘bladed article’ was present, in addition to any sentencing, can have a court order imposed on them. If the court chooses to impose an SVRO on an individual, that person can legally be stopped and searched by any serving police officer, in order to determine if they are carrying a weapon or bladed article. Crucially, police officers have no legal requirement to have an evidence-based reason (i.e. ‘reasonable grounds for suspicion’) to stop and search an individual subject to an SVRO. This goes against the trend of the majority of stop-and-search powers across the UK and other international contexts, where, in law, police stops usually need to be justified with regard to intelligence or situational behavioural factors.37 Once the court has decided to implement an SVRO order, there are then no requirements for senior officer authorisation, with discretion over the use of the power essentially held by the court that decides to implement it and the police officer who has the power to undertake stops.38

Courts have the power to apply an SVRO when sentencing anyone over the age of 18 who, during their offence, is determined to have used or to have been in possession of a weapon or bladed article. Courts can also apply an SVRO when a convicted offence takes place with someone an individual knows or ‘ought to have known’ was in possession of a knife or bladed article. Along with the more direct imposition of an order, SVROs have the potential to be directed towards secondary parties who are ‘associated’ with someone in possession of a knife or bladed article. This means that members of the public can be given an SVRO even if they were not in possession of a knife while the offence was committed. As with controversial ‘joint enterprise’ convictions,39 this low threshold risks criminalising those who were merely present or who had minimal involvement in an offence on a par with primary offenders, and leaves ample room for broad, subjective applications of the criminalising order. Given the doctrine’s vague parameters, many joint enterprise convictions have depended on racist narratives rather than substantive evidence in court, resulting in extreme racial disproportionalities in its application.40 In 2016, the Supreme Court ruled that the joint enterprise doctrine had been wrongly interpreted for 30 years, declaring that ‘foresight’ alone is insufficient grounds for establishing criminal responsibility.41 This departure from the law has potentially resulted in hundreds of miscarriages of justice, and likely points to a weak legal basis for this element of SVROs.

It is the responsibility of the prosecution to apply for an SVRO, and the court needs to ‘think [an SVRO] is necessary’ in order to ‘protect the public, protect a specific individual or prevent the offender from committing another offence involving an offensive weapon/bladed article’.42 Under the PCSC Act, courts are entitled to apply for an SVRO for an individual for a ‘minimum of six months a maximum of two years’43 initially, with the possibility of renewal at the end of each term. Similarly to the Sex Offenders Register, individuals subject to an SVRO need to notify their local police force of their name and local address within three days of the order being issued and inform the local police force if they move house, change their name or leave their house for more than one month. Failure to provide relevant information or to comply with an SVRO search can lead to a prison sentence.44

40. Williams and Clarke, Dangerous Associations, p. 16.
41. R.V. Jogee (appellant) and Ruddock (appellant) v. The Queen (respondent), www.supremecourt.uk/cases/docs/uksc-2015-0015-judgment.pdf, p. 32.
sentence of up to two years (if tried at the Crown Court) and/or a fine. Both the Crown Prosecution Service (CPS) and the individual, as well as a senior officer in the individual’s local police force, can apply for an SVRO to be ‘varied, renewed or discharged’, meaning, in theory, that an SVRO could be imposed indefinitely, following repeated renewals. Much like controversial Terror Control Orders, this could empower the police (and in the case of SVROS, the CPS) to impose invasive and restrictive measures such as curfews, surveillance and restrictions on an individual’s movement, communication and association without trial.Meanwhile, the potentially rolling basis of such orders, based on a suspicion that someone might commit an offence, undermines the presumption of innocence. As with indefinite ‘imprisonment for public protection’ (IPP) sentences, the lack of certainty around when (if ever) an individual might regain their full rights and civil liberties can cause immense social and psychological harm. Indeed, psychological experts have identified a high incidence of symptoms consistent with depression, anxiety, paranoia, psychosis and post-traumatic stress disorder (PTSD) among people serving indefinite IPP sentences.46

At the time of publication, SVROS are currently being piloted across England and Wales, with people able to be given an SVRO following a conviction across four areas: Sussex, West Midlands, Thames Valley and Merseyside. The pilot will be evaluated by research-based consultancy Ecorys.47 A Freedom of Information (FOI) request submitted to the Home Office in summer 2023 asked for the terms of the evaluation to be published but the department declined to respond, stating that it was not ‘obliged to provide information if it relates to the continued formulation of government policy’ and that ‘public interest favours withholding the information’.48 Human rights groups have raised concerns with this response, suggesting that this withholding of data enables the government to avoid its obligation to be subject to independent scrutiny and oversight, especially relating to its use of evidence in formulating and implementing government policy.49

The Runnymede Trust campaigned against the introduction of SVROS, along with several other measures, as part of the Police Bill Alliance – an informal alliance of civil society organisations active from 2021 to 2022 opposing the PCSC Act. As part of this initiative, Runnymede held a parliamentary event where first-hand testimonies were presented on the potential impact of the Act on racially minoritised young people. These young people voiced widespread opposition to the act, claiming that the legislation would have dangerous ramifications for the most marginalised in society. Alongside this, Runnymede’s submission to the United Nations Committee on the Elimination of Racial Disparities’ ‘state of race and racism in England’ report, which drew together evidence from over 100 civil society organisations, highlighted the dangers of SVROS for racially minoritised communities.50

What evidence has the government cited to support its proposals for SVROS?

At the time of writing, the government has cited next to no evidence when briefing parliamentarians and the public about SVROS. One of the only pieces of evidence cited relates to a series of Home Office statistics that, the government claims, demonstrate high rates of violent victimisation among Black people, particularly Black young people.51 These claims about Black victimisation are commonly put forward by police leaders and politicians when responding to criticisms relating to the disproportionate impact of criminal justice interventions on Black people.52 In the government consultation on SVROS, however, these claims appear to be cited ‘proactively’ (as opposed to ‘defensively’), as a means to justify increasing police powers, with the Home Secretary stating in her foreword that:

Knife crime continues to be a serious problem … Black and minority ethnic communities are disproportionately impacted, with data indicating that black individuals are more likely to be victims of serious violence and homicide … While these families and communities are suffering, we have a moral duty to act.53

As scholars have argued for a number of years, state-produced datasets relating to both Black victimisation and perpetrator rates must be met with a great deal of caution. Particular concerns...
relate to problematic overuse of the ‘gang’ label in relation to young Black men, limited conceptions of race within state-produced datasets and a bias in statistical data stemming from police recording of crime.\textsuperscript{54} Even with these significant flaws and limitations in mind, however, it is not clear within the government’s consultation why evidence relating to Black victimisation rates demonstrates that a new SVRO power will be effective in reducing violence (whether concerning Black people or otherwise), or furthermore that the power will be able to be enforced without significant harmful consequences. This is especially pertinent given that, as the government notes, many of the potential harmful consequences of SVROs will likely fall on racially minoritised populations, and Black young people in particular. A genuine commitment to reducing racial disproportionalities in victimisation rates, and improving the public safety of Black communities in general, would be reflected in evidence-led initiatives to address the actual observed causes of violence and criminalised behaviour. This use of data by the government however, framing violence as a problem of ‘Black and minority ethnic’ communities, suggests that the government is more concerned with justifying racial disproportionalities in the application of SVROs (and policing more broadly) than with eroding them, and with legitimising enhanced police powers in lieu of any evidence that they will actually work to reduce violence.

Beyond these references to Black victimisation statistics, the only other form of evidence cited in support of SVROs relates to a consultation carried out by the government, launched on 14 September 2020. This consultation produced 549 responses, including 476 online surveys and 73 email responses. Overall, the government appears to suggest that the response to SVROs in this consultation was positive, with the claim that ‘77 per cent’ of responses were ‘supportive of the orders’ cited throughout both the government consultation summary and the parliamentary briefing paper.\textsuperscript{55} At face value, and notwithstanding the relatively small sample size for a national survey, this statistic seems to suggest strong support among members of the public and professionals for SVROs. Greater scrutiny of the consultation questions, however, reveals that this statistic does not refer to overall support (versus opposition) in the sample but relates to a preference for SVROs compared with alternative stop-and-search powers within existing legislation, with the government asking:

**Question 1: The Government thinks that the best way to make it easier for the police to stop and search known knife carriers is to create a new court order, the Serious Violence Reduction Order. Do you agree?**

We asked respondents to consider whether a new order should be created or, instead, existing powers or orders could be amended to achieve our aim of making it easier for the police to stop and search known knife carriers. The following powers and orders were suggested as possible options:

A. Yes;
B. No, Section 1 of the Police and Criminal Evidence Act (PACE) 1984;
C. No, Section 60 of the Criminal Justice and Public Order Act (CJPO) 1994;
D. No, Criminal Behaviour Orders (CBOs) introduced by the Anti-Social Behaviour, Crime and Policing Act 2014;
E. No, Knife Crime Prevention Orders (KCPOs) introduced by the Offensive Weapons Act 2019.\textsuperscript{56}

The headline statistic of ‘77 per cent’ refers to respondents who chose SVROs (option A) over existing legislation (B–E) – a figure that seems unreliable as a measure of support, given that respondents were given no option to oppose new policing powers altogether. While online respondents were limited to choosing one of the five ‘closed’ options, respondents who contributed to the consultation via email (n=73) were able to offer answers that didn’t fit within these discreet multiple choice options. While the sample size is much smaller, this may offer a more accurate indication of support for versus opposition to SVROs. Results from this second sample seem to show much stronger opposition, with only 20 per cent responding with support for SVROs and ‘approximately 44 per cent of respondents’ (a clear majority) choosing none of the proposals and ‘opposing the introduction of SVROs’\textsuperscript{57} altogether.

This dubious use of evidence presented alongside the proposals for SVROs ought to be concerning in itself. It is a clear example of the government pursuing policy without any serious and rigorous attempt to explore its potential impact. One possible explanation for this approach could be that rather than


\textsuperscript{56} Home Office, ‘Serious Violence Reduction Orders consultation outcome’, p. 8.

\textsuperscript{57} Home Office, ‘Serious Violence Reduction Orders consultation outcome’, p. 8.
amounting to evidence-based policy intervention, SVROs are being pursued as part of a ‘vote-winning’ strategy. The fact that SVROs have operated as a flagship policy for the current government, cited in both the 2019 Conservative manifesto and the 2019 Queen’s Speech, would seem to lend support to this explanation.

Regardless of the reasons why the government has chosen to pursue this policy, however, the current approach is concerning as it ignores and silences decades of accumulated evidence and knowledge – in particular concerning policed and racially minoritised communities – that demonstrates both the harms and the ineffectiveness of similar policing interventions. This wealth of evidence, we believe, overwhelmingly demonstrates that these interventions – especially (although by no means only) when carried out with poor legal safeguards – not only fail to meet the professed goals of SVROs (reducing violence) but furthermore create a series of far-reaching social harms.

59. While the Labour Party opposed certain parts of the PCSC Bill and asked for what they argued was proper consideration of disproportionality before SVROs came into force, it has offered no principled objection to their introduction, leaving it unclear whether the party will continue to pursue the measures if it comes to power in 2024.
2 METHODOLOGY

In this report we respond to the concern highlighted in Section 1 above by reviewing the accumulated knowledge and evidence that has been sidelined or ignored in the government’s development of SVROs. We reviewed over 150 academic peer-reviewed studies, policy reports, third-sector research, and government datasets to explore the potential impact of SVRO powers. As well as compiling evidence within the UK context we also reviewed literature within a variety of international contexts, including India, Hungary, Australia, Canada, USA, the USA-Mexico border, Brazil, and the Netherlands.

When searching for evidence and academic literature, we looked towards studies on the impact and efficacy of police ‘stops’ (including stop and search, ‘Terry stops’, ‘stop and frisk’, ‘ID checks’ and other related terms), where police officers routinely stop members of the public, usually in a public place, in order to question, search or check a citizen’s ID. In addition to evidence around police stops, we reviewed the literature around similar court-imposed orders, such as Anti-Social Behaviour Orders (ASBOs). Given the focus on SVROs, when reviewing literature around efficacy our focus was on whether similar policing interventions have any proven empirical link with the reduction of violence. We also briefly surveyed literature about what alternative interventions have been demonstrated to be most effective when reducing violence. When looking into literature related to the potential harms of similar policing interventions, we were particularly interested in community mental health, racialised discrimination and other forms of social exclusion. Given the nature of SVROs as a stop-and-search power without a requirement for ‘legal grounds for suspicion’, we were also particularly interested in similar policing interventions with weak or reduced legal safeguards.

Our literature search and review of evidence was guided by three research questions:

1. Are police stops effective at reducing violence in communities?
2. Do police stops produce any social harms? And if so, how do we understand the relationship between police stops and social harms?
3. Are court orders similar to SVROs effective in achieving their professed aims?

In addition to this review of evidence, we carried out two focus groups on SVROs with a small selection (n=5) of individuals with direct experience relating to the uses of police stop powers in the UK context. These focus groups became the basis for four case studies we have used to frame some of the themes within our wider review of the evidence. While not taken from a wide enough sample to be treated as representative, we felt these case studies provided a helpful snapshot of some of the responses to the new SVRO power, as understood by individuals from within the communities most likely to be on the receiving end of SVRO powers.

Our findings are structured around four sections responding to our research questions: violence reduction, court orders, police racism and institutional racism, and health.
Case study one: Naomi

Naomi, a young mother, artist and community worker based in London, was 28 years old. She identifies as Black and working class, with her family heritage rooted in the Caribbean. Naomi was first stopped by the police at the age of 18 while leaving her house on the way to the supermarket in Birmingham, in a case of mistaken identity. Naomi talks about the incident as being highly traumatic, provoking symptoms of depression and anxiety that prevented her from leaving the house, and being advised by her doctor to take antidepressants.

As a youth mentor and support worker, Naomi helps young people with mental health issues, including following incidents with the police. Through this work and through relationships in her community in East London, Naomi has also seen ‘countless’ young people get caught up in cycles of alienation, exclusion and violence. Speaking on SVROs, Naomi believes that further police stop powers to ‘target’ young people will do nothing to prevent incidents of violence, and if anything could make matters worse:

Give us jobs for us to do, instead of feeding into this war ... all of this rubbish that’s actually making them put these acts out there in the first place then I think that would be the main solution instead of making these kids go into prison from an early age, from the ages of 18, 19, 20, 21 or half way through their 20s. They should be putting them forward to free education programmes, mentoring, mental health advice, all of this should be taken into account, so that these young people can grow from their mistakes, because if they keep making the same mistakes, they’re going to ruin their lives.

But the thing is, police don’t care ... they don’t give a damn, they don’t see this as ‘this could be my niece, this could be my nephew, this could be my son or daughter’, they’re not thinking of it like that ... they don’t really look at it on a bigger scale. [Your] duty as an officer is to serve and protect my community, but instead you’re corrupting it by not doing what your assignment is.

You’re not building a rapport with us as the people that you’re serving and protecting, you’re just going around like a big bully basically and just targeting kids.

It’s a vicious, vicious cycle, and it’s frustrating to see ... there’s lack of funding in youth, there’s lack of funding in mental health, there’s lack of funding in all of these areas that need help ... If these things were implemented, and they put the funding into these things then there wouldn’t have to be ‘SVROs’ ... they wouldn’t have to invent these ridiculous acts of the law to incarcerate [us].

What is the relationship between police stop interventions and rates of violence? Is it likely that SVROs, a new high-discretion police stop power, will play a role in reducing violence? As reflected by Naomi’s claims above, the notion that targeted police stops work effectively as a means to address violence remains highly controversial within communities subject to high levels of policing. Echoing her claims, leaders within social movements as of late have continued to question and challenge whether policing interventions ever amount to the most

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60. The names and identifying features of all focus group participants have been changed to protect anonymity.
effective means to generate safety and reduce harm and violence.61 Despite these ongoing challenges and voices of opposition, it is rare that politicians or police leaders question the effectiveness of policing and police stops as a means to reduce and control violence. In the UK for example, despite frequent debates relating to stop and search, most politicians and public figures tend to converge around a consensus that the practice, while not without problems, is ultimately an effective and ‘vital tool’ in addressing violent crime.62

The purpose of this section of the review is to test the reliability of this political consensus in relation to the data currently available. In short, we ask: do police stops ‘work’ according to the ways in which they are justified by police and power-holders? With many community and campaigning groups raising objections to the practice, what does the evidence say about what works in order to reduce violence and generate safety? Given limitations related to police data recording in global contexts, this section of the review will focus primarily on policing in the UK and the US.

We review three forms of data relating to the assumed and relative effectiveness of police stops in reducing violence in communities. The first form of evidence relates to the investigative effectiveness of police stops. In short this concerns the rate at which police find and detect what they term ‘offensive weapons’ – discoveries that, it is assumed, will lead to the successful investigation of crimes and prosecution of ‘offenders’.63

The second form of evidence we review relates to the effectiveness of police stops as a deterrent, evaluating whether direct, street-level interventions by officers have an impact on violence prevention.64 This form of evidence is also especially relevant for police stops where legal safeguards are removed under certain restricted conditions (such as the SVRO legislation), with these forms of police stops often justified to the public as an exceptional or emergency policing power put in place to address immediate and future risks of violence.65

Given that the purpose of this review is to scrutinise the proposed SVRO legislation, the focus of this data will primarily be on policing powers with weak legal safeguards that are justified (legally and politically) as a means to address violence in communities. It is worth noting, however, as a number of scholars have observed, that police stops related to the policing of violent crime often have a range of ‘secondary’ functions beyond their popular legal and political justifications. These functions include the gathering of ‘intelligence’,66 the practice of stopping to ‘save face’ in on-street encounters,67 attempts to ‘reassure’ members of the public following a high-profile incident, and the use of police stops to assert power and control over ‘problem’ populations68 and racially minoritised communities.69

It is also worth noting that a great deal of the data we evaluated on ‘effectiveness’ must be approached with caution given that it is tied unavoidably to the police-facilitated collection of data, with a ‘dark figure’ of unrecorded police stops, by definition, being missed within these datasets.70 As well as these problems related to data collection, the metrics we often used to evaluate ‘effectiveness’, such as arrest rates and conviction rates, are also highly flawed as a measure of success. This is principally because these metrics assume that both sentencing systems and forms of punishment function effectively in preventing violence and harm in communities: an assumption scholars and activists have increasingly challenged in recent years.71 The purpose of this first section, however, is intended to be ‘narrow’, exploring solely whether police stops can be justified on ‘their own terms’, i.e. the terms used by police leaders and power-holders when attempting to legitimise or build support for these practices. The task of evaluating whether police powers similar to SVROs can be justified on any terms is taken up in later parts of this review (in particular in the sections on police racism and institutional racism, and health).

The third form of evidence we review relates to evaluative work carried out on a range of non-policing alternatives to violence reduction. Given that many of

62. Hamilton, ‘Met chief Cressida Dick “all in favour”’.
63. Pantazis and Pemberton, ‘From the “old” to the “new”, p. 649.
the possible solutions to violence and harm reduction are yet to be tried, tested and evaluated, this section can offer only some preliminary conclusions. Some of these examples, however, demonstrate the high efficacy of non-punitive community-led interventions, offering an important point of comparison with many of the police-stop-based interventions that tend to attract higher levels of political support in the UK context.

**Police stops as an investigative power**

In the UK context, the most common ‘investigative’ stop and search powers fall under Section 1 of the Police and Criminal Evidence Act 1984 (hereafter S1) and Section 23a of the 1971 Misuse of Drugs Act (hereafter S23). Under S1 and S23a powers, police officers can stop and detain a member of the public for the purposes of a search if they have ‘reasonable grounds for suspecting’ that the person may be in possession of ‘stolen or prohibited articles’ (under S1) or a ‘temporary class drug’ (under S23a). The vast majority of searches under both S1 and S23 lead to nothing being found, with only a small minority leading to arrests and fewer still leading to arrests related to violence. In 2020/21, for example, roughly 11 per cent of S1 searches (79,391 out of 695,009 searches) led to an arrest. Out of these 79,391 arrests, only 12,876 were for possession of offensive weapons and 818 for possession of a firearm. Put another way, of all S1 searches carried out in England and Wales, only 2 per cent led to an arrest for possession of an offensive weapon or firearm.

Considering this ambiguity around the predominant purpose of S1 and S23 searches, two distinct stop-and-search powers – Section 44/47a of the Terrorism Act 2000 (hereafter S44/47a) and Section 60 of the Criminal Justice and Public Order Act 1994 (hereafter S60) – may offer two more appropriate case studies in the UK context relevant to the evaluation of new SVRO legislation. Like SVROs (and unlike S1 and S23), both S44/47a and S60 are/were justified legally and politically as exceptional stop-and-search powers introduced solely to address violence. Like SVROs, both powers are/were also designed with reduced legal safeguards, with officers not needing to meet the requirement of ‘reasonable grounds for suspicion’ when carrying out stops and searches under these powers. Data relating to the effectiveness of S44/47a and S60 powers may therefore help in evaluating the potential efficacy of SVROs as an ‘investigative’ measure.

**S44/S47a**

S44 of the Terrorism Act 2000 (now repealed and replaced with S47a in 2011) enabled a senior police officer to authorise the use of ‘suspicionless’ stop and search in a given area for a period of up to 14 days if the officer ‘reasonably suspect[ed] that an act of terrorism [would] take place and the authorization [was] necessary to prevent such an act’. Once a S44 order was in place, any uniformed officer was then legally entitled to carry out a stop and search on any person or vehicle ‘for anything which would constitute evidence that the vehicle is being used for terrorism or the person is a terrorist’.77

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74. Home Office, ‘Stop and search data tables’. While in one sense this low arrest rate reflects the low efficacy of the power in addressing violence, it is also worth noting that only a small proportion of searches carried out by officers under S1 and S23 are justified (legally) as a means of addressing violence, with only 16% of search ‘reasons’ being for ‘offensive weapons’ and ‘firearms’ under these powers in 2020/21; Home Office (2021), ‘Police powers and procedures: Stop and search and arrests, England and Wales, year ending 31 March 2021’; National Statistics, 18 November.
75. While both powers are/were often justified primarily as preventative or deterr
Between 2001/02 and 2010/11, police officers carried out 662,995 searches under S44 across England and Wales. Throughout their history, S44 searches drew a great deal of criticism from researchers and campaigners, who, among other issues, pointed to its ineffectiveness as an investigative power. In the same time period, 5,714 arrests were made following searches under S44. While this ‘hit rate’ is already fairly low (roughly 0.9 per cent), the arrest rate for terrorism-related offences was even lower, with only 284 of the 5,714 arrests made for ‘terrorism offences’ (see Table 1 and Figure 2) – an average arrest rate for terrorism offences of 0.04 per cent.

Table 1. Searches of pedestrians, vehicles and occupants under S44 and S47A of the Terrorism Act 2000 and resultant arrests, England and Wales, 2001/02–2020/21

<table>
<thead>
<tr>
<th>Year</th>
<th>Total searches</th>
<th>Total arrests</th>
<th>For terrorism offences</th>
<th>For other reasons</th>
<th>Arrest rate (%) for terrorism offences</th>
<th>Arrest rate (%) for non-terrorism offences</th>
<th>Arrest rate (%) for terrorism offences</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001/02</td>
<td>10,200</td>
<td>189</td>
<td>20</td>
<td>169</td>
<td>1.9</td>
<td>1.7</td>
<td>0.196</td>
</tr>
<tr>
<td>2002/03</td>
<td>32,100</td>
<td>380</td>
<td>19</td>
<td>361</td>
<td>1.2</td>
<td>1.1</td>
<td>0.059</td>
</tr>
<tr>
<td>2003/04</td>
<td>33,800</td>
<td>491</td>
<td>19</td>
<td>472</td>
<td>1.5</td>
<td>1.4</td>
<td>0.056</td>
</tr>
<tr>
<td>2004/05</td>
<td>37,000</td>
<td>468</td>
<td>64</td>
<td>404</td>
<td>1.3</td>
<td>1.1</td>
<td>0.173</td>
</tr>
<tr>
<td>2005/06</td>
<td>50,047</td>
<td>563</td>
<td>105</td>
<td>458</td>
<td>1.1</td>
<td>0.9</td>
<td>0.210</td>
</tr>
<tr>
<td>2006/07</td>
<td>42,834</td>
<td>495</td>
<td>28</td>
<td>467</td>
<td>1.2</td>
<td>1.1</td>
<td>0.065</td>
</tr>
<tr>
<td>2007/08</td>
<td>126,706</td>
<td>1,293</td>
<td>19</td>
<td>1,274</td>
<td>1.0</td>
<td>1.0</td>
<td>0.015</td>
</tr>
<tr>
<td>2008/09</td>
<td>210,013</td>
<td>1,245</td>
<td>9</td>
<td>1,236</td>
<td>0.6</td>
<td>0.6</td>
<td>0.004</td>
</tr>
<tr>
<td>2009/10</td>
<td>108,534</td>
<td>511</td>
<td>1</td>
<td>510</td>
<td>0.5</td>
<td>0.5</td>
<td>0.001</td>
</tr>
<tr>
<td>2010/11</td>
<td>11,761</td>
<td>79</td>
<td>0</td>
<td>79</td>
<td>0.7</td>
<td>0.7</td>
<td>0.000</td>
</tr>
<tr>
<td>Total</td>
<td>662,995</td>
<td>5,714</td>
<td>284</td>
<td>5,430</td>
<td>0.9</td>
<td>0.8</td>
<td>0.043</td>
</tr>
</tbody>
</table>

Notes: Data from 2009/10 onwards includes the British Transport Police (BTP) but excludes Greater Manchester Police (GMP). BTP did not provide data to the Home Office prior to 2009/10, therefore data from before this period is not directly comparable with more recent years. GMP did not provide complete data for 2019/20 and has been excluded to provide a consistent time series. GMP stop-and-search data is available in the stop-and-search open data tables accompanying the source publication. In March 2011, S47A replaced S44 of the Terrorism Act 2000 following a review by the home secretary.


‘rolling authorisations’ took place, with an S44 authorisation continuously in place across the whole of the Metropolitan Police Service (London) from April 2001 to mid-2009. The number of searches across England and Wales rose steadily from 2001/02 (10,200 searches) to 2008/09 (210,013) before decreasing again in 2009/10 (108,534) and dramatically in 2010/11 (1,761) (see Table 1), when the power was suspended by the then Home Secretary (Theresa May) following a ruling by the European Court of Human Rights (ECtHR) that it ‘unlawfully infringed the right to privacy under the European Convention on Human Rights’; Parmar, ‘Stop and search in London’, Lennon, ‘Precautionary tales’, p. 48.

80. As Parmar has noted, this dramatic gulf between terrorism-related and non-terrorism-related arrest rates suggests that S44 powers were being ‘essentially used in speculative intrusions and the governance of less serious crime’ with, for example, ‘cannabis warnings … given to an average of 14 people per month resulting from a s44 stop and search’ between January 2008 and July 2010; Parmar, ‘Stop and search in London’, p. 375.
These already low rates of impact become even more negligible when noting that conviction rates following arrests were even lower. While data on conviction rates following S44/47a searches is harder to obtain, Lord Carlile found that as of July 2010, none of the arrests made from S44/47a searches had led to a conviction for terrorism offences. Given the multitude of problems with the sentencing system and the criminal legal system more broadly, it is again worth emphasising that neither arrests or convictions necessarily lead to a reduction in occurrences of terrorism or violence. Regardless of this fact, however, these statistics demonstrate at minimum that S44 powers were highly ineffective on their own terms: specifically, as a means to arrest and convict people suspected of being or found to be involved in acts defined as ‘terrorism’.

**S60**

Similarly to S44/47a powers, S60 of the Criminal Justice and Public Order Act 1994 is a legal power that authorises officers to carry out ‘suspicionless’ stop and searches on members of the public in England and Wales within a designated time and space. Senior officers can authorise S60 searches to take place across a designated locality within their police force area for up to 24 hours, if they have ‘reason to believe’ violence ‘may’ take place. After the 24 hours have finished, a senior officer above the ranking of superintendent can extend the S60 power for a further 24 hours.

Much like S44/47a searches, ‘suspicionless’ S60 searches have met with a great deal of controversy over the years, being construed by some campaigning groups as inherently racially ‘discriminatory’. Campaigners have also raised concerns that S60 powers appear to be widely ineffective on their own terms, in relation to two of the key professed aims of the power: that is, in detecting and confiscating weapons and in making arrests for weapons-related offences.

According to Ministry of Justice and Home Office data, between 2001 and 2021, police officers made a total of 23,306 arrests from a total

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82. Criminal Justice and Public Order Act 1994. Use of S60 searches has varied greatly over the last 20 years of available data. Use of the power peaked in the late 2000s, with officers carrying out 150,374 and 117,510 searches in 2008/09 and 2009/10 respectively. It then declined dramatically following the 2011 England riots (down to 5,253 in 2012/13) and again following Home Office guidance in 2016 (down to 622 searches in 2016/17) that limited use of the powers (see Table 2 and Figure 6). Use of the powers increased again from 2018/19 (up to a peak of 18,043 searches in 2019/20) following the reversal of the 2016 guidance, with officers encouraged to use the power to combat a perceived rise in violent crime; Hymas, C. (2018). ‘Sajid Javid says police to get new “stop and search” powers to combat rising knife crime’, Telegraph, 8 November, www.telegraph.co.uk/politics/2018/11/08/sajid-javid-says-police-get-new-stop-search-powers-combat-rising.


of 699,535 searches under S60 powers. This amounts to an average arrest rate of 3 per cent, with most searches leading to ‘No Further Action’ (NFA). While this arrest rate already seems fairly low, rates become even more negligible when focusing on arrests related to violence. As with S44/47a searches, the majority of arrests following S60 searches in this time period were made for non-violent offences, with only 16 per cent of arrests made for possession of offensive weapons. This brings the arrest rate for offensive weapons following S60 searches to just 0.5 per cent (see Table 2).

Table 2. Total searches in England and Wales under S60 of the Criminal Justice and Public Order Act 1994

<table>
<thead>
<tr>
<th>Year</th>
<th>Total searches</th>
<th>Total arrests</th>
<th>For offensive weapons</th>
<th>For other reasons</th>
<th>Arrest rate (%)</th>
<th>% of arrests where arrest is for an offensive weapon</th>
</tr>
</thead>
<tbody>
<tr>
<td>2001/02</td>
<td>18,900</td>
<td>688</td>
<td>203</td>
<td>485</td>
<td>4</td>
<td>29.5</td>
</tr>
<tr>
<td>2002/03</td>
<td>44,400</td>
<td>2,499</td>
<td>356</td>
<td>2,143</td>
<td>6</td>
<td>0.8</td>
</tr>
<tr>
<td>2003/04</td>
<td>40,400</td>
<td>1,547</td>
<td>299</td>
<td>1,248</td>
<td>4</td>
<td>0.7</td>
</tr>
<tr>
<td>2004/05</td>
<td>41,600</td>
<td>1,214</td>
<td>256</td>
<td>958</td>
<td>3</td>
<td>0.6</td>
</tr>
<tr>
<td>2005/06</td>
<td>36,276</td>
<td>1,714</td>
<td>192</td>
<td>1,522</td>
<td>5</td>
<td>0.5</td>
</tr>
<tr>
<td>2006/07</td>
<td>44,707</td>
<td>1,625</td>
<td>256</td>
<td>1,369</td>
<td>4</td>
<td>0.6</td>
</tr>
<tr>
<td>2007/08</td>
<td>53,501</td>
<td>2,074</td>
<td>311</td>
<td>1,763</td>
<td>4</td>
<td>0.6</td>
</tr>
<tr>
<td>2008/09</td>
<td>150,174</td>
<td>4,273</td>
<td>544</td>
<td>3,729</td>
<td>3</td>
<td>0.4</td>
</tr>
<tr>
<td>2009/10</td>
<td>117,510</td>
<td>2,918</td>
<td>430</td>
<td>2,488</td>
<td>2</td>
<td>0.4</td>
</tr>
<tr>
<td>2010/11</td>
<td>61,286</td>
<td>1,376</td>
<td>234</td>
<td>1,142</td>
<td>2</td>
<td>0.4</td>
</tr>
<tr>
<td>2011/12</td>
<td>45,126</td>
<td>1,229</td>
<td>173</td>
<td>1,056</td>
<td>3</td>
<td>0.4</td>
</tr>
<tr>
<td>2012/13</td>
<td>5,253</td>
<td>270</td>
<td>45</td>
<td>225</td>
<td>5</td>
<td>0.9</td>
</tr>
<tr>
<td>2013/14</td>
<td>3,816</td>
<td>186</td>
<td>37</td>
<td>149</td>
<td>5</td>
<td>1.0</td>
</tr>
<tr>
<td>2014/15</td>
<td>1,039</td>
<td>31</td>
<td>9</td>
<td>22</td>
<td>3</td>
<td>0.9</td>
</tr>
<tr>
<td>2015/16</td>
<td>966</td>
<td>56</td>
<td>26</td>
<td>30</td>
<td>6</td>
<td>2.7</td>
</tr>
<tr>
<td>2016/17</td>
<td>622</td>
<td>72</td>
<td>17</td>
<td>55</td>
<td>12</td>
<td>2.7</td>
</tr>
<tr>
<td>2017/18</td>
<td>2,502</td>
<td>202</td>
<td>71</td>
<td>131</td>
<td>8</td>
<td>2.8</td>
</tr>
<tr>
<td>2018/19</td>
<td>13,414</td>
<td>635</td>
<td>161</td>
<td>474</td>
<td>5</td>
<td>1.2</td>
</tr>
<tr>
<td>2019/20</td>
<td>18,043</td>
<td>697</td>
<td>187</td>
<td>510</td>
<td>4</td>
<td>1.0</td>
</tr>
<tr>
<td>2020/21</td>
<td>9,230</td>
<td>370</td>
<td>69</td>
<td>301</td>
<td>4</td>
<td>0.7</td>
</tr>
<tr>
<td>Total</td>
<td>699,535</td>
<td>23,306</td>
<td>3,807</td>
<td>19,499</td>
<td>3</td>
<td>0.5</td>
</tr>
</tbody>
</table>

While large datasets on conviction rates following S60 searches are not readily available, it is fairly safe to assume that not all of these arrests lead to convictions (for violent crime or otherwise), meaning that conviction rates following searches are likely to be even significantly lower.

Police stops as a deterrent for violence

While legal justifications for stop and search centre around investigative functions, popular political justifications for police stops (including SVROs) tend to focus on their function as a means to prevent violence by acting as a deterrent – that is, as an intervention used to discourage future lawbreaking. These claims about deterrence rest on the assumption that increasing police stops or SVROs within a particular area will increase the risks and costs for individuals looking to carry prohibited items (such as weapons) in this same area. The fear of being caught that these stops create, it is assumed, will prevent individuals from carrying prohibited items altogether and thus reduce the risk that those same individuals will break the law using the same prohibited items. These assumptions about the deterrent effect of police stops appear to be an especially relevant political justification for SVROs,

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with former home secretary Priti Patel claiming that the power ‘will enable police to take a more proactive approach and better target those already convicted of certain knife or offensive weapons offences’. 86

Part of this proactive approach, according to Patel’s justification, is to ‘provide an important deterrent effect by increasing the risk of getting caught’, thus preventing future incidents of violence before they happen. 87

But what does the evidence say about the deterrent effect of police stops and the potential deterrent effect of SVROs? It is fairly commonplace for police leaders and politicians to reach for crime statistics to claim that police stops ‘work’ in deterring and preventing violence. For example, in 2019, then MPS commissioner Cressida Dick publicly asserted that a 30 per cent increase in stop and search in 2018 in London was responsible for a 25 per cent reduction of homicide rates and 15 per cent reduction in violent injury to under-25s in the same period, arguing that a drop in violent crime rates demonstrated that stop and search had ‘helped reduce London violence’. 88

These claims that relate police interventions and crime statistics, while widespread, rarely stand up to evidential scrutiny. Claims that a given policing intervention led to an observed crime reduction tend to rest on a false assumption that a correlation between two observed phenomena (e.g. an increase in stop and search and a decrease in violent crime) means that one phenomenon caused the other.

In recent years, researchers have sought to develop studies that more accurately test whether police stops cause a reduction in violence. Given the problematic fact that police interventions in one sense ‘create’ crime data, by detecting incidents or lawbreaking that might otherwise have gone unrecorded, researchers also look towards alternative sources for measuring crime rates. These alternative measures, such as victim-reporting surveys and, in the case of violence, ambulance call-out data, enable a more accurate picture of rates of illegal activity or violence that are less vulnerable to being ‘skewed’ by police recording practices. 89

Given the abundance of both police and crime data in the UK and US contexts, the majority of these ‘quasi-experimental’ studies testing causation (as opposed to mere correlation) have taken place in US and UK cities. In the UK context, two quasi-experimental studies exploring the relationship between police stops and violent crime rate are particularly noteworthy.

2016 Home Office study

The first study of note, commissioned by the Home Office, 90 evaluates a relative surge in stop and search in London related to ‘Operation Blunt 2’, a police-led initiative to reduce knife crime in the capital in 2008. Under Operation Blunt 2 the Met Police created three tiers of boroughs within London, based on intelligence, with ‘Tier 1’ boroughs judged to have the most serious problems with knife-related crimes. In the first year of the operation, Tier 1 boroughs were subject to a threefold increase in stop and search (an increase of 89,181 searches on the previous year) while Tier 3 boroughs were subject to a much smaller increase (increase of 18,103 on the previous year). This dramatic difference in increase rates over the same period, in addition to the fact that the operation was clearly ‘proactive’ as opposed to ‘reactive’, enabled the researchers to observe what they termed a ‘natural experiment’ to compare and contrast the impact of stop and search on crime rates in each borough. 91

When controlling for other factors that may have influenced the recorded crime rate (such as population density, unemployment, etc.), the researchers found ‘no statistically significant crime-reducing effect from the large increase in weapons searches during the course of Operation BLUNT 2’. 92 Given the well-documented problems with taking police-recorded violent crime data as an objective measure of violence, researchers also evaluated stop-and-search data alongside London Ambulance Service data on calls for weapons-related injuries. Analysing this data, the researchers found that within Tier 1 boroughs, London Ambulance Service call-outs did not fall more compared with Tier 2 and 3 boroughs. In fact, the researchers found that ‘ambulance call-outs actually fell faster in those boroughs that had smaller increases in weapons searches’. 93

2017 Tiratelli et al study

In a similar noteworthy study, Tiratelli et al evaluated ten years (April 2004 to November 2014) of stop-and-search and crime data from London, aggregated

89. Similarly to the comparisons made by police leaders and politicians, these studies measure crime rates within specific locations where the use of police stops has increased over a given period. Moving beyond the crude statistical comparisons made by police leaders, however, these studies specifically look towards case studies where police forces implemented an increase in police stops in some areas and not others. These unique case studies enable researchers to develop a ‘quasi-experimental’ research design, where other factors that may have influenced the crime rate can, to some extent, be controlled for.
90. McCandless et al, Do Initiatives involving Substantial Increases in Stop and Search Reduce Crime?
93. McCandless et al, Do Initiatives involving Substantial Increases in Stop and Search Reduce Crime?, p. 3. Italics added for emphasis. Some caveats are noted by researchers in McCandless et al’s study: most notably that analysing both stop and search data and crime and victimisation data at the borough-wide level may limit the accuracy of the findings. Nevertheless, the study concluded that, overall, there were ‘no discernible crime-reducing effects’ following the large increases in stop and search throughout the whole of Operation Blunt 2.
94. Tiratelli et al, ‘Does stop and search deter crime?’. Tiratelli et al took two
In the second part of the study, analysing the effect of a surge in ‘suspicionless’ S60 searches on crime rates, the researchers similarly found ‘no statistically significant change in the trend in non-domestic violent crime’ between the period in which S60 searches increased and the period before.96 In fact, the rate at which non-domestic violent crime declined during the ‘surge’ of S60s seemed ‘if anything’, Tiratelli et al note, to have slowed.97 That is, while overall violent crime rates were already declining before the ‘surge’, during the surge they declined at a slower rate.98

Alternative evidence on violence reduction

Before moving to explore evaluative literature covering civil orders, it is worth briefly outlining how some of these police-stop-based interventions measure up to other forms of intervention when attempting to reduce violence and generate safety. It is beyond the scope of this review to provide an in-depth account of all the evaluations (or meta-analyses of evaluations) that have taken place with regard to the reduction of violence in communities.99 Nevertheless, it is worth outlining a few broad trends for consideration, especially when exploring the question of what approaches may provide a better alternative than poorly evidenced police-stop-based interventions.

Perhaps the greatest available evidence base on violence reduction interventions relates to projects and programmes where violence is treated through a series of community outreach ‘public health’ interventions, often reserved for epidemiological interventions (e.g., during a pandemic). Evaluated programmes within this approach that have shown significant reductions in recorded violence include Chicago’s Institute for Nonviolence,100 Baltimore’s Safe Streets,101 California’s Advance Peace,102 and Cure Violence programmes in Philadelphia, Richmond (California) and Port of Spain (Trinidad and Tobago).103 Within these ‘public health’ interventions, trusted local residents are employed as detached outreach workers in order to identify and locate violence in communities and act to prevent and ‘interrupt’ violence and retaliating violence before it occurs.104 Both ‘victims’ and ‘perpetrators’ of violence are provided with immediate social support, including assistance with training, employment, mentoring, counselling and ongoing casework support.105

Beyond these forms of intervention that model ‘health’-based approaches, there is also a growing literature that demonstrates the successes of ‘restorative justice’ approaches to harm and violence reduction. In these case studies, success has been found in approaches where safe and effective communication is brokered between ‘victims’ and ‘perpetrators’ (and their social networks) in order to focus on the collaborative production of healing, repairing harm and re-building social relationships.106

One common theme running through both public health and restorative justice approaches is the relative success of interventions that focus on local, situational contexts and interventions that are organised and managed by non-statutory community-based organisations.107 This includes interventions where community-led organisations have replaced some of the interventions typically undertaken by the state, such as responses to emergency calls108 and sentencing courts.109 Broader evaluative studies have also demonstrated the overall importance of community-led organisations in reducing violence in the long term. One study, for example, concluded that cities with a higher

### Notes


110. Sharkey et al, ‘Community and the crime decline’. 
concentration of ‘non-profits’ focusing on harm and violence prevention, community support, substance abuse, employment training and youth provision saw significantly higher reductions in the rates of murder and violence over a 20-year-period.110

Where forms of localised intervention show success in dealing with the ‘symptoms’ of violence, scholars have often highlighted that the determinants of violence ultimately relate to socioeconomic factors such as access to employment, safe housing, food, healthcare and education, with factors such as ‘poverty’ and ‘socioeconomic status’ often amounting to the strongest predictors of violence across large population samples.111 Evaluative research that assesses what happens to violence rates when these broader socioeconomic factors change is, of course, harder to implement given the difficulty of isolating factors and causality before and after such broad socioeconomic changes take place. Despite a dearth of research, however, it is worth noting one of the striking trends highlighted in the research of epidemiology professors Kate Pickett and Richard G. Wilkinson: that rates of violence and homicide are consistently far higher in countries experiencing relatively high levels of socioeconomic inequality.112

Conclusion

What does this accumulated evidence base about violence reduction tell us about the roll-out of SVROs?

First, it seems reasonable to assume that SVROs, as a form of high discretion police stop, are unlikely to be successful, as a way either to locate and confiscate weapons or to interrupt or prevent occurrences of violence.113

As with the evidence on investigative efficacy, specific findings on deterrence suggest that it is highly unlikely that a new high-discretion policing power will have any meaningful impact on the prevention of violence. Commonly held political wisdom that stop and search is an effective and necessary tool in violence prevention again seems to reflect little to no evidence. While the underlying mechanisms are not explored, it also seems that police-stop-based interventions may even have a counterproductive effect on the prevention of violence.114

In addition to these limitations, it appears that the decision to implement SVROs squarely contradicts the majority of the available evidence concerning both short- and long-term solutions to violence. Regardless of how they are implemented, SVROs are likely to lead to an increase in policing (and ultimately courts and sentencing) interventions in the lives of those communities they impact the most. As well as doing nothing about the wider structural and long-term factors that drive violence, this policy therefore seems to ignore the evidence about which actors are best placed to make immediate, short-term interventions to prevent and interrupt violence.

Echoing Naomi’s claims at the opening of this section, the balance of evidence presented here seems to suggest that if greater resources were made available for a range of long-term alternative social provisions and short-term community-led interventions, there is a good chance that many of the social problems that SVROs are alleged to respond to would no longer exist in the same way.

111. McAra and McVie, ‘Understanding youth violence’.
113. Given the high level of discretion officers will have when carrying out SVRO searches (with no requirement for reasonable grounds), it seems likely that searches may be particularly ineffective.
114. Tiratelli et al, "Does stop and search deter crime?"; McCandless et al, Do Initiatives involving Substantial Increases in Stop and Search Reduce Crime?
Case study two: Faith

Faith is a youth practitioner, trainee solicitor and ‘appropriate adult’ working with young people engaged in the criminal legal system. At the time of interview, Faith was 23 years old. She identifies as Black with African heritage. Throughout her life, Faith has seen family members, friends and community members involved in incidents with the police. In her current line of work, she is often the first port of call when a young person is detained in a local police station. Speaking on the topic of SVROs, Faith believed that a new court order was unlikely to be helpful when attempting to reduce knife carrying or offending behaviours:

SVROs have been described most frequently by the government as a new ‘stop and search power’. It is worth noting, however, that SVROs will also function as a form of non-criminal court order known as a ‘civil’ or ‘behavioural order’. Civil or behavioural orders, in short, are court orders generally issued by judges designed to ‘curtail or otherwise restrict behaviour’ of specific individuals without resorting to criminal sanctions. While civil orders are justified as a means to deter or change behaviour, the weight of these interventions is nevertheless derived from the fact that breaking the terms of an order can lead to criminal punishment.

A multitude of civil orders have emerged in the last three decades, in particular following the 1998 Crime and Disorder Act, including ASBOs, ‘Football Banning Orders, Domestic Violence Protection Orders, and Public Space Protection Orders’. All of these orders place restraints on an individual prohibiting particular behaviours or the entering of certain geographical spaces. For many scholars, these orders remain legally controversial, with Ashworth and Zedner for example, claiming that ‘British Government … [has] seized on the civil preventive order as a model for increasing social control without the need to abide by the protections accorded to defendants in criminal cases’. Similarly to these other civil orders, SVROs are often justified as a means to alter behaviour without resorting to criminal sanction: more specifically, to prevent those with an SVRO from carrying knives. An advocate of SVROs may argue that much like other civil orders, they should be supported given their potential to prevent ‘unwanted’ behaviour before it happens, without the need for criminal punishment or sentencing.

9–10.
120. Northern Police Monitoring Project (no date), ‘New study finds little if any
In response to this position however, it is worth noting that, the effectiveness of civil orders is often questioned by community groups and campaigning organisations.120 As Faith expresses above, many youth practitioners in particular have suggested that civil orders can have a damaging ‘labelling’ effect on individuals and end up producing (as opposed to preventing) cycles of criminal legal system involvement. Given these objections, what does the evidence say about claims by the government that ASBOs will ‘break the cycle of offending’? In order to test these claims, it is worth exploring the research literature to explore whether civil orders, in general, have ever credibly been demonstrated to reduce or prevent incidents of violence or harmful behaviour.

Research on Anti-Social Behaviour Orders

While some research is beginning to be produced on more recent civil orders such as Knife Crime Prevention Orders (KCPOs),121 by far the richest forms of data and evidence on civil orders relate to the evaluation of ASBOs. ASBOs were a civil order introduced under the 1998 Crime and Disorder Act, designed to ‘deter anti-social behaviour and prevent the escalation of such behaviour’.122 They could include a restriction on movement, banning individuals from entering certain locations, as well as a ban on certain behaviours such as ‘swearing in public’.123

Early evaluative reporting on ASBOs carried out by the Labour government claimed some successes for the policy, noting that ‘overall opinion … was generally positive’ among representatives from the police, local authorities, solicitors and magistrates.124 Subsequent research, however, has significantly challenged some of this early optimism among ASBO ‘enforcers’, demonstrating that the orders have often failed on their own terms, specifically by drawing adults and young people into the criminal legal system rather than away from it.125 For criminological scholars, this problem of increasing criminalisation under ASBOs is often understood as related to the problem of ‘labelling’, with the behaviour of individuals theorised as being influenced by the ways in which the state classifies them.126 In the case of ASBOs, as Crawford et al note, ‘punitive early interventions’ play a labelling function by ‘attribut[ing] and affix[ing] “troublemaker” identities and reputations on young people’, identities which ‘become difficult to shed in transitions to adulthood’.127 This labelling process is often argued to be particularly bad for racially minoritised groups such as young Black men, who are already more likely to face damaging forms of labelling processes through interactions with police and the criminal legal system, often based on stereotypes and racist assumptions about Black criminality.128

Longitudinal research

One study worthy of note here, carried out by Lewis et al in 2017, explores data regarding 3,481 young people in receipt of Anti-Social Behaviour (ASB) interventions, including ASB ‘community letters’, Acceptable Behaviour Contracts (ABCs) and ASBOs.129 Testing the claim that these interventions divert people away from the criminal legal system by ‘nipping crime in the bud’, these scholars tracked encounters with the criminal legal system and experiences of criminal sanction before and after ASB interventions.130 Contrary to claims that ASB interventions were effective as a ‘diversionary’ measure, the study found that the cohorts of young people subject to ASB interventions ‘incurred more, and more serious, criminal charges in the period after the first ABC than in the same period before’.131 Another study of note, carried out by Motz et al, provides further evidence challenging the key claims of ASBO advocates.132 In this study, scholars drew on a ‘nationally representative sample of British adolescent twins from the Environmental Risk (E-Risk) Longitudinal Twin Study’, exploring whether various criminal legal system interventions led to less or more engagement in so-called ‘delinquency’ in later life.133 In a section focusing on ASBOs, the researchers found that among twins where one twin received an ASBO and the other did not, those subject to the ASBO were significantly more likely to...

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120. Lewis et al, ‘Nipping crime in the bud?’, p. 1244.
122. Williams and Clarke, Dangerous Associations; Waller, ‘Gang narratives’.
123. Lewis et al, ‘Nipping crime in the bud?’
124. Motz et al, ‘Does contact with the justice system deter or promote future delinquency?’; Squires, ASBO Nation.
125. Motz et al, ‘Does contact with the justice system deter or promote future delinquency?’; p. 321.
126. Motz et al, ‘Does contact with the justice system deter or promote future delinquency?’.
128. Although the age limit was set for ASBOs only at 10+, with no ‘upper bound’, in practice they were predominantly handed out to young people, with, for example, 58% of ASBOs handed out to juveniles [under-18s] in a 2002 evaluative study carried out across three metropolitan areas; Campbell and Markesinis, A Review of Anti-Social Behaviour Orders.
130. While, as Lewis et al note, this finding is not enough to demonstrate that ASB directly caused increasing criminalisation and criminal justice system exposure, the findings demonstrate that claims that ASB interventions and similar civil orders ‘nip crime in the bud’ appear to be largely unfounded; Lewis et al, ‘Nipping crime in the bud?’
131. Motz et al, ‘Does contact with the justice system deter or promote future delinquency?’.
132. Motz et al, ‘Does contact with the justice system deter or promote future delinquency?’; Squires, ASBO Nation.
133. Motz et al, ‘Does contact with the justice system deter or promote future delinquency?’; p. 307.
engage in ‘delinquency’ in later life. This statistical association was found even when taking into account a range of factors at a young age, such as ‘self-reported delinquency’, teacher/parent-reported delinquency, cognitive ability and educational ability.\textsuperscript{134} Echoing earlier research linking criminal legal system interventions to future delinquency, Motz et al interpret these findings to suggest that ASBOs have a labelling function, causing direct harm to young people subject to them by exposing them to the criminal justice system and labelling them with a ‘criminal’ identity that, the authors argue, becomes a damaging self-fulfilling prophecy.\textsuperscript{135}

Conclusion

What does this evidence base suggest about the efficacy of SVRO powers on their own terms? Much like the literature on police stops, it seems that there is no evidence that court orders play a significant role in changing the behaviour of targeted individuals. Most of the evidence here, rather, suggests an overall negative impact of similar court orders, with criminalising labels such as ASBOs seeming to play a role in fixing identities and forms of social exclusion that lead to more criminal legal system involvement rather than less. Greater research is needed to explore exactly how these forms of labelling might lead to greater criminal legal system involvement although recent evidence related to connected forms of police surveillance and categorisation demonstrate how forms of criminal legal system intervention can very easily lead to wider forms of social exclusion. In 2019, for example, Amnesty International raised concerns that those named on the Met’s controversial Gangs Violence Matrix were being prevented from accessing essential services such as housing and education, due to information-sharing led by police about individuals labelled (often erroneously) as ‘gang nominals’.\textsuperscript{136} The human rights organisation highlighted the case of a young person who lost his place at college, and another of a family who were threatened with eviction unless their son (who had died more than a year prior) ceased his ‘gang’ involvement.\textsuperscript{137} In 2022, under threat of legal action, the Met conceded that its operation of the database was unlawful on the grounds it breached the right to a private and family life, putting those on the database at increased risk of exclusion from education, housing, benefits and even citizenship.\textsuperscript{138}

When thinking about these mechanisms it is worth noting, as with similar data we have explored in this report, measures of ‘criminal’ activity, ‘offending’ and ‘delinquency’ are by their very nature highly contested and limited, often reflecting and reproducing state-produced definitions and assumptions about what counts as ‘harmful’ behaviour.\textsuperscript{139} The available studies also lag behind in terms of explaining the inherently harmful nature of civil orders — for example, their impact on health outcomes or on reproducing the racially uneven distribution of state power and resources. Regardless of these significant limitations, however, these studies at a minimum still demonstrate the internally contradictory and counterproductive logic that supposedly ‘non-punitive’ civil orders such as ASBOs and SVROs are based on.

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\textsuperscript{134} Motz et al, ‘Does contact with the justice system deter or promote future delinquency?’, p. 321. It is worth noting that a great deal of research has suggested that police stops may also produce a ‘labelling effect’ with evidence from the US, for example, showing that adolescent boys who are stopped by the police are more likely to engage in delinquent behaviour 6, 12 and 18 months after a police interaction. Del Toro, J., Lloyd, T., Buchanan, K.S. and Goff, P.A. (2019a), ‘The criminogenic and psychological effects of police stops on adolescent black and Latino boys’, Psychological and Cognitive Studies 116(17): 8261–8268.

\textsuperscript{135} Motz et al, ‘Does contact with the justice system deter or promote future delinquency?’, p. 316.

\textsuperscript{136} Amnesty International (2018), Trapped in the Matrix: Secrecy, Stigma, and Bias in the Met’s Gangs Database. [https://www.amnesty.org.uk/files/reports/Trapped%20in%20the%20Matrix%20Amnesty%20report.pdf]


\textsuperscript{138} Liberty, ‘Met to overhaul “racist” gangs matrix’.

5 POLICE RACISM AND INSTITUTIONAL RACISM

Case study three: Brandon

Brandon is a youth mentor, rapper and delivery driver working and living in an inner-city London borough. Brandon identifies as Black and was 23 at the time of our interview with him. He has been stopped and searched by the police multiple times in his life, most recently one week before being interviewed, when he was wrongfully suspected of being in possession of a knife. Describing this incident, and many previous incidents, Brandon explained his belief that his racial background, dress style and skin colour influence the amount of attention police officers give him:

An abundance of testimonies within qualitative research, such as the testimony from Brandon above, speak to the experience of racism within the context of police stops. Very often these experiences are conceptualised under the term ‘racial profiling’ – that is, the practice of police officers using discretion to stop a member of the public based on their perceived race, ethnicity, religion or nationality, as well as the various dress styles or mannerisms associated with these intersecting forms of identity.

Given the difficulty of getting officers to speak freely about racist motivations, it is difficult to ascertain qualitative data on these direct forms of profiling from the ‘police side’ of the interactions. For many scholars and activists, however, racism in the context of policing and police stops goes beyond the psychological motivations (conscious or unconscious) held by individual police officers. There is a great deal of scholarship that argues, rather, that the racially uneven distribution of policing powers in the UK reflects something more fundamental about the ‘normal’ functioning of police as enforcing and sustaining a broader racialised social order.

I ain’t been in that situation [police stop] in the longest time, so seeing that whole thing again, that whole process again, it’s like PTSD (post traumatic stress disorder) comes back, PTSD that’s actually real stuff … Of course [I was targeted], three black boys in a car that’s literally waiting to pick someone up … and because they saw whatever they saw they just thought ‘Ah, yeah, we’ve got something, let’s go hassle them’ … They should’ve just asked us ‘What’s going on?’ or ‘What are yous lots doing here?’ or something. They didn’t ask that, just straight away getting ready to jump out the car to attack, and so you’ll think rah … it’s just wild behaviour, man … especially if you’re innocent and haven’t done nothing, that’s why it’s abusive … I got nothing to hide, I wasn’t being suspicious at all. Especially cos of the race as well, I dunno, maybe if there was three white boys in that car, they would’ve said nah, they’re good boys, man, but cos of our skin colour its like rah, its three hoodlums in the car like, they’re up to no good basically, that’s how we gotta be seen as. Literally I had officers laughing at me and stuff, and I’m thinking it’s not even funny.


144. Gilmore, Abolition Geography, p. 17; Howe, From Bobby to Babylon; Wacquant and Howe, Urban Outcasts.
Low levels of trust among racially minoritised communities

Where these scholars take a more radical view about the relationship the distribution of policing power, other scholars and political commentators have emphasised the issue of low levels of trust, often drawing on statistical data relating to low levels of public support for the police within racially minoritised communities.

At the time of writing, on almost every metric available, police forces in England and Wales are currently facing a huge deficit in public support and trust among racially minoritised communities, with trust and confidence levels in Black communities being especially low (see Table 3 and Figure 8). Within London, the 2023 independent report into the Metropolitan Police, the Casey Review, concluded in strong terms that there is a ‘generational mistrust of the police among Black Londoners’, with stop and search being ‘deployed by the Met at the cost of legitimacy, trust and, therefore, consent’ and with ‘larger numbers of Black people’ feeling ‘traumatised and humiliated by the experience of stop and search than other ethnic groups’.

Many scholars have drawn direct linkages between these deficits and disparities in trust and the implementation of policing stops. Studies exploring the relationship between police stops and public trust demonstrate, in contexts as diverse as Australia, Scotland and Japan, that when police stops are carried out in a way that is deemed ‘unfair’, policed individuals may partially withdraw their support for the police and/or the state.

Much of this literature on trust offers another compelling rebuttal of the claim that SVROs will be effective on their own terms, with police and political leaders conceding that even the most draconian forms of policing require some levels of public support among racially minoritised communities to be able to have any chance of functioning effectively. It is also worth noting that scholars have at many points suggested that the crisis in trust that police stops engender can lead to more violence, given that a decline in trust can lead individuals to participate in illegal activities, e.g. by taking the law ‘into their own hands’.

Regardless of the strength of these rebuttals, however, a reliance on an analysis of trust as a means to understand and ultimately challenge the way racially minoritised communities are policed in the UK will always remain limited. This is because, as scholars have argued, concentrating on declining trust as the social problem requiring a ‘fix’ often leads to a focus on remedies that deal with one of the consequences of racism rather than its causes. While perhaps not the intention of academics studying issues of public trust, when introduced into a political arena, the assumption is often made that a crisis in trust requires an improvement in trust, as opposed to a fundamental change to the structure or behaviour that caused the mistrust, with a tacit assumption that the state/police force that needs trust is fundamentally legitimate by definition. Police programmes and initiatives subsequently supported by politicians that focus on how to improve trust among racially minoritised communities, e.g., through more ‘compassionate’ or ‘consensual’ forms of police stops, through recruitment of more racially minoritised officers to carry out police stops, or through community engagement events to ‘humanise’ the officers carrying out police stops, all naturally fail to address the wider role that police stops play in sustaining and reinforcing the racially uneven distribution of state power in society. For many scholars, this failure is due to the fact that ameliorative programmes and projects that focus solely on improving police stops to improve trust fix the conversation within the conventional parameters of a criminal legal system framework, doing little to challenge policymakers to think about how harm reduction can be addressed outside of these terms and beyond policing ‘solutions’.

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146. Baronesse Casey of Blackstock, Baronesse Casey Review, p. 156. The Metropolitan Police’s response offered to review and create a Stop and Search Charter which would set out an agreed rationale for the use of the power and provide an ‘annual account of its use’. The offer is to take an ‘explain or reform’ approach to address the negative impact and outcomes experienced by Black communities; Metropolitan Police (2023); A New Met for London 2023–2025, www.met.police.uk/indices/met-a-new-met-for-london.
148. It is worth noting that in the case of police stops, scholars have noted that even policing deemed ‘fair’ rarely ‘cancels out’ the net negative social impact of perceived ‘unfair’ stops. This is due to what scholars have termed the ‘asymmetrical’ impact of police stops, with negative unfair encounters having a much greater impact on trust and legitimacy than encounters deemed fair; Murray et al., ‘Procedural justice’; Slogon, W.G. (2006), ‘Asymmetry in the impact of encounters with police’, Policing Society 16(2): 99–128.
Table 3. Percentage of people aged 16 and over who have confidence in their local police, by ethnicity, over time

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<td>Asian</td>
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<td>78</td>
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<td>Other</td>
<td>81</td>
<td>76</td>
<td>82</td>
<td>77</td>
<td>75</td>
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</tbody>
</table>


Figure 8. Percentage of people aged 16 and over who have confidence in their local police, by ethnicity, over time

Source: Gov.uk, ‘Confidence in the local police’.

Disproportionality statistics

If measures of trust remain of limited value in understanding the roots of racist policing, and models of individualised police racism remain difficult to measure, what data sources remain for understanding the broader reality of police racism and racialised policing in the UK? Beyond an analysis of how racism develops psychologically or how the consequences of racism are felt, we can also look to objective data about the distribution of policing powers, asking in short: where does policing happen, who is most likely to be targeted and how does this distribution vary across different times and places? One useful form of data here comes from statistics that track the distribution of policing stops across different racially minoritised populations in the UK.

According to the most recent of these statistical datasets, in the UK, Black people are just over six times more likely to be stopped under stop-and-search powers, compared with white people. In a recent report by Her Majesty’s Inspectorate of Constabulary and Fire & Rescue Services (HMICFRS), Black people were also recorded as six times more likely ‘to have force used on them than White people’, nine times more likely to have tasers drawn on them, eight times more likely to be ‘compliant handcuffed’ and ‘over three times more likely to have a spit and bite guard used on them’, compared with white people.

In the UK context these recorded disparities, often termed ‘disproportionality’ statistics, are nothing new, with Black people (and Asian people under counter-terrorism powers such as S44 searches) recorded as more likely to be stopped by police every year since such statistics have been collected.


Evidence related to the racially uneven distribution of police stops is not limited to UK contexts. Geller and Fagan, for example, working across a sample of 2.2 million stops and arrests carried out in New York City from 2004 to 2008, identified ‘significant racial disparities’ in cases of marijuana enforcement, even when applying ‘robust’ controls for ‘social structure, local crime conditions, and stop levels more broadly’.157 In part due to restrictions on recording ethnicity data, quantitative datasets on racial disparities outside of UK and US contexts are often limited. Regardless, extensive qualitative data speaks to the common occurrence of a racially uneven distribution of police stops in almost any context where such research has taken place, including the US,158 Australia,159 Europe,160 Hungary161 and the Netherlands.162

### Table 4. Stop-and-search rate per 1,000 people and number of stop-and search-incidents by ethnicity, England and Wales, 2020/21

<table>
<thead>
<tr>
<th>Ethnicity</th>
<th>Rate of stop and search (per 1,000 people)</th>
<th>Number of stop and searches</th>
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</thead>
<tbody>
<tr>
<td>Asian</td>
<td>17.8</td>
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<tr>
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<tr>
<td>Other</td>
<td>20.4</td>
<td>11,486</td>
</tr>
</tbody>
</table>

### Figure 9. Rate of stop and search (per 1,000 people) in England and Wales, 2020/21

Historically in the UK, ethnic and racial profiling following weakened legal safeguards has often taken place within the context of the policing of ‘terrorist’ risks.165 In the 1970s and 1980s, Paddy Hillyard’s landmark research into the enforcement of the Prevention of Terrorism Act 1974 noted how high-discretion policing powers introduced to deal with the threat of Irish nationalist groups on the British mainland had the effect of making the ‘Irish living in Britain, or Irish people travelling between Ireland and Britain, a suspect community’.166

Moving into the 21st century, similar forms of legislation such as S44 of the 2000 Terrorism Act granted police officers increased discretion

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159. Murphy and Cherney, ‘Fostering cooperation’.
160. Open Society Justice Initiative, Ethnic Profiling
162. Van der Leun and van der Woude, ‘Ethnic profiling in the Netherlands?’
164. European Court of Human Rights (2011), Case of Gillan and Quinton v. The United Kingdom, para. 83. In the UK, officers are legally prohibited from carrying out police stops based on generalisations or stereotypes related to ‘protected characteristics’ such as race, ethnicity, gender, religion or sexual orientation (under the 2010 Equalities Act and PACE code of practice); Home Office (2017), Code D Revised Code of Practice for the Identification of Persons by Police Officers, London: Home Office. Regardless of these legal restrictions, when officers are not required to provide evidence for the objective ‘grounds’ used for a search, those looking to ‘search members of the public based on ‘protected characteristics’ are able to do so more easily without any requirement to record legal ‘objective’ ‘grounds for suspicion’.
166. Pantazis and Pemberton, ‘From the “old” to the “new”’, p. 647.
to search members of the public without ‘reasonable grounds for suspicion’. A number of studies have noted that these high levels of discretion led to an increase in police stops among targeted racially minoritised groups, with both Muslim and Black communities in particular reporting frequent experiences of ethnic and racial profiling under these powers.

Outside the realm of counter-terrorism policing, high discretionary policing powers such as S60 of the Criminal Justice and Public Order Act 1994 also produce especially high recorded rates of racial disproportionality. These powers are 14 times more likely to be used on Black people than on white people, according to statistics published on all police force areas in England and Wales in 2019/20 (see Table 5 and Figure 10). The disproportionality figure remains consistently higher than for other police stop powers where reasonable grounds for suspicion are required (such as the 1984 Police and Criminal Evidence Act).

### Table 5. Search rate per 1,000 population for Section 60 searches, 2019/20

<table>
<thead>
<tr>
<th></th>
<th>White (or Black British)</th>
<th>Black (or Black British)</th>
<th>Asian (or Asian British)</th>
<th>Other ethnic group</th>
<th>Mixed</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of searches</td>
<td>6,360</td>
<td>4,480</td>
<td>1,617</td>
<td>350</td>
<td>591</td>
</tr>
<tr>
<td>Population in England and Wales</td>
<td>48,699,231</td>
<td>2,409,283</td>
<td>5,515,455</td>
<td>1,255,632</td>
<td>1,717,977</td>
</tr>
<tr>
<td>Search rate per 1,000 population</td>
<td>0.13</td>
<td>1.86</td>
<td>0.29</td>
<td>0.28</td>
<td>0.34</td>
</tr>
</tbody>
</table>


### Figure 10. Search rate per 1,000 population for S60 searches, 2019/20

Conclusion

There is overwhelming evidence that all forms of police stop powers weigh down particularly heavily on racially minoritised communities in the UK context. Regardless of what legal safeguards are in place, police stop powers have been shown repeatedly to impact racially minoritised groups, in particular young Black men, in a highly disproportionate way. There are various reasons why this disparity emerges, yet all of the evidence points to the reality that police stops will always be carried out in a way that both reflects and reinforces racist outcomes. What also seems clear is that high-discretion policing powers (such as S44 and S60 powers) lead to especially racially uneven outcomes, with all the evidence suggesting that many racially minoritised groups, such as young Black men, are targeted with extra intensity, and more impunity, under these powers.

Claims by the government that SVROs are being introduced to tackle racial inequality (with regard to violent victimisations) ring especially hollow in light of this evidence base. Not only do these claims ignore the overwhelming evidence about what measures work best in reducing violence, they also ignore the overwhelming evidence about the highly disproportionate impact that police stop powers similar to SVROs have among racially minoritised communities.

168. Parma, ‘Stop and Search in London’, p. 375. Notably, under S44 powers, Black people were also highly disproportionately stopped, even more so than ‘Asian’ populations in some cases, despite police and public prejudices around the relationship between terrorism and South Asian-Muslim communities. Scholars have postulated a number of reasons for this surprising disparity, although most converge around the idea that S44 powers, due to their discretionary nature, were used to carry out extremely high levels of non-terrorism-related searches, with the vast majority of arrests made these powers being for non-terrorism-related offences (See Table 1 and Figure 4). Given the well-documented disproportionality of police stops for Black people in the UK, scholars have suggested that the high level of searches of Black people implied officers were using S44 powers to carry out discriminatory non-terrorism-related searches of Black people; Shiner, M., Carre, Z., Delsol, R. and Eastwood, N. (2018), The Colour of Injustice: ‘Race’, Drugs and Law Enforcement in England and Wales, London: StopWatch, Release and LSE. Searches under S44 may have more easily enabled discriminatory searches given that searches under alternative stop and search powers, such as the 1971 Misuse of Drug Act, required the recording of objective non-discriminatory legal grounds.
Case study four: Marley

Marley is a music producer, rapper, public speaker and youth outreach worker born and raised in an east London borough. At the time of interview Marley was 26 years old. He identifies strongly with his Jamaican, Brazilian and African ancestry. Marley recalls having been stopped and searched over 100 times by the police as a young man, a sequence of events he argues left him severely anxious, nervous, frustrated and mentally unwell. Speaking about the implementation of SVROs, Marley reflected that the power would likely have dramatically negative consequences, focusing in particular on the impact it would have on mental wellbeing:

First-hand accounts and testimonies from individuals subject to policing often speak about the traumatic and unsettling physiological and psychological impact of being subject to police interventions and police stops. As Marley describes above, those subject to an SVRO will likely be vulnerable to experience ongoing anxiety and other symptoms of mental distress, many of which follow on from real material restrictions on their free use of public space. As Marley describes, these health impacts are also not distributed evenly but impact Black young people disproportionately in the UK context.

You’re gonna make them [individuals subject to a SVRO] feel like they cannot come out of the house, you’re then probably gonna lead them into further mental health issues, they might end up harming themselves, because they feel like they can’t live in the world because they feel like they’re on 24/7 CCTV but not for everyone, just for them, and that is so sad, when I’m hearing that like I can’t believe it … This [SVROs] isn’t a solution, it’s sickening.

I’ve been Stopped and Searched numerous amounts of times, it makes you feel belittled, especially when you got an officer that you don’t even know and he just treats you like shite, and he just feels like he’s superior, it makes you feel anxious, it makes you feel like you fall into a headspace, you’re fighting a world by yourself no matter how many family members you’ve got around yourself to support you. The matter of freedom is you being able to get outside and enjoy your time, that’s freedom, so for someone to step outside and to automatically say like I’ve gotta take extra precaution, with my body language with my mannerisms, so there won’t be any bias against me cos I could be affected, because really and truly I should be able to go out and just live my life, but the reality is this mindset has just been implemented so hard through the histories of time.

There’s so much peak of stop and search going on right now, it’s creating and really affecting our community, really bad and I see it so much, I’m seeing it first hand … the generation that are growing up will be getting these SVROs … they’ll be no younger Black youts left, they’ll all go … near to everyday I either hear younger youts, if it’s not the police or the news it’s one of my boys telling me there’s been a madness in squares or, madness in [local area] stabbings gone on … if this SVRO comes in, me know … they are going to capture a few young youths … either they’re gonna get caught and go down the same old route, or they’re gonna get clinically insane, a lot of mental health issues cos they’re gonna feel so anxious or affected by it, long term, it’s just really sad, I see it … what good do you think is gonna come from this? This is no solution, it’s just another way to capture the Black youths and incarcerate them.

Qualitative research

The damaging impact of police stops with regard to health is nothing new to community and campaigning groups who have been working with overpoliced communities for a number of generations. In recent years, however, academic research has taken an increasing interest in the relationship between police stop interventions and community health. Brunson and Weitzer, for example, researching in St Louis, Missouri, noted how young men expressed feelings of ‘hopelessness’ and dehumanisation following police stop encounters. A wide variety of qualitative research carried out in the UK similarly emphasises the relationship between police stops and deteriorating mental health, especially among those racially minoritised people who face repeated and unwanted interventions from police officers. Williams, for example, working in depth with a small sample of policed young people, noted how for some young people, policing ‘encounters’ can ‘have a profound effect upon’ their ‘sense of fairness, emotional wellbeing’, leaving them to report ‘feeling like “nothing”’. Harris et al, drawing on interviews with populations subject to policing interventions in the UK during the COVID-19 pandemic, similarly noted that policed ‘participants’ often ‘disclosed experiences of trauma and feelings of anxiety and fear’ – feelings that were particularly acute among participants who had received ‘multiple previous experiences of police encounters’. Qualitative research conducted by the Criminal Justice Alliance in 2017 similarly concluded that stop and search, especially when ‘not carried out with basic levels of decency and sensitivity’, could have a ‘lasting effect on a young person’, making them feel ‘“victimised”, “humiliated”, even “violated”’. Recent research with a small sample of young Black men subject to policing interventions in Hackney, East London, also found similar responses and testimonies, with young men reporting that stop and search often felt ‘degrading’, in some cases leading to experiences of ‘PTSD’.

UK police stops and health

In the UK context, recent publications working with a sample of 18,818 young people from the Millennium Cohort Study have found similar statistically significant associations between police stops and health outcomes. This includes the finding that adolescents (taken from sweeps of data at the ages of 11, 14 and 17 years old) in the Millennium Cohort sample who had experienced encounters with the police at a young age later experienced ‘significantly higher rates of self-harm and significantly higher odds of attempted suicide’. Crucially this association remained significant even when a range of socio-demographic factors were taken into account, including gender, race, maternal nativity, ‘property delinquency, substance use, school disengagement, self-esteem, internalizing behavior … externalizing behavior … parent education … household income… single-parent household, and low neighborhood safety’. The research found that being stopped by the police was associated with a 52 per cent increase in the rate of self-harm among young people, and a 125 per cent increase in the odds of attempted suicide. Further research drawn from the Millennium Cohort Study found that among the same sample of adolescents ‘youth–police contact’ was also ‘significantly associated’ with sleeping problems, including ‘shorter sleep durations, longer sleep latency, and more frequent mid-sleep awakenings’, with sleeping problems greatest among youth who were ‘arrested/taken into custody’ but still significant ‘even in the absence of [an] arrest’.

This growing body of evidence has led scholars working in public health in both the UK and the US to push for greater awareness of the adverse health impacts of police interventions, with the American Public Health Association (APHA) recently calling for ‘law enforcement violence’ to be treated as a ‘public health issue’, and scholars writing in the British Medical Journal calling for an ‘abolitionist’ approach to public health given the damaging impact of policing interventions on ‘public health’ and ‘collective well-being’.  


175. Keeling, ‘No respect’, p. 3.


Quantitative research in the US on police stops and health

Quantitative research based on larger population samples in the US has also found that police stops often relate to deteriorating mental health among frequently policed people. One landmark study by Geller et al measured the correlation between policing encounters and subsequent mental health among a surveyed sample of 1,261 young men living in New York City.\(^{183}\) The study found that among those surveyed, more frequent experiences of police stops correlated with higher levels of reported anxiety, even when controlling for demographic characteristics and ‘criminal involvement’.\(^{184}\) Anxiety symptoms, as measured by the ‘Brief Symptom Inventory’, were shown to relate significantly to the number of times young men were stopped by police, with more ‘police intrusion’ correlating with higher anxiety scores.\(^{185}\) The men in the survey who had experienced more police stops throughout their lifetime also reported more trauma symptoms, with the strongest association between stops and trauma coming from the most ‘intrusive’ encounters, i.e. those where more force was used and from treatment judged to be ‘unfair’, or ‘procedurally unjust’.\(^{186}\) While trauma and anxiety symptoms were more prevalent among young men who had received unfair treatment, even ‘fair’ treatment related to negative mental health outcomes (marginally in the case of anxiety and significantly in the case of PTSD).\(^{187}\)

Several further quantitative studies have explored the relationship between police interventions and (mental) health. Research by public health scholars Abigail Sewell, Kevin Jefferson and Hedwig Lee carried out among a sample of 8,797 New York City residents, provides additional evidence regarding a potential relationship between police stops and mental health outcomes.\(^{188}\) This study found that neighbourhood-level distributions of ‘frisking’ (as part of ‘stop and frisk’) and uses of force during police stops were related to higher levels of ‘non-specific psychological distress’, including ‘nervousness’, ‘effort’ and feelings of ‘worthlessness’ among men living within what they term ‘aggressively surveilled neighbourhoods’.\(^{189}\) Later research by Sewell and Jefferson also lends support to a related hypothesis that police ‘frisks’ and use of force also correlate with higher distributions of individual-level physical illnesses, as measured by ‘poor/fair health, diabetes, high blood pressure, past year asthma episodes, and heavier body weights’.\(^{190}\)

Conclusion

What does this collective body of evidence suggest about the implementation of SVROs? SVROs, as a high-discretion police stop power, seem to be especially likely to lead to a whole series of damaging health outcomes among directly impacted individuals – individuals who, based on the evidence cited in the previous section, (are most often young, low income and racially minoritised.

As our own focus group respondents expressed at multiple points, police stops often leave individuals with a whole array of damaging mental health problems, including anxiety, paranoia, and feelings of helplessness and powerlessness. The sheer amount of quantitative and qualitative evidence that supports these claims is staggering.\(^{191}\) With problems of mistrust among racially minoritised communities, it is worth noting that negative health outcomes seem to act against some of the stated objectives that policing interventions often purport to be addressing, such as feelings of safety and wellbeing. These health outcomes are of course inherently damaging in clinical-psychological terms, yet they also relate to a deeply political problem where certain groups – young, racially minoritised, low-income groups in particular – have very real limits placed on their freedom of movement and sense of freedom in everyday life.
CONCLUSION

In this report we have compiled evidence to explore the potential impact of SVRO powers. Contrary to government claims that SVROs will be an effective and useful means to ‘break the cycle of offending’ and reduce violence and harm, these findings clearly demonstrate, rather, that the power is likely to be discriminatory, harmful and counterproductive.

Why discriminatory? Our claim here relates to the wealth of evidence demonstrating that police stops will always be associated with highly discriminatory and racially uneven distributions of policing power. There was a clear consensus in the research literature we surveyed that the police stops most similar to SVROs – i.e. those with weakened legal safeguards – were especially associated with highly racially disparate outcomes.

Why harmful? Our claim here is made with reference to evidence that police stops are strongly associated with a decline in mental and physical health outcomes within policed communities. As detailed in this review, this includes demonstrated links between policing interventions and higher rates of anxiety, self-harm, suicide attempts and a range of other mental health problems. As with problems of mistrust in racially minoritised communities, these mental health problems need to be understood as more than ‘phantoms’ in the minds of policed individuals, and rather as inevitable outcomes that derive from the highly coercive and racialised distribution of police powers in the UK context.

Why counterproductive? Our final claim here is made with reference to the fact that we failed to find a single academic study that relates either police stops or court orders to a statistically significant reduction in levels of violence in communities. Exploring the evidence, we also found that both police stops and court orders tend to increase criminal legal system involvement over time for those subject to these forms of intervention. This evidence challenges the government’s claim that SVROs will act as a means to ‘break the cycle of offending’ among those convicted of serious violence offences.

This collection of evidence clearly demonstrates that the roll-out of SVROs and the extension of police powers that we have seen in recent years does not rely on credible or systematic evidence about violence or harm reduction. Rather than acting on evidence or any reality of social problems on the ground, we believe that the government can only be pursuing SVROs as a policy as a means to appear ‘tough on crime’ to the electorate. At a time of rising inequality and a generation-defining cost-of-living crisis, we need to think beyond these reactionary punitive approaches and be more ambitious about how to create safe and flourishing environments for people to live in. It is our firm conclusion that high-discretion and low-accountability measures granted to policing institutions which have proven to be institutionally racist are entirely at odds with those aims. The conversation about policing remains fixed within narrow parameters and refuses to address the clear racialised impacts of extensions to policing powers. It is also important to acknowledge that where an institution such as the Metropolitan Police has been ‘failing’ or has proved repeatedly inadequate, over decades – if not longer – then we must now accept the possibility that this institution is fundamentally incapable of acting any other way.

We therefore ask that immediate action is taken to reduce the harms of state violence, interpersonal violence and institutionally racist policing. The government must:

• scrap the Serious Violence Reduction Orders pilot and repeal the Police, Crime, Sentencing and Courts Act
• repeal legislation on high-discretion policing powers, such as Section 60 of the Public Order Act 1994
• scrap use of other pre-crime intervention civil orders such as Knife Crime Prevention Orders and Behavioural Prevention Orders
• fund grassroots community-led and community-trusted organisations that play a role in conflict mediation, violence interruption and prevention
• fund community-led mental health support and legal advocacy for individuals harmed by police stop based interventions

192. Baroness Casey of Blackstock, Baroness Casey Review.
Transforming systems: a forward-thinking vision for violence reduction

While it is urgent that action is taken to address the immediate harms of these forms of institutionally racist policing, it is also necessary to build a forward-thinking vision for violence reduction. Increased funding for police powers, and the subsequent criminalisation of racially minoritised people, in light of the findings in this report, cannot be accepted as the way forward. Despite the sensationalised rhetoric pursued by successive governments in the UK context, the factors that most reliably predict increases in interpersonal violence – poverty, social inequality, poor quality housing, failing education systems and limited access to social provisions such as food, welfare and childcare – will all remain entirely unaffected by a ‘tough on crime’ policy such as Serious Violence Reduction Orders. Alongside this, wider state-led approaches to violence reduction risk replicating racial inequities. Instead, we must address the wider socioeconomic determinants of violence in society and support community-led initiatives to generate safety.

The evidence presented in this report demonstrates both the link between deep-rooted inequalities in society and violence, and the hopeful successes of community-led projects in interrupting and preventing violence in the short and long term. To reduce violence it is therefore necessary to provide meaningful investment in the forms of social welfare provision that are supposed to support racially minoritised communities – including healthcare, education, and accessible early years and youth service provision. Efforts must be made to rebuild these social systems following a period of austerity, to even out some of the inequities faced by racially minoritised working-class communities and reduce rates of violent crime in society.

However, it is also important to ensure that boosting the capacity of services to provide for marginalised communities does not replicate the racialised inequities that have characterised these institutions in the past. Meaningful investment in health, education and social services systems needs to be designed in fundamentally new ways to address the harms that they already perpetuate for racially minoritised people. Adequately resourcing the education system, for example, should include work to end punitive practices in classrooms that disproportionately impact racially minoritised students. This means scrapping measures such as the continued police presence in schools and instead taking action to build an emancipatory education system with an ethics of care and support at its heart.

In the case of improving mental health provision for people in mental distress, we must move away from a model that leads to disproportionate detention for racially minoritised groups and instead reimagine a system which is centred on care in the community. In the wake of evidence of the institutionalised failures of increased policing in the UK to protect young people from violence, efforts must also be made to support community-led work that takes place entirely separately from the state. There are hopeful emerging examples of what these approaches might look like, such as those highlighted in the 2023 Holding Our Own report, or from groups like 4Front, all of which demonstrate that community-led initiatives supporting people exposed to structural, state and interpersonal violence can deliver positive results without the need for traditional state-led interventions.

In the absence of this discourse in mainstream politics, grassroots and civil society organisations should build on the work already being done to plug the gaps in this thinking in the UK. This vision should paint a picture of a society that moves beyond endless cycles of punitive state interventions, towards new institutions, organisations, and networks of mutual care and support that enable marginalised working-class communities – and working-class racially minoritised communities in particular – to have a meaningful, empowered and emancipatory role in the shared production of their own security, safety and human flourishing.

193. Corburn and Fukutome, Advance Peace Stockton; Wacquant and Howe, Urban Outcasts; Canaparo et al, Four Ways; Wacquant, The rise of advanced marginality.
195. Liberty et al, Holding Our Own.
196. Liberty et al, Holding Our Own.
197. 4front (no date) https://www.4frontproject.org/
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