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The shift from defensive to offensive policing: CS spray and the use of force

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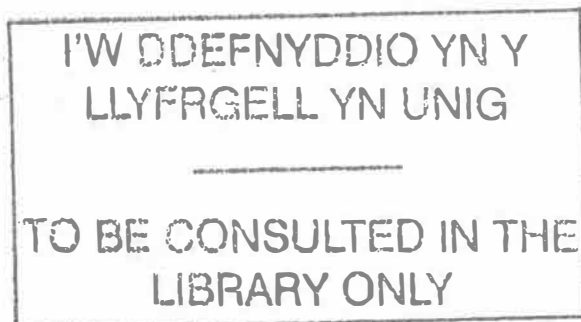
**The Shift from Defensive to Offensive Policing: CS spray and
the Use of Force.**

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**Submitted for the degree of
PhD in Criminology and Criminal Justice**

**Centre for Comparative Criminology and Criminal Justice,
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Summary

The 1990s witnessed a fundamental change in policy regarding the provision for officer safety, both in training and protective equipment. Police officers began to be trained in unarmed methods of controlling non-compliant people and were equipped with protective body armour, rigid handcuffs and an array of different batons. Even these advances in training and equipment were not considered adequate for delivering officer safety until CS spray was added to the belt of the front line officer. CS spray can incapacitate people by temporarily restricting their ability to see and breathe. While there is no conclusive evidence suggesting that it is the best means of protection, police officers believe it to be the best.

The routine deployment of CS spray has been controversial, with significant negative media coverage causing concern for the legitimacy of the police. However, this did not dampen the enthusiasm for this weapon with police officers. This study examined why CS spray was so popular with the police by assessment of (1) how the deployment of CS spray has affected the relationship between the public and the police, (2) how the police conceive the concepts of danger and fear in relation to their perception of safety, (3) the reasons for the popularity of CS spray with police, which is discussed in the context of alternative officer safety options, and (4) the most appropriate way of regulating the discretion of officers armed with CS spray.

This thesis critically evaluates the officer safety programme in order to propose a shift in emphasis away from an officer-centric safety programme (e.g., 'the conflict resolution model') towards a programme that considers both police and civilian safety (e.g., 'the continuum of force'). Such a proposal will hopefully afford the police and the public better protection.

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I dedicate this thesis to my loving wife who has provided me with strength and support whenever it was needed. You have been the biggest influence in my life and my love for you is beyond measure. Thank you.

PROLOGUE

On many occasions I have found myself climbing the wall that is the Economic Social Research Council (ESRC) only to find that my ladder was too short. Therefore, I had to seek funding for this PhD elsewhere. Fortunately, the department had a long but slender rope that I could climb instead. During the studies for my doctorate I have been employed as a research assistant, an administrative assistant and a teaching assistant. All of these roles I have enjoyed. They have added to my knowledge of the world and I would not change that. However, I came to academia late in life and have not always been fortunate enough to be employed in an occupation as interesting as my present one. This prologue is a way of explaining my journey to CS spray and beyond. If, at the age of eighteen, someone informed me that I would be working in a university by the time I was forty, I would have taken it as a great compliment and offered to buy them a drink, while wondering what it was they wanted from me. If they had explained that I would be studying for a doctorate I would have probably fallen off my bar stool laughing. At the time, I was interested in making money so that I could have fun, meet new people and travel to distant lands. And to a lesser or greater extent I managed to achieve much of this. However, during a long period of unemployment I decided to spend some time considering my future. The time was right to begin a new career, one that I might actually enjoy.

To cut a long story short, I became interested in psychology. To be more specific abnormal psychology and mental health issues. I found myself in Bangor studying for an undergraduate degree in psychology. The idea of studying for a doctorate and working in the higher education sector was still far from my mind. However, that was about to change. It was the beginning of the third year of my undergraduate course. One afternoon I was sitting in the flat that I shared with my wife, who at the time was my girlfriend, when she passed the local newspaper to me. At the bottom of the front page was a small but noticeable, at least to me, headline that stated "Police use gas". I thought "do they? I wonder what for?" I discovered that the North Wales Police had used CS spray for the first time on a patient in the local psychiatric hospital. To use a weapon such as this on people, whom I considered society had a duty to care

for, was abhorrent to my somewhat idealistic sensibilities. My newly reawakened liberal values provoked an angry and indeed profane response to this injustice. Angry as I was, it was not apparent to me what had just happened. This incident would change the course of my life. It was the beginning of an obsession that led to criminology.

As the third year of my undergraduate degree progressed, my initial outrage subsided but my curiosity did not. I put the information searching skills that I had learned as an undergraduate to good use by gathering as much information as I could on this topic. Surprisingly, there was not that much available. I had so many questions to ask about the police use of CS spray that I was only going to satisfy my curiosity with further study. I signed on to study for a master's degree in comparative criminology and criminal justice. By this time I considered a Masters degree to be a stepping stone to a PhD and a career in higher education. Furthermore, my interests had spread beyond CS spray. My initial obsession with CS spray had led to a wholesome interest in policing, criminology and criminal justice matters.

One article in a local newspaper started me down this road and what follows is, in many ways, an account of the rest of that journey. I can only hope that it brings the reader as much pleasure as it has me.

CHAPTER 1

INTRODUCTION

Police officers in England and Wales were not happy. Mostly they were frightened. They were being assaulted more frequently and it was time something was done about it. In fact something was being done about it, but it was not considered to be enough. It was time to try something new. It was time to try something different. In the end, what they tried was not exactly new, but it was new to policing in the United Kingdom, and it was definitely different. The police now had a new weapon. The first to die was Ibrahima Say followed by Eric Smith, Mark Bell and Frank Roberts. Allegedly they had died because the police used their new weapon on them. It was not long before there were reports about this weapon being used on old people, pregnant women, psychiatric patients, young children, the guilty and the innocent alike. In an attempt to alleviate their fear the police had armed themselves with a weapon that had caused a moral panic. The public were not happy. Mostly they were frightened. It appeared that they were being assaulted more frequently by the police and it was time that something was done about it. So what was done? Nothing!

There had been little research conducted by academics of any discipline on this weapon and when this study was initiated there were no publications by criminologists regarding its use. Even at the time of writing there were only a few articles beginning to appear in the journals, which was surprising considering the controversial nature of the weapon. The weapon is, of course, CS spray and this study will go some way to address the dearth of independent studies regarding its use by the police.

(1.0): A decade of change for the sake of officer safety.

For the police of England and Wales, the years between 1990 and 2000 could be considered the decade of officer safety. During this period more has been done to ensure the safety of police officers while they were working than had ever been previously attempted. Traditionally the police constable had been limited to a wooden truncheon that was concealed from plain sight and a pair

of handcuffs (Emsley, 1996; Ingleton, 1996; Riener, 2000; Waddington, 1999). In contrast, the last thirteen years saw a marked increase in law enforcement technologies and policies to facilitate their use, especially where non – lethal weapons were concerned. The term non – lethal weapon was defined as a weapon designed with “...the intention neither to kill nor to harm permanently” (Lewer and Schofield, 1997: p 6). This radical change occurred against a background of increasing budget cuts and the perceived increase in assaults on police officers. A cost effective response was needed to combat the increasing “... dissatisfaction with levels of protection afforded, in every sense, to this country’s police officers” (Derbyshire, 1995). According to Her Majesty’s Inspectorate of Constabulary (HMIC) this led the Association of Chief Police Officers (ACPO) to adopt a health and safety at work initiative “[w]ith a view to encouraging safer working conditions” (HMIC, 1997: p 1) that involved better training and equipment.

According to Buttle (2003) most of the officer safety programme developed by the police of England and Wales were initially influenced by the practices of United States (US) law enforcement, especially where officer safety equipment was concerned. Some US law enforcement agencies offered second hand body armour to the police of England and Wales, which was refused on the grounds that its protective capabilities may have been compromised by previous use (HMIC, 1995). Instead provision was made to provide covert body armour that was light and flexible enough to be worn under the uniform, as well as heavier overt body armour worn on the outside of the uniform (see Appendix 1). The former provided protection against sharp implements, while the latter also offered ballistic protection. Furthermore, the easier - to - use rigid handcuffs employed by US law enforcement, replaced the older chain linked handcuffs. Rigid handcuffs have a metal bar connecting the bracelets rather than just chain links (see Appendix 2). Other American style alternatives to truncheons were made available; these included the telescopic friction lock baton (CASCO) and the expandable side - handled baton, often referred to as the PR - 24 (HMIC, 1995; Kock, Kemp and Rix 1993). The CASCO was made of hollow sections of gun metal that had a handle at one end and a small metal knob at the other striking end. The hollow sections of metal could be compressed into the handle when being carried and could be extended for use at the flick of a wrist (see

Appendix 3). The PR – 24 was made of hardened plastic (polycarbonate) and could also be extended for use and compressed when carried. The most noticeable difference between the PR – 24 and other batons was its handle protruding at a right angle from the main shaft about three quarters down its length (see Appendix 4). Even these advances in equipment were not considered adequate provision for delivering officer safety and another option was considered. The first ever incapacitant spray used by the police of England and Wales was about to take centre stage in the officer safety programme.

(1.1): What is CS spray?

The CS chemical irritant was named after B.B. Corsten and R.W. Staughton who formulated it in 1928. In its natural state it resembled a fine white powder that was soluble in liquids (The Lancet, 1998; Worthington and Nee, 1999). The CS sprays currently used by the police in England and Wales can be described as spray canisters containing a liquid formulation of chemicals that, at a push of a button, is sprayed into the face of a person in order to incapacitate. The majority of constabularies authorised officers to carry a CS spray that consisted of CS particles that were “...dissolved as 5% w/v in Methylisobutylketone (MIBK) with nitrogen as a propellant” (The Lancet, 1998: 159).

In general, when an individual is exposed to CS spray the following symptoms are exhibited either collectively or in any number of combinations. A painful burning sensation to the eyes is often experienced because the small soluble particles of CS cause irritation to the mucus membranes of the eyes and nose (Danto, 1987; Folb and Talmud, 1989; The Lancet, 1998; Yih, 1995; Worthington and Nee, 1999). This makes it hard for individuals to open their eyes due to the pain and the excess of tears secreted in order to wash these particles out of the eye (Danto, 1987; Folb and Talmud, 1989). A stinging sensation is felt on the skin, often, but not necessarily, due to the tears having spread the CS particles over the face (Danto, 1987; Folb and Talmud, 1989; The Lancet, 1998). The stinging may be caused by a secondary release of highly reactive chlorine atoms on the skin and mucous membranes. Hydrochloric acid molecules are formed locally and cause marked irritation (Anderson, Lau, Taylor and Critchly, 1996; Bhattacharya, and Hayward, 1993;

Folb and Talmud, 1989; Yih, 1995; Worthington and Nee, 1999). Exposure to CS spray usually involves the inhalation of the gas, which can cause irritation to the nose, mouth and upper airways, such as the throat and the lungs. This frequently results in persistent coughing and difficulties breathing (Danto, 1987; Folb and Talmud, 1989; The Lancet, 1998; Yih, 1995; Worthington and Nee, 1999). Occasionally there is some light headedness and if the saliva containing particles of CS are swallowed there can be nausea and vomiting (The Lancet, 1998; Yih, 1995; Worthington and Nee, 1999). In most cases the onset of these symptoms is extremely fast, often incapacitating the individual concerned on contact, with most people feeling the effects of some or all of the symptoms within 1 to 5 seconds (Kock and Rix, 1996). Generally the symptoms of CS spray last 15 to 30 minutes. (Kock & Rix, 1996; North Wales Guidelines for Police Surgeons).

(1.2): What was different about CS spray?

The use of CS was not new to this country. It was deployed in siege situations by armed police and also in the context of riot control. According to Applegate (1969) it was first employed as a riot control agent by the British army in Cyprus during demonstrations for Cypriot independence. Most notably it was used in Northern Ireland during the beginning of “the troubles” (Hillyard and Percy – Smith, 1988). However, it was the civil disturbances of the 1980s that led to the first use of CS gas on the mainland. Specifically, during the 1981 urban riots in Liverpool (Brewer, 1996; Hillyard and Percy – Smith, 1988; Jason – Lloyd, 1991; Vogler, 1991). Then the policy for using CS gas to control riots was dependent upon the chief constable gaining the permission of the Home Secretary. Once this was achieved, the decision to deploy CS gas during a disturbance was left to the discretion of local chief constables (Reiner, 1992a; Vogler 1991).

Until the 1990s, the only real consideration that had ever been given to CS was as a means to disperse crowds or to end sieges (hostage situations), which was a very different situation to its present day use as a chemical side arm for police officers. By routinely arming the police with CS spray the ACPO removed the responsibility for its use from the chief constable to the individual officer. Previously the chief constable authorised its deployment for the limited

period of civil unrest. Even then it was possible that the officers in charge of crowd control would still refrain from using it. Now, chief constables have authorised the deployment of CS spray to each individual officer. The constant possession of this weapon meant its use was a matter for the individual officer's discretion. Black (1968) defined police discretion as the officer's "... [a]utonomy of decision making" (p25). However, Nayroud and Beckley (2001) considered discretion as the decision - making process used by police officers within a lawful framework that allowed for an array of choices. The discretion of the police officer is a function of being free to make choices of how to deal with a situation (Black, 1968; Brooks, 1989; Brown, 1981; Davis 1969). The front line police officer, while interacting with the public, had greater discretion and power over the fate of citizens than officers of higher rank (Dussich, Friday, Yamagami and Okuda, 2000; Waddington, 1999b). There was now little influence from the higher ranks of the police over when and how front line police officers used CS spray. Therefore, control over the use of the CS irritant by police officers had been weakened. Riot situations could be considered a rarity, especially those where the CS irritant had been deployed and used. Now police officers could use CS spray on a daily basis. It was used at the discretion of individual officers 754 times during the six month CS spray trial period (Kock and Rix, 1996) and only 74 times during the 1981 Liverpool riots (Vogler, 1991), indicating that it has been used far more frequently since the police were routinely armed with CS spray than when it was a riot control agent. In short, responsibility for the use of the CS irritant had devolved to the individual officer and its routine deployment ensured that it would now be used more frequently.

The use of CS spray was not the only change made to the way police officers protected themselves, but it was the most significant change to the officer safety equipment routinely carried by police officers. As was previously discussed, rigid handcuffs, the CASCO and the PR – 24 were also routinely carried by police officers in England and Wales. However, they could be considered as improved, or at least modified, versions of existing equipment. Hence, rigid handcuffs could be perceived as stiffer versions of the traditional chain linked handcuffs. Furthermore, the CASCO and the PR – 24 were still something used to hit people with, just like the traditional truncheon. And

protective body armour just rested on the officer's body in a passive manner that afforded protection, but could not be considered as a means of applying physical force. The protective body armour could be considered as a more robust version of the police uniform. In contrast, there was no traditional counterpart to CS spray. The routine use of a chemical incapacitant constituted a new and totally different use of force for the police of England and Wales. Subsequent moves to adopt non – lethal weapons that could also be considered new to the police have to be considered. There have been trials of gas powered guns that fire baton rounds or bean bags (Bennetto, 2001; Steele 2001) and at the time of writing Thomas A. Swift's Electric Rifle (Taser) was being trialled by a select number of constabularies including the North Wales Police (Jones, 2003). This is a stun gun that delivers an electrical charge that overrides the nervous system, rendering the target incapable of further resistance. Both the baton gun and the Taser may be new to the police services but they can only be used by firearms officers: the bulk of police officers are not to be routinely armed with them.

Hence, CS spray was the first truly new and different weapon utilised by the police of England and Wales since September 1829, when the first Metropolitan police officers began patrolling the streets of London (Emsley, 1996). The police were now routinely armed with a chemical sidearm. It was not just a new piece of equipment that was adopted but a whole new set of techniques and strategies. The decision to adopt CS spray as a means to provide officer safety would undoubtedly affect the way police officers used force during arrests and as a consequence could change the relationship between the police and the public. This possibility was not lost on the media.

(1.3): The media, moral panic and CS spray.

The media coverage, regarding the use of CS spray by the police, started in 1996 when it was introduced and lasted until 2000 when interest lessened. If news coverage was anything to go by, this was a moral panic that lasted for approximately four years. The initial media coverage focused on the introductory field trials that CS spray underwent and the benefits of its use (Campbell, 1996; Graves, 1996; Steele, 1996). Initially, the media reported the official police position on CS spray. The official position was that CS spray

was a safe and effective means of restraining violent people. It was suggested that CS spray posed no threat to public health and that there was an overwhelming need for the protection provided to police officers by this weapon (Campbell, 1996). CS spray was put forward as a panacea for the problem of officer safety that would "... only be used defensively and in the face of serious violence" (Steele, 1996). However, this was not to last. It was not long before the media changed emphasis and concentrated on reporting concerns raised about police officers being routinely armed with CS spray. Their reporting centred on the public health concerns about exposure to CS spray and on alleged incidents of misuse by police officers.

Much of the controversy surrounding these public health concerns centred on the fatalities that allegedly occurred from exposure to CS spray. In many ways, this was a health issue rather than an issue regarding the abuse of force, although neither was mutually exclusive where the use of CS spray was concerned. There were four well publicised deaths that were attributed to exposure from CS spray. The first was the death in 1996 of a 29 year old Gambian asylum seeker, Ibrahima Sey in Ilford (Younge, 1996).

"Mr Sey, a mentally ill father of two, was arrested ... after his wife called the police to their home. He was taken to Ilford police station ... where a struggle broke out and the 18 - stone Mr Sey was forced to the ground and handcuffed. The struggle continued, with up to eight officers involved, and PC Jackie Cannon sprayed him in the face from a distance of about six feet. Mr Sey was then taken to a custody suite, laid face down on the floor and searched until one officer realised he had stopped breathing."

(Bennetto, 1997: p 4)

The death of Mr Say led to the foundation of the National Campaign Against CS spray that was supported by the local anti – racist group, the Newham Monitoring Project (Kevin Blowe, 2000, personal letter to author). There were demands from the local residents for CS spray to be banned and around 450 people gathered to protest at the police station where the incident occurred (Grainger, 1996). The backlash against CS spray had started even before its trial period had ended. Subsequent media coverage would portray CS spray in a less than positive manner.

Just as the incident with Ibrahima Sey faded from the media spotlight three other alleged CS spray fatalities emerged. These incidents occurred within the space of one year, 1998. Mark Bell 26, who suffered from a psychiatric illness was sprayed while he was alone in the loft of his Scunthorpe family home, where he hung himself a short time later (Dobson, 1998). A 53 – year - old Leeds man, Eric Smith, was sprayed three times while allegedly resisting arrest. His widow believed that he never recovered from the incident and he collapsed and died while at home, three days later (Bruce, 1998). And there was the case of retired quarryman Frank Roberts. The 76 year old pensioner was sprayed when he threatened to hit officers with a piece of wood during his eviction from his home in Tregarth, North Wales. He died several days later after emergency surgery on an aneurism (Jones, 1998).

During 1998 there were also some well publicised incidents of CS spray use by the police that were not fatal but still underlined the dangers surrounding its use. A resident of Hebden Bridge, who was receiving psychiatric care, threw himself out of a third storey window after being sprayed by the police. He suffered head and back injuries and was admitted to intensive care where he eventually recovered (Binns, 1998). Even the police became concerned about the possibility that the use of CS spray represented a danger to their health.

“The controversial police use of CS gas spray has come under fresh attack after a detective had a heart attack in training...He had voluntarily walked through a cloud of CS gas to experience its effects as part of a one – day training programme...The detective constable was in his early 40s...[and] was last night in a critical but stable condition.”

(Stern, 1998)

Furthermore, the media raised concerns about the effects on the health of children (Campbell, 1998) and on the unborn children of pregnant women (Hollaway, 2000) who had been exposed to CS spray.

It was not just health matters that were a concern. Many of these incidents also appeared to have elements of police misuse of power about them. The media “... condemned the police for using CS spray like a ‘chemical straight jacket’ to subdue people with mental health problems” (Kossoff, 1998). There was also concern that police officers were not using CS spray as a last resort for

their own defence but to make easy arrests. Furthermore, these easy arrests often appeared to involve members of vulnerable groups such as psychiatric patients, children and old people (Bennetto, 1998). Perhaps the best example of this is demonstrated by the following media quote from an incident that was well reported at the time.

“A policeman squirted CS spray into the face of a pensioner parked on double yellow lines because he considered him a ‘threat to the public’, a court was told. PC Andrew Taylor denied he had ‘lost his cool’ with Kenneth Whitaker, 67, who was dropping his 76 - year – old disabled wife at the hairdresser.”

(Fresco, 1998)

This was the first time that a police officer faced charges of actual bodily harm for the alleged misuse of CS spray (Fresco, 1998). When the police officer was acquitted, the judge rebuked the jury:

“Notwithstanding the verdict, this has been a disturbing and upsetting case...I think you will perhaps reflect that in future [if] other OAPs are gassed or assaulted by police they may indeed have this particular case in mind. It would be totally wrong to fund this defendant’s costs out of public money.”

(Watson – Smith, 1998)

There was a great deal of anger expressed through the media by one of Mr Whitakers relatives who stated that “[h]e was a 65 - year – old man sitting in a car with a seatbelt on who was sprayed because a policeman was scared. I have no faith in the justice system anymore” (Watson – Smith, 1998).

With concerns about misuse and the health of the public being constantly reported, the controversy surrounding the use of CS spray by the police received considerable media coverage. Calls were made to withdraw CS spray from use and to review the public health consequences of exposure. Furthermore, there were calls to tighten up the guidelines governing its use. The new police weapon was drawing considerable negative media attention. However, “... with the use of knives increasing in attacks on one of the few unarmed police forces in the world, there is no likelihood of forces surrendering what they see as a user – friendly incapacitants” (Campbell, 1998). This raised the question of how a new weapon would affect the

relationship between the police and the public. How would CS spray affect police legitimacy?

(1.4): Police legitimacy.

Legitimacy is a word that has often been used but seldom explained, where matters of policing are concerned. It conceptually underpins the authority of the state, organisations and individuals. At an abstract level legitimacy can be defined as “the moralisation of authority” (Crook, 1987: 553), being the moral reason for obeying authority rather than reasons such as expediency or self interest (Poggi, 1978). For his part, Weber (1978) suggested that legitimacy is not necessarily a matter of rationality, morality or justice but more a willingness of the subordinate to accept the authority of the dominant, and obey rules because it is desirable or at least bearable to do so. In Weber’s opinion the legitimacy of any authority is created by the willingness of the subordinate to believe in it. He outlines three ways for organisations or individuals to justify their claim to authority: traditional authority, charismatic authority and rational or legal authority.

According to Weber (1978), traditional authority is where the rights of powerful individuals and organisations are accepted or at least not challenged by the subordinate. The legitimacy of this type of authority is based on the sanctity of everyday routine and the perceived validity of old rules, traditions, and powers. Charismatic authority arises from the personality of an individual who exhibits qualities considered extraordinary by their followers. Whether this person is extraordinary has little consequence: as long as the perception remains, then so will the legitimacy of the person's authority. Rational or legal authority emerges from the development of a rational legal and political system, where those that govern have a right to do so. In this case, it is the legality of the ruler that legitimises authority in the eyes of subordinates. Weber emphasises the legitimacy of the dominant and gives little consideration to the people who are dominated.

Beetham’s (1991) perspective on the legitimacy of authority is different from Weber’s. Beetham proposes three different components to legitimacy and argues that legitimate authority has a non-legitimate counterpart. He suggests that authority is legitimate when it conforms to established rules, but if not its

validity is questionable and should be considered illegitimate. Beetham argues that legitimacy of authority is dependent on justification of rules by a consensus shared between those who dominate and those who are subordinate. When there is no consensus between the two, there will be a legitimacy deficit; a deficit where the subordinates do not share the belief in the authority of the dominant. Beetham emphasises the need for the consent of those who are subordinate in any power relationship. There needs to be support for authority from those governed by it. If consent is withdrawn, then authority may reach a crisis of de-legitimisation. The consensual support of subordinates is needed when those that govern find themselves in a position where coercion is called for.

“It is only when decisions or regimes are legitimate in this way that those who refuse to accept them should be coerced into following them, on the grounds that their refusal is illegitimate. As well as the value, which springs from our moral convictions, legitimacy also has instrumental value: Legitimacy makes political process more efficient by reducing the costs of enforcing compliance. Regimes, institutions or decisions with low legitimacy face higher costs associated with uncooperative, strategic behaviour.”

(Parkinson, 2001:p 3)

In most democratic states the police are given the authority to enforce the law and it is important that this authority is perceived as legitimate. The threat to police legitimacy posed by the use of force comes when it is not perceived as legal or fair. Any incident where force was used by the police in a manner that was perceived as illegal could adversely affect their relationship with the public. The legitimacy of the law enforcement organisation would be damaged and the authority of its officers would be reduced in the eyes of many. This could adversely affect the policing organisations ability to carry out its role in a mistrustful society. The most notorious example of this was the Rodney King incident that occurred on the 3rd of March 1991. “American law enforcement collectively hung its head when television repeatedly broadcast an amateur video showing Los Angeles officers raining blows on motorist Rodney King” (Police Review, 1991: 1424). The publicity about this incident had an adverse effect on the public’s perception of the police to the extent that they believed police brutality to be commonplace (Lasley, 1994: Flanagan and Vaughn,

1995: Jefferis, Kaminski, Holmes and Hanley, 1997). The video footage received global television exposure and the world felt outraged that such a thing could occur in a supposedly civilised society. This posed a threat to the legitimacy of the Los Angeles Police Department (LAPD) and US law enforcement in general.

According to Davis (1990) and Morrison (1995) the LAPD had a long history of police misuse of force. “In 1990 more than \$11 million had been paid out in law suits against the police” (Morrison, 1995: p 444). While many complaints that went before the police review board were unsuccessful due to a lack of evidence, the Rodney King case appeared to have “cast – iron” video evidence that supported legal action. The video footage showed that “Mr King was struck 56 times with night – sticks and repeatedly kicked” (Morrison, 1995: p 444). Despite the local outrage, the residents of Los Angeles (LA) were intent on allowing the law to run its course. They wanted the law to hold these officers accountable for their actions because the law was the legitimate way of seeking redress after being wronged. However, the officers charged with brutally beating Mr King were acquitted of state charges, leaving the shocked residents of LA with no legitimate recourse and a bitter taste in their mouths, a taste that needed to be washed away. Violence and rioting followed.

“Perceptions of the fairness and reasons for the verdict varied by race. Bradely, the black mayor of Los Angeles speaking immediately after the verdict stated plainly: ‘The system has failed us. The jury’s verdict will never blind what the world saw, what we saw.’ While for Maxine Walters, the Congresswomen for South Central Los Angeles: ‘There is no logic to this. It is pure racism’ The Riots are the natural reaction to outrage and despair over ‘an incomprehensible decision.’... As reporters tried to speak to participants, resentment became the common emotion apparent in the statements of the residents as well as the looters. ‘None of this would have happened if they gave us proper justice.’”

(Morrison, 1995: p 447)

The Rodney King incident demonstrated how the use of excessive force could adversely affect the legitimacy of the police, making it impossible for them to effectively maintain order. It also demonstrated how police accountability could be an extremely important factor in the maintenance of that legitimacy. The riots may not have occurred if the officers had been found guilty.

(1.5): The legitimacy of police weapons.

The Rodney King incident provides an example of how the use of excessive force can strike at the heart of police legitimacy and reduce the authority of the police to the extent that they can no longer fulfil their role. In order to avoid situations like this, it is vital that the force used by the police is lawful. The police must use legitimate force. However, this study is not only concerned with legitimate force, but also with how weapons such as CS spray became a legitimate means of force for the police of England and Wales. How did a weapon such as this become part of the everyday lives of officers serving in what was considered a traditionally unarmed police service? This question cannot be considered without first discussing why the police of England and Wales have functioned without CS spray for so long. After all, the “English police developed their particular characteristics primarily because of the cultural and political environment in which they spent their formative years” (Emsley, 1991: P 6).

Public policing in England and Wales was born out of fear. It was born out of the fear of crime and the fear of the masses. According to Emsley (1991) Sir Robert Peel’s police force was instigated as a means of social control over the dangerous classes, a means of dealing with drunkards, thieves and riotous mobs (Emsley, 1991). However, this fear of crime and insurrection was “...tempered by the fear of what a professional police system looked like (Emsley, 1991: P22). The idea of a police force was not at all popular with some of the landed gentry and especially not with the working classes: both believed that a police force would be a tool of the state similar to the French gendarmerie (Emsley, 1991; Reiner, 2000). They thought it would be used as a means for the state to spy on them in the same way that the gendarmerie was used to spy on the French people. Therefore, “...[t]he great problem of social order was how to achieve a degree of organisation and regulation consistent with certain moral and political principals... without an excessive degree of purely coercive control”(Cohen, 1985:p5). It was thought that a professional police system would be perceived as an oppressive tool of the state by those that were to be policed. There was a need for a police system that maintained order while reassuring the citizenry that its intentions were benign.

From this tension between the fears of the state about crime and insurrection, and the fears of the citizenry about the police being no more than a tool of oppression, the concept of policing by consent emerged as a way of legitimising the “new police”. According to Reiner (2000), the policies central to policing by consent were formed by policy makers acting against a background of working class antipathy and resistance. The architects of this dignified and benign consensual image found themselves in a position where the policies they advocated were less of their making and more a response to the strength of the opposition to a professional police force. Reiner indicates that policing by consent was engineered by the implementation of eight specific policies laid down by Peel, Rowen and Mayne that were considered essential if the public were to accept police authority.

According to Reiner (2000) the basis for Peel’s new police was to replace the assortment of part time police officers, entrepreneurial thief takers and volunteers with full time professional police officers organised within a bureaucratic hierarchy. To assuage public concern that the new police would amount to little more than a political military acting as a standing army as well as a spy agency, it was decided that the police were to be distanced from the political process (Emsley, 1991; Reiner, 2000). It was recognised that in order for the public to perceive the police as a legitimate authority, they would need to be seen as impartial and distinctly non-political. Reiner indicates that the police were insulated from interventions in operational policy by the Home Secretary, local watch and standing joint committees. It was this impartiality that later would evolve into the notion of constabulary independence from policy guidance (Marshall, 1965). According to Waddington (1999b) it is the discretion to make police policy without the input of the body politic that enables the police to impose any policy that they believe to be appropriate onto what may, at times, be an unwilling public. The insulation from the democratic process leaves the public with no way to directly address the failings of constabulary policy by removing the chief constable (Waddington, 1999b).

This new policing organisation emphasised prevention rather than detection by concentrating its resources on uniformed patrols which supposedly deterred crime. Therefore, legitimacy was to some extent dependent on the police being perceived as an effective means of deterring crime (Reiner, 2000). Early police

recruitment policies extensively targeted the working class (Weinberger, 1995) with the idea of promoting the notion that police officers were just citizens in uniform. Furthermore, nineteenth century police reformers also cultivated a service role within the police in order to forge links with the community (Emsley, 1991). It was thought that the sight of police officers undertaking tasks that were a service to the community would secure the legitimacy for the more coercive functions of the police (Donajgradski, 1977). The new police were given no special powers (Reiner, 2000). They had to maintain order by enforcing the rule of law using the same legal procedures within the same legalistic constraints as any other member of the public. Therefore, they could be held legally accountable for any wrongdoing (Reiner, 2000). Ideally, a police officer could be prosecuted for assault in the same manner as anyone else. The construction of an image of police officers as normal professional people with the interests of the community in their hearts and impartiality in their minds went a considerable way towards gaining the acceptance of the public. However, it was the adoption of a strategy of minimum force that did not involve the use of arms that was considered the main characteristic of the British policing tradition (Emsley, 1991; Ingleton, 1996; Reiner, 2000; Waddington, 1999b).

In order to placate the concerns of the citizenry, Sir Robert Peel's constables were largely unarmed. This placed them in a position where their survival on the street and their very existence as an organisation was dependent on the perception of them being vulnerable (Waddington, 1999b). It was this unarmed status that provided the perception of vulnerability that was the basis of policing by consent (Morgan and Newburn, 1997; Reiner, 2000). This reflects Beetham's (1991) argument that the consent of the subordinate is essential to legitimacy.

According to Waddington (1999c) there was a conscious effort made to ensure that Peel's police were unarmed.

“When the [MET] took to the streets of London in 1829 they did not inherit a tradition of unarmed policing, far from it: what policing there was, was invariably armed. The Bow Street Runners, mounted patrols and river police all carried sabres and pistols; even decrepit watchmen known as ‘Charlies’ were equipped with various weapons.”

(Waddington, 1999c: p 155)

Furthermore, Gould and Waldren (1986) indicated that when pre – existing police forces were amalgamated into the MET they were disarmed. It was not just a matter of making the police appear vulnerable: they were vulnerable. At the time it was believed “... that an Englishman had a fundamental right to carry a firearm for his personal protection” (Ingleton, 1996: P 29). Thus, Peel’s unarmed police were operating in what today would be considered a gun culture.

According to Ingleton (1996) the first police fatality occurred in 1830, a year after the introduction of Peel’s police. Constable Joseph Graham was beaten to death while attempting an arrest. Later that year, Constable John Long was stabbed in the chest with a cobbler’s knife. It was not just the officers that served with the MET that were at risk.

“In the two decades between 1830 and 1850 no fewer than 32 policemen met their death through criminal activity in places as far apart as London and Liverpool, Brighton and Bathampton, Kendal and Kent, Shropshire and Suffolk, usually being either shot, stabbed or beaten to death.”

(Ingleton, 1996: p 24)

The officers of the fledgling police service were vulnerable indeed, especially in specific “no - go areas” where residents held “ill feelings” towards the police (Emsley, 1996; Ingleton, 1996; Pearson, 1983; Wight, 1986). Emsley (1996) indicates that a considerable number of police officers were assaulted while on duty.

“Rowen and Mayne reported that from 1 January to 16 October 1847 the Metropolitan police had lost 1,475 man – days because of the injuries inflicted on constables during assaults; over the same period 835 persons had been charged with assaulting police officers, of whom 764 had been convicted.”

(Emsley, 1996: p 231)

This is supported by Pearson (1983) who suggests that by the 1900s approximately one in four police officers per year were victims of assault.

Many authors have considered these high levels of assaults on police officers at the time of the introduction of Peel's police as an indication of public rejection, especially by the working classes (Cohen, 1979; Storch, 1975; Weinburger, 1981). The idea was that if the police were not considered to be a legitimate authority by the public, any attempt they made to enforce the law would be met with resistance and often violence. Therefore, a high level of assaults indicated a lack of legitimacy on the part of the police. Gatrell (1980) suggests that there was a consistent decrease in assaults on police officers between the 1860s and the early 1900s. Between 1857 and 1860 the national average of assaults on police officers was 67.5 per 100,000. It had fallen to 24.1 per 100,000 from 1911 to 1914. It is possible that extraneous factors such as the underreporting of assaults (Weinburger, 1995) or a societal reduction in overall violence may account for some of this decline. However, Reiner (2000) suggests that the police must have had some effect on this decline in assaults against officers. This appears to be an indication that with the progression of time the public grew to respect the officers and conferred greater legitimacy to police authority. It could be possible that the vulnerability of the police engendered a certain amount of sympathy with the public. Ingleton (1996) indicated that "... any death of a policeman on duty was inevitably followed by a wave of sympathy and demands for them to be better protected and for firearms to be issued to them for their protection" (p 23).

The police often found themselves in situations where their vulnerability was made apparent to them. The dangers that the police were exposed to resulted in the frequent use of considerable discretion on the part of the officer who felt threatened. For example, a police constable who joined the MET in 1855 described leaving a fight to run its course instead of intervening because the fight occurred in an area where one of his colleagues had been killed (Emsley, 1996; Ingleton, 1996).

In a largely unarmed police service, the safety of police officers has always been an issue of great importance. Furthermore, it is an issue that centres on the availability of equipment that affords the officer protection. Clarke (1991) suggested that the black "stovepipe" top hat, initially worn by the police, was designed to afford the officer protection against being struck on the head. As additional protection a leather stock was worn around the neck (see Appendix

5). This was intended to give the officer protection against garrotting (Clarke, 1991). While designing a uniform with the officers' protection in mind was compatible with the need to project a benign and vulnerable image to the public, this type of safety provision was often considered inadequate.

Peel's police were for the most part unarmed except for inspectors and above who were allowed to carry pistols, although cutlasses were issued to constables for emergency situations or as protection when patrolling dangerous beats (Emsley, 1996). There were even situations where police officers were authorised to "sign out" firearms that were kept for emergency situations (Ingleton, 1996). While there were some occasions where police were armed for short periods of time (Emsley, 1985), they were never armed for long. However, the debate about officer safety often centred on whether or not the police should routinely carry firearms. According to Emsley when the "Police Service Advertiser" appeared as a periodical in 1866, it took on the cause of officer safety by discussing whether or not the police should be armed. The first edition of the "Police Review and Parade Gossip" was printed in 1893 as a forum for debate and exchange of police ideas. One of the debates that appeared in the pages of this periodical stated:

"The individual policeman should not be armed: 'for whenever the preventive arm is sharpened thus the desperate hand of crime rises, with a deadlier weapon, to the occasion...If the burglar feels all right with his jemmy, let us not force on him a revolver.'"
(Police Review, 1908 cited Emsley, 1996: p 102)

Indeed, many requests for officers to be provided with firearms by chief constables were refused by the Home Office. When the Chief Constable of Kent requested firearms from the Home Office he was met with an abrupt answer. "This gentleman has very grand ideas. I wish these constables would think more of their staves and less of rifles" (Cornwall – Lewis, 1860 cited Emsley 1996: p 59).

Historically, there has always been tension between the need for the police in England and Wales to project a benign image dependent on officers appearing vulnerable and the need to provide these same officers with adequate protection. If the legitimacy of the police is dependent on officers appearing

vulnerable, then any new officer safety equipment would change this perception by making officers appear more formidable. Any new equipment, especially weapons, would have a negative impact on police legitimacy. This was most notable when police in the 1970s and 1980s changed the way that they dealt with crowd control situations. The traditional way of dealing with these problems was to rely on public support rather than offensive hardware (Bowden, 1978; Reiner, 2000). Police officers would attend crowd control situations in their everyday uniform with only a truncheon as a means of repelling violence. By appearing vulnerable the police elicited the sympathy of the crowd, which allowed them to dispel trouble. Reiner (2000) described this as winning by appearing to lose.

A more paramilitary style of crowd control that involved considerably more protective equipment soon became evident. After the Notting Hill carnival of 1976 police officers attended crowd control situations with riot shields (Jefferson, 1990; Johnston, 2000). However, it was during the miners strike in the early 1980s that the use of new protective equipment became more apparent. Thousands of officers policed the strike wearing flameproof overalls, protective helmets with visors, full length shields, and long handled batons. (Jefferson 1990; Johnston, 2000, Morgan and Newburn, 1997). Jefferson (1990) suggests that with the new equipment came new paramilitary tactics. It was noted by Brearly and King (1996) that this new equipment was more suitable for the close quarters combat employed with paramilitary tactics, such as the use of “snatch squads” used to locate and arrest individual trouble makers in the crowd, than it was for the traditional static pushing and shoving. Not only were these tactics new but they were considered more aggressive. From this perspective any new equipment adopted by the police can be seen as another step towards a more aggressive and oppressive police. This is similar to the argument that widespread firearms ownership by the citizens of the US can be considered the cause of high levels of criminal violence (Berkowitz, 1993; Berkowitz and LePage, 1967). The idea put forward by the anti - gun lobby is that the mere presence of firearms causes violence; therefore gun ownership should be banned (Kates and Klack, 1997). From this perspective, the routine deployment of CS spray will make the police more aggressive and so the only way to ensure the safety of the public is to withdraw it from use.

In contrast, Waddington (1999c) is sceptical about the concept of policing by consent. He considers policing by consent to be more about rhetoric than reality, because the availability of firearms and cutlasses meant that the police were never as vulnerable as they were made out to be. If it was rhetoric, then winning by appearing to lose was just another description for losing and the police should make a greater effort to protect citizens, themselves and public property during periods of unrest. Waddington (2000) repudiates the idea that the presence of new officer safety equipment means a more aggressive style of policing. He suggests that more people, innocent and guilty alike, were injured during a baton charge because of the indiscriminate nature of this tactic, than were injured during the use of paramilitary alternatives. Therefore, baton charges were legally more dubious than weapons such as “plastic bullets” that could be consciously aimed at individuals in a discriminate manner. However, because the baton charge was associated with traditional policing it was considered as more acceptable than “plastic bullets”. To this extent legitimacy is based on routine and tradition (Weber, 1997). “Waddington’s approach was generally one seeking to determine the objective effects of particular options and assess them in relation to the stated functions of the technology.” (Rappert, 2002a: 695). Rather than viewing all innovations in riot control equipment as having had a negative effect on policing and society, Waddington considered the interaction between each piece of equipment and the people using it to be of greater consequence to policing and society. He suggests that paramilitary policing involves superior command structures that allow high ranking officers greater control over the discretion of their junior colleagues (Waddington, 1993; Waddington, 1994; Waddington, 2000), and it is this control over police discretion that ensures a more peaceful outcome. This is similar to the argument against gun control in the US where the cry was often heard that “[g]uns don’t commit crimes; people do” (Sandlin, 1997: p 2) with the main argument being that guns were irrelevant to crime so criminals should be regulated not firearms. From this perspective, it is not CS spray but the discretion of individual police officers that makes for a violent style of policing. Therefore, it is the control over the individual police officers discretion that ensures public safety.

Regardless of differences in perspective, the adoption of new riot equipment changed the way the police was perceived, if only by social commentators. Jefferson (1990) indicates that this paramilitary style has become a normal feature of police policy by the beginning of the 1990s. When the police were controlling crowds they no longer appeared vulnerable. In fact they were looking formidable more akin to “Robo Cop” (Reiner, 1992b) or “Darth Vader” (Reiner, 2000). “As a consequence of these developments the legitimacy of policing policy and police tactics and operational decisions is probably now more closely examined and questioned than it was in the past” (Morgan and Newburn, 1997: 53).

(1.6): The introduction of CS spray.

Concerns were raised during the early 1990s about an increase in assaults against police officers in England and Wales. It was feared that police officers, armed only with their truncheons, were ill equipped to deal with people who were armed with knives or guns. These concerns re-ignited the debate regarding the wisdom of routinely arming the police with firearms (McLaughlin, 1996). This debate reached its peak during 1994 when the Police Federation balloted officers on this issue, resulting in 79 % of respondents rejecting the routine arming of the police with many officers stating their intention to resign if they were compelled to carry firearms on a routine basis (Derbyshire, 1995). While police opinion was against arming the force with guns, there was little dissent about the need for greater protection of its officers against assault. This led to the consideration of a number of “less than lethal” alternatives to firearms (Ingleton, 1996; McLaughlin, 1996; Brown 1992).

During 1994 the ACPO considered giving their support to the testing of incapacitant sprays that could be used to routinely arm the police forces of England and Wales. Initially they favoured the use of pepper spray (OC Spray). However, information supplied by the Police Scientific Development Branch (PSDB), and the Chemical Defence Establishment at Porton Down, suggested that it was too toxic, carcinogenic and mutagenic to be used for policing. Doubts were also cast upon its suitability after a police superintendent suffered a dramatic highly publicised negative reaction upon being exposed to pepper

spray just a few weeks before the trials started (Statewatch, 1996). After this the ACPO withdrew their support for using pepper spray and by April of 1995 were using their influence to back French made CS spray instead.

However, this was not a popular decision and many considered the adoption of CS spray in 1996 as settling for a poorer alternative to pepper spray, as the following quotation indicates.

“My preference was for pepper spray. Those who advised the former administration in the Home Office felt that the balance of advantage was with CS rather than pepper. I respect that judgement. My instincts are still that pepper spray should remain under consideration. Certainly CS spray is better than no spray.”
(Condon, 1997: p 22)

Despite the support of Sir Paul Condon and other like-minded officers, CS spray was the only chemical spray authorised by the Home Office for use by the police forces of England and Wales. However, the Sussex constabulary tested a spray that contained Pelargonic Acid Vanillylamide (PAVA) a known derivative of OC, which it now uses (Dillon, 2001).

The debate over which chemical incapacitant to adopt was short lived against a background of increased concern about police officers ability to defend themselves against assault. The need to offer greater protection to the front line officers became paramount in the minds of many leading police officers and in the spring of 1995 training for the officers who were to take part in the CS spray street trial was underway (Kock and Rix, 1996). Even when training for the CS spray trial period was stopped because of injuries to the eyes of some police officers taking part (Jenkins, 1998), there was still great enthusiasm for its use. After two of his officers were brutally assaulted Sir Ronald Hadfield, the chief constable of the West Midlands police, urged the ACPO to restart the field trials (Graves, 1996): they were reinstated shortly after. The field trials were conducted during 1996. They started on the 1st March and lasted until the 31st August, for a period of six months (Kock and Rix, 1996). During the field trials the Surrey and Hertfordshire constabularies withdrew because of safety concerns, while three officers announced that they would be suing Northamptonshire police after suffering from burns during training (Jenkins, 1998). It was only shortly after the trials began, that CS spray allegedly caused

the death of Mr Sey (Tyler and King, 2000). Despite the bad publicity that these incidents caused "...[i]n August 1996, the Home Secretary announced his support for any Chief Officer wishing to issue CS to officers on the beat." (Kock and Rix, 1996: p 3). Taking into consideration the political will on the part of the police to adopt CS spray against concerns regarding their legitimacy, plus a media backlash that would last just under four years, it would be easy to assume that CS spray had proven to be an effective means of defence for police officers. No. This was not the case.

(1.7): Does CS spray protect the police?

The field trials of CS spray conducted during 1996 employed a between groups methodology. "A total of 3818 officers carried CS in the sixteen forces participating in the trials. The activities of a further 3122 officers in control locations were monitored to identify changes caused by carriage of CS in trial sites" (Kock and Rix, 1996: p 1). It was found that officers were more confident in their ability to handle potentially violent situations when they were armed with CS spray (Kock and Rix, 1996). However, the data obtained during the street trials from incident report forms (IRF) and formal complaints by police officers of assault were unclear about how effective CS spray was at protecting officers from assaults.

"Force statistics on the trial period show that assaults on police were reduced by 18 per cent in areas where CS was used, compared to the same in the previous year. However, in the control areas where the spray was not used, assaults fell by 22 per cent. Further, many of the injuries in trial areas were related to CS spray cross – contamination."

(Tyler and King, 2000: p 396)

The CS spray trials also attempted to validate its effectiveness by examining how quickly a person could be immobilised once they were exposed. Kock and Rix (1996) indicated that on 71 % of occasions CS spray took under five seconds to have an effect on the person targeted. This approach to assessing the effectiveness of incapacitant sprays mirrored that of research conducted in the US (Edwards, Granfield and Onnen, 1997; Kaminski, Edwards and Johnson, 1999; Rogers and Johnston, 2000; Smith and Alpert, 2000). Rappert (2002b)

criticised this method of assessment. He suggested that a strict definition that considered immobilisation to be instant and total could lead to findings characterised by low levels of effectiveness. An independent report by the Berkeley Police Review Commission (1997) found pepper spray to be effective in only 20 % of the occasions that it was employed by law enforcement officers. This study used a definition of immobilisation that considered incidents where people continued to struggle after being sprayed as ineffective. Rappert indicated that strict criteria such as this were rarely used in the assessment of pepper spray, and that the implication of a 93% effectiveness rate by Rogers and Johnson (2000) was due to the inclusion of incidents where pepper spray had a minimal effect. In this case immobilisation was defined in such a way that it could be considered effective if it merely distracted the individual during arrest. This method of assessment was far too ambiguous to be considered a valid indicator of effectiveness for incapacitant sprays (Buttle, 2003).

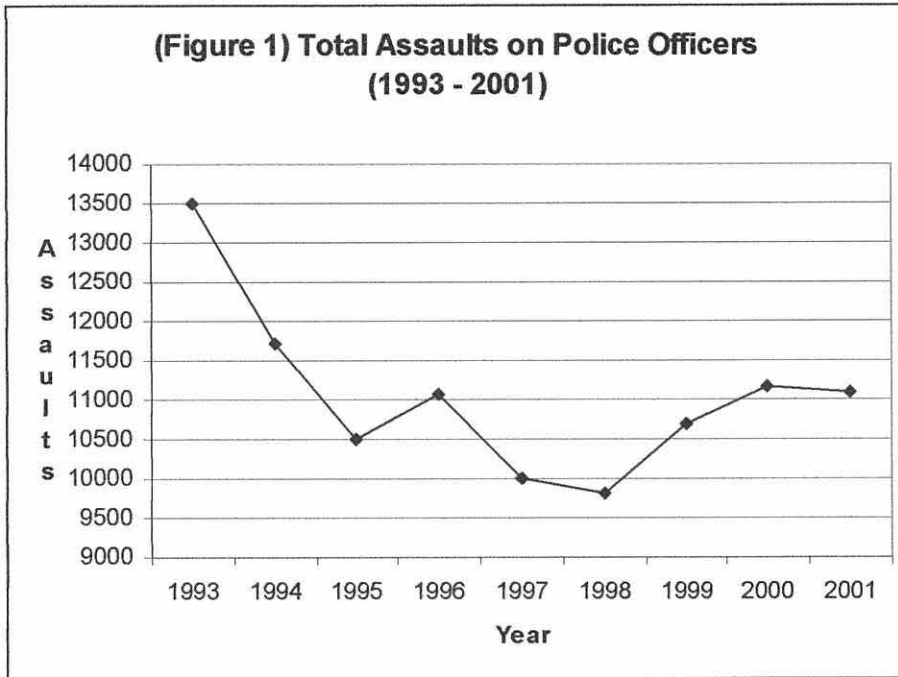
The Police Complaints Authority (PCA) also conducted a study of CS spray use which attempted to measure its effectiveness. Dobry (2000) made a comparison of assaults on police officers between the three constabularies (Northamptonshire, Nottinghamshire and Sussex) that did not use CS spray and the national total of assaults on officers. The national total of assaults on officers demonstrated a steady downward trend from 15,488 in 1996, 13,581 in 1997 to 12,569 in 1998. The Northamptonshire constabulary showed a steady increase in assaults on police officers from 157 in 1996, 183 in 1997 and 204 in 1998. The opposite can be said of the Nottinghamshire constabulary where the assaults on police officers decreased overall from 384 in 1996, 356 in 1997 and 373 in 1998. However, where the Sussex constabulary was concerned the picture was far more complex with an initial decrease followed by an overall increase in assaults on officers from 393 in 1996, 375 in 1997 and 411 in 1998. Dobry suggested CS spray has contributed to making life safer for police officers, but with all three constabularies showing different trends in assaults on police officers, there is no conclusive evidence to suggest that the absence of CS spray in these constabularies led to higher assault rates on police officers. Again there was no conclusive evidence to suggest that CS spray

afforded officers any more protection from assault than the other officer safety options available.

The police had often used the steady decline in assaults on police officers when justifying the adoption of CS spray. HMIC (1997) recorded a steady decrease in assaults on police officers from 1991 (19,150) to 1997 (12,569). The HMIC matrix of indicators accounted for the total number of non - fatal assaults on police officers between 1993 and 2002 (Figure 1). The total number of assaults on police officers fell from 13491 in 1993 to 9811 at its lowest point in 1998. Since then there has been a gradual increase, culminating in 11089 assaults on police officers during 2001. Despite the increase during the last few years, assaults on police officers have remained well below the 1993 levels. This data included all constabularies with the exception of Cheshire, City of London, Hampshire, the MET and North Wales. These constabularies did not provide the necessary data to HMIC during each of the years between 1993 and 2002. Thus, they were excluded from the graph depicted in Figure 1 in order to make each year comparable. It must be noted that, like the constabularies depicted in Figure 1, those omitted also demonstrated an overall decline in assaults on police officers with the exception of the City of London which showed an increase.

The problems with inferring that CS spray caused a decrease in assaults on police officers are many. The Thames Valley Police adopted rigid handcuffs and initiated officer safety courses in 1993, while the PR – 24 was introduced during 1995. It was not until 1997-1998 that CS spray was introduced to the Thames Valley Police (Elliot, 1999). While the Thames Valley timetable for adoption of officer safety equipment may differ slightly from other constabularies the sequence of these events remained the same in the majority of cases and there was also the adoption of protective body armour to be considered. CS Spray was the last piece of officer safety equipment to be adopted for routine use by officers. Therefore, it is impossible to separate the effectiveness of other equipment or training from that of CS spray, making it hard to validate claims made about its effectiveness.

Figure 1: Total Assaults on Police Officers (1993-2001)



It is more likely that the sum of all the equipment and training has caused a reduction in assaults on police officers rather than just CS spray. However, even this could be called into question. The reduction in assaults began in 1991(HMIC, 1997), while the officer safety programme came into being in 1993. There was already a downward trend in assaults on officers before the officer safety programme was introduced. This raised the possibility that assaults on police officers had fallen for reasons other than officer safety initiatives or even CS spray. There is a possibility that statistical regression to the mean could have caused this downward trend. In this case statistical regression to the mean would be when the intervention, be it the adoption of CS spray or the officer safety initiative, occurred during a period of abnormally high numbers of assaults on officers, where a subsequent decrease back to more normal levels could have occurred on its own. There are so many extraneous variables that could also explain this downward trend in assaults on police officers that any claims made regarding the effectiveness of CS spray as

a deterrent should be considered with extreme suspicion. After all, it would be just as easy to use the data depicted in Figure 1 to claim that CS sprays encouraged assaults on police officers. The majority of constabularies had deployed CS spray by 1998 (Police Ombudsman, Northern Ireland 2003), and it was then that the trend in assaults on police officers began to rise again.

The research conducted on CS spray failed to yield results that supported claims regarding its effectiveness. The only finding that was truly valid was that police officers believed CS spray afforded them more protection than anything else. This raised the possibility that the adoption of CS spray had more to do with raising the morale of serving officers than affording protection. In fact, this was the only justification that was needed by the police for the adoption of CS spray. The notion of constabulary independence from the political process, which evolved from the need for the police to be impartial in order to ensure consent (Marshal, 1965), raises the possibility that even without the backing of successive governments, officers would still have been routinely armed with CS spray, without the need for public consultation.

(1.8): Officer Safety in the countryside.

So far the research into the police use of CS spray has considered the national implications of its use from a largely urban perspective. While there has been research that compared assaults against the police in rural and urban constabularies (e.g. Moxey and McKenzie, 1993), there has been no research that concentrates explicitly on officer safety in a rural setting. In short, studies of how the police use force in the countryside is, for the most part, absent from the academic literature.

Yarwood (2001) indicated that, like their urban colleagues, the rural police officer is often perceived in idealistic terms by the public. The modern day rural police officer is often contrasted and compared with the concept of the “village bobby”(Aslett, 1993). According to Young (1993) the ideal of the “village bobby” places the police officer at the heart of rural village life. From this perspective the village constable enjoys a close relationship with the community which is established by the officer living in, and becoming a part of, the rural community that they police (Young 1993). It is this cosy relationship between the rural officer and the community that allows for the

impression that policing in the countryside is a safer experience than policing an urban environment. Furthermore, this may go a long way to explain the lack of research conducted on the safety issues faced by rural police officers.

As is often the case, ideals seldom correspond with reality. Young (1993) argues that historically, many rural communities were resistant to the imposition of a constable on their village. Many village constables had anything but a cosy relationship with their community. Instead, it was often the case that they and their families were treated as outsiders. According to Jones (1989) on first arrival in the countryside many of these police officers were assaulted, shot or maimed. Furthermore, the relatively small number of village constables often made the policing of certain crimes impossible (Jones, 1989). Some situations were just too dangerous for the police officer to intervene. It seems that life as a rural constable could be very isolated and dangerous.

Many of these same problems faced by the village constable are present in modern day rural policing. The police Act of 1964 saw to the amalgamation of many urban and rural police forces in the name of efficiency. What was a loose association of small local police forces was replaced by autonomous police bureaucracies (Baldwin and Kinsey, 1982). Yarwood (2001) argues that it was rural policing that suffered the most from these changes because the new emphasis on response favoured the location of police stations and officers in the highly populated urban areas. Lievesly and Maynard (1991) indicated that a mere two percent of rural parishes could boast of a permanently staffed police station. Furthermore, the general acceptance by the police that response times in rural areas are slower than urban areas as a consequence of the greater distance that needs to be travelled adds to media speculation that rural areas are not adequately funded (Hopkins, 1999). Whether through lack of interest or financial constraints, rural policing has been characterised by the media as “drive through” policing (Lusher, 1999). It appears that the modern day police officer is as isolated from the community as his or her predecessors were.

While rural policing has been, and still is, considered an isolating and dangerous experience for the officers engaged in this task, the officer safety equipment available the present day police officer exceeds that available to their predecessors. In short, the use of CS spray is as new to rural officers as it is to their urban colleagues. However, it is possible that this urban/rural

dynamic influences how police officers perceive the adoption of CS spray, because the perception of the dangers of policing the countryside may differ from that of the urban sprawl. It is therefore important that the adoption and use of CS spray in rural constabularies is given adequate academic attention.

(1.9): Discussion and synopsis.

By the mid 1990s concerns about the safety of officers had become serious enough to risk the legitimacy of the police by disregarding years of tradition and routinely arming them with a new weapon. Even against a background of negative media coverage there appeared to be a strong political will that supported the introduction of CS spray. The consequence of this was that police officers have now been routinely armed with a weapon that can be considered significantly different to anything that had been previously available. Not because it afforded them more protection, but because they thought that it afforded them more protection.

It is this complex interaction between officer safety and police legitimacy within a rural setting that is the subject matter of this study. The question asked is “why did a controversial weapon such as CS spray become so popular with the police that they supported its continued deployment, even in the face of negative media coverage, which threatened police legitimacy?”

This question will be answered systematically in the following chapters:

Chapter 2: Describes the methodology used for this research by discussing its strengths and weaknesses. It provides background to the area and the police force that was studied. In short, it prepares the reader for subsequent chapters allowing for a more informed understanding of this work.

Chapter 3: Waddington (2000) considers the regulation of police discretion to be important as a way of maintaining the safety of the public and preserving police legitimacy. This chapter explores the possibilities for regulating the use of force by examining both the Jamaican police and the US police. The Jamaican police have few, if any, regulations or guidelines regarding the use of force, while the US police have considerable controls in place. It will be argued that guidelines and especially rules of engagement regarding the use of force need to be clear and specific. They should provide a workable operational

definition of reasonable force for police officers to follow as well as a promise of accountability.

Chapter 4: Examines the measures employed by the police of England and Wales to regulate the use of force. Consideration is given to the ambiguous nature of the law, guidelines and the rules of engagement. It is argued that there is no working operational definition of reasonable force to inform the police. Therefore, there is little regulation of officer discretion regarding the use of force. This questions the safety of the public and the preservation of police legitimacy.

Chapter 5: Discusses a case study of a person who had been exposed to CS spray in a well publicised incident. Secondly, consideration is given to the attitudes of a North Wales community where a well publicised incident of CS spray use occurred. This chapter argues that the perceived misuse of CS spray had little effect on the legitimacy of the police. The only people who were really concerned about its use were those who have been sprayed and those who know someone who has been sprayed. Everyone else was more concerned with the apparent inability of the police to stop petty crimes in their area. The public's perception that the police were afraid of criminals was also discussed.

Chapter 6: is concerned with the dangers that police officers face from violence. This chapter discusses matters such as the risk of violence faced by officers and their perception of risk. How being assaulted could affect a police officer was also discussed, within the context of the coping strategies employed by police officers. It is argued that the more uncertain the situation, the more likely it would be perceived as dangerous. Therefore, certainty must be associated with safety.

Chapter 7: is concerned with what police officers considered to be the most effective way of dealing with potentially violent incidents. It was argued that police officers preferred to attend incidents with their colleagues rather than on their own. And that verbal and low level physical tactics were the preferred way of resolving incidents that were not violent. The reason for this was that verbal and low level tactics were considered a way to avoid assaults. Therefore, the popularity of these tactics is, in many ways, a result of the officers' fear of being a victim of violence.

Chapter 8: is concerned with officer safety training and equipment (with the exception of CS spray), the merits of which were discussed at length. It was argued that equipment and tactics that were popular with these officers were perceived in a similar manner. They preferred offensive tactics and equipment over defensive ones. There was also a preference for tactics and equipment that were easy to learn and easy to remember. Furthermore, they preferred equipment that was compact and comfortable to carry.

Chapter 9: Concentrates almost exclusively on why police officers put so much faith into the belief that CS spray affords them better protection than the other options available. Consideration was given to the distance that CS spray could be used from, its value as a deterrent against assaults on officers, and its value as a means to reduce complaints of excessive force against police officers. All of these things heavily influenced the popularity of CS spray with officers. However, they also provided reasons why CS spray was no better at providing protection than any other officer safety options.

Chapter 10: Discusses the findings of the previous chapters and the implications for theory and more practical policy matters. It is argued that police legitimacy is barely affected by the adoption of controversial weapons such as CS spray, and that the larger threat to police legitimacy is the public perception that the police are unable fulfil to their role as protectors of society because they are afraid. This final chapter argues that the officer safety programme has instigated and maintained a more offensive style of policing that is reliant on illegal pre-emptive uses of force. It also suggests ways to avoid the problems of the current officer safety programme.

CHAPTER 2

SETTING THE SCENE

The field work for this study was conducted in North Wales at a local level. Therefore, this chapter sets the scene for the rest of the study by describing the North Wales area and considering the regional problems of crime. There is also some discussion of how the North Wales Police react to the challenge of policing in what could be considered a largely rural area. After setting the scene, the focus of the discussion concentrates on methodological matters. This discussion offers a rationale for the way the fieldwork was conducted, as well as reflecting on its limitations. Some consideration is given to the ethical and practical difficulties that arose during the fieldwork. Furthermore, actual and possible solutions to these problems are discussed at length.

(2.0): Challenging the rural idyll.

There was nothing more disturbing than being told by an eminent colleague that “there can’t be much crime in North Wales” or as a visiting delegate to the British Criminology Conference (2003) held at the University of Wales, Bangor stated: “Surely the police don’t get to use force in such a beautiful place.” Even experts on crime appeared to be naïve about the reality of policing rural crime. Although maybe this should not be too surprising because

“...there has been little work done by criminologists in rural areas. Rather, they have tended to focus on urban and inner city areas, where crime rates are perceived to be higher, and in effect, have provided a ready resource for criminological exploration.”
(Jones, 1998:p 25)

Rural crime is one of the most understudied topics in criminology (Bottoms and Wiles, 1997; Moody, 1999). Therefore, some time must be given over to the discussion of the most prevalent and deeply ingrained myth surrounding rural crime.

Predominantly rural areas such as North Wales were often characterised as rural “backwaters” that were safe and crime free (Bunce, 1994; Mingay, 1989a;

Short, 1991). It is the metropolitan and larger urban areas that monopolised crime; it is these areas that are considered dangerous (Jones, 1998; Muncie and McLaughlin, 1996). For Jones (1998), it is the utopian perception of the countryside, where its inhabitants are considered to be honest hard working people who live in a close knit peaceful community, which romanticises the common stereotype of the “rural idyll”. However, like many stereotypes this one is, for the most part, incorrect. Jones refutes this naïve view of the countryside and its people. It was evident that the countryside was never a ‘crime free’ utopia (Jones, 1998; Mingay, 1989b), and during the late 1980’s and early 1990’s crime rates appeared to be rising faster in rural than in urban areas (HMSO, 1992). So much so, that in 1996 crime prevention experts launched an offensive against rural crime (Jones, 1998). While these rural crime rates, much like urban crime rates, have peaked and are now declining, there is some evidence that the increase in rural crime has been sustained longer than urban crime (Aust and Simmons, 2002). According to Anderson (1999), it is possible that while rural crime rates remain lower than urban crime rates, the gap between them has narrowed because the decline in rural crime is slower than the decline in urban crime.

Mingay (1989a) suggested that the countryside as a safe and crime free environment became an elite idea, and that this “rural idyll” has contributed to migrations from urban to rural areas. Valentine (1997), indicated that many women considered the countryside to be the safest place to raise children. This, of course, puts fear of crime as one of the central motivating factors behind urban to rural migrations. It seems that people move to the countryside to feel safe. In North Wales, during the last ten years, the concept of the “rural idyll” has at times been shaken by a number of shocking high profile crimes that have occurred in the area. The following quotations list some of the more notorious criminal acts that occurred in North Wales.

“Child killer Howard Hughes ... was jailed for life in 1996 for the murder of seven – year – old Sophie Hook at Llandudno. Hughes is serving a life sentence after ... snatching the Cheshire schoolgirl from the tent where she had been sleeping in her uncle’s garden ... in 1995. Her body was found washed up on a nearby beach ... the morning she had disappeared. She had been raped and strangled.”

(BBC, 2000a: p 1 – 2)

“Serial killer...Peter Moore, 60, was jailed for life in 1996 for stabbing four men to death. The former cinema manager from Rhyl, who attacked more than 50 other men in what the judge at his murder trial described as ‘20 years of terror’, received four life sentences.”

(BBC, 2000b: p1)

“A teenager cut out the heart of a 90 – year old widow and drank her blood because he wanted to become a vampire. He then positioned pokers at her feet in the shape of a crucifix. Mrs Leyshon was attacked from behind as she sat in an armchair watching television in the lounge of her bungalow home in Llanfair PG [Pwllgwyngyll], Anglesey.

(Bunyan, 2002:p 1)

It was not just high profile murders in North Wales that received extensive national media coverage. There was also a case of a paedophile ring, which had national implications.

“An inquiry into sexual child abuse of children at care homes in North Wales has revealed the ‘appalling mistreatment’ the victims suffered over 20 years. The UK Government is now actively searching for 28 former care workers named in the inquiry’s report... The Waterhouse tribunal – the largest child abuse inquiry ever set up in the UK – heard evidence from hundreds of victims.”

(BBC, 2000c: p 1)

At the time of writing, the North Wales police had just been engaged in a serious case of racially motivated public disorder.

“Violence erupted on a Wrexham housing estate last night as a local mob fought with asylum seekers for the second evening running. The rioting was described as ‘racially motivated’ by police who deployed more than 100 police officers from three forces to quell the trouble. At least 200 people were involved in the violence and police have charged two people with public order offences.”

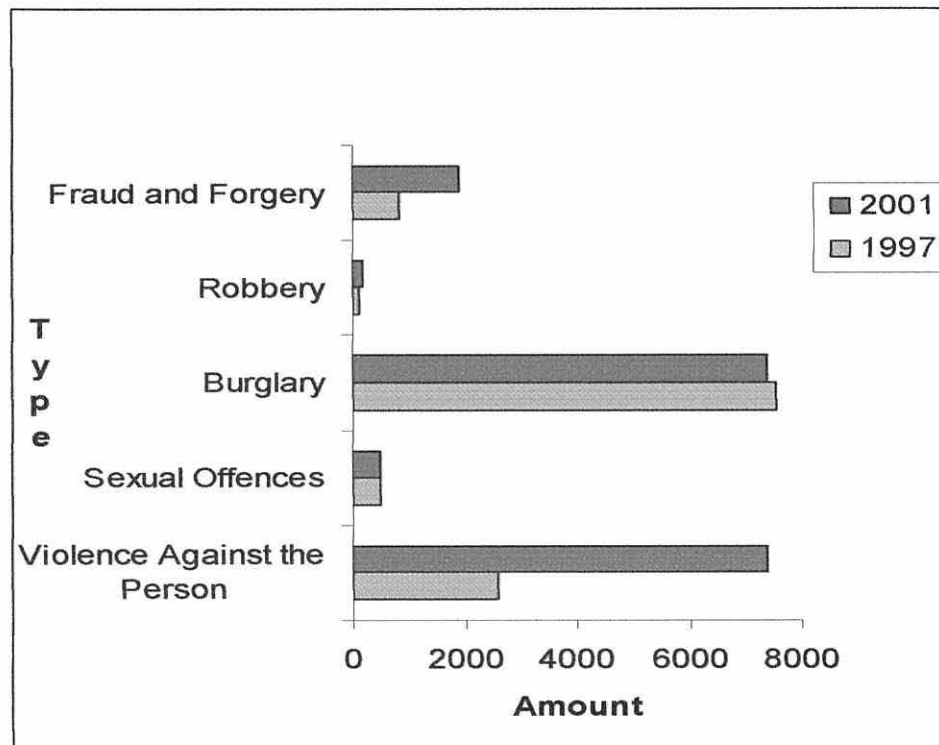
(Raja, 2003: p 1)

While rural North Wales may be perceived as a safe and crime free area, there have been many instances of sensational crimes that warranted national media attention. This media attention concerned the types of crime that many would

normally associate with urban areas and called into question the safety of this particular part of the countryside.

Police crime statistics have also indicated that certain crimes are on the rise in North Wales. Figure 2 depicts the notifiable offences recorded in North Wales (HMIC, 2001). It compared the notifiable offences recorded by the police during 1997 with those recorded during 2001, a difference of 4 years. During these 4 years, reported notifiable sexual offences and burglary had

Figure 2: Notifiable Offences Recorded in North Wales



remained fairly constant. However, between 1997 and 2002 there was a reported increase in robbery of 73 %, fraud and forgery of 127 %, and most noticeably violence against the person increased by 186 %. While crime rates were not as high as those in many metropolitan areas, North Wales is far from the peaceful utopia that many perceive it to be. The increase in violence against the person could indicate the emergence of a more dangerous country life in North Wales. However, it is also possible that this apparent increase in

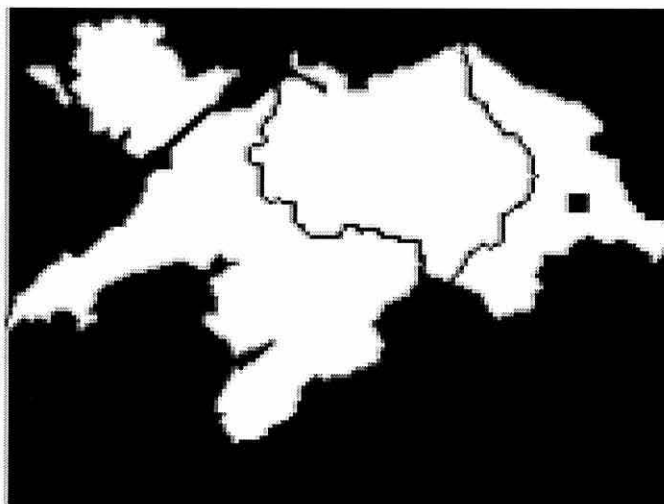
violence against the person has more to do with the willingness of people to report to violent crimes or the willingness of the police to record them (Maguire, 1994).

From a theoretical standpoint the concept of a “criminal countryside” should not be considered unusual. It was Durkheim (1964) who argued that crime was an integral part of social organisation. Crime was not just an aspect of urban life because crime was universal. Therefore, it must be present in rural communities. Aust and Simmons (2002) correctly point out that while crime rates in urban areas are higher than rural areas, it would be simplistic to consider rural areas as crime free and that it is important to acknowledge that rural areas still suffer from crime and disorder. They indicate that statistics can only provide a snapshot of crime and that many rural crimes go unrecorded.

(2.1): Policing North Wales.

The North Wales Police (NWP)ⁱ has five divisions to cover a unique and topographically diverse region. Three of these are regional while the two remaining divisions are based at central headquarters in Colwyn Bay. The

Table 1: Territorial Divisions of the North Wales Police.



Western

Central

Eastern

Crime Services Division consists of support staff who carry out investigative work by gathering intelligence and evidence. This includes community safety, fingerprint section, scenes of crime, scientific support, major crime unit, special branch, fraud squad and crime recording unit. The Operational Support Division has three local bases, one in each territorial division. They offer constant support and advice to the local officers. The Operational Support Division is responsible for the traffic section, dog section, firearms section, helicopter section and area control rooms. There are three territorial divisions the Eastern Division, Central Division and Western Division (see Table 1).

The Eastern Division incorporates the counties of Wrexham and Flintshire. This is a diverse mix of agricultural and urban areas containing 42% of the population of North Wales, approximately 277,041 people (Census, 2001). The Eastern Division is the most industrialised part of North Wales containing two of the largest industrial estates in the area. However, despite continued investment by large companies in the area, the decline of the steel and coal industries left areas of considerable social deprivation. Taking this into consideration as well as the close proximity to the North West of England, it is hardly surprising that the Eastern Division deals with a large proportion of the crime committed in North Wales. The main policing issues and priorities for the Eastern Division are drug dealing, juvenile antisocial behaviour, car crime, burglary, violent abuse, and controlling the crowd at Wrexham City football matches.

The Central Division consists of the counties of Denbighshire and Conwy, which had a population of approximately 202,689 people (Census, 2001) and covers an area of 1920 kilometres with 50 kilometres of coastline. It is by the coast that the majority of this division's population, approximately 80 %, resides. There is an annual influx of nearly 12 million visitors and the majority of local residents rely on the holiday trade as a means of support. This area, specifically Rhyl, has the largest number of late night licences (89 in total) in North Wales, and nearly 15,000 static caravans. The policing issues and priorities for the central division centre on the control of alcohol and drug related incidents. There is often a need for extra security when road shows tour the coast during the summer and for the national political party conferences held at Llandudno.

The Western Division incorporates the counties of Anglesey (Ynys Mon) and Gwynedd. Approximately 183,667 people are resident in this area (Census 2001). There are about 3.5 million annual visitors to the area and a further 4 million pass through on their way to and from the port of Holyhead. The Western Division covers 807,546 acres of land, much of which extends into Snowdonia National Park. The economy of the area is mostly agricultural, although there is some heavy industry on Anglesey. There are 1,461 licensed premises in the region, which are a focus of attention for the officers of the Western Division. There is considerable social deprivation in many areas and there are problems with drug use, especially heroin, which have been a problem for the police. They also prioritise violent crime, burglary and vehicle crime. There are a number of policing issues unique to this Division. It is responsible for policing approximately 11,000 students attending the University of Wales, Bangor as well as major events that occur at the university and on Anglesey (e.g. the Anglesey show). This can be a considerable drain on human resources. Furthermore, the policing of a mountainous area such as the Snowdon National Park with its many isolated villages, provides its own unique challenges. The need for officers to be in a position to reach remote and often inaccessible areas can also be a strain on human resources. It is in the Western Division that this study is situated.

The Policing Plan 2001 was produced with the idea of outlining the modern approach to policing North Wales. It emphasised the adoption of a community policing approach for the North Wales police. Police officers were issued fluorescent yellow coats to make them more visible to the public. This was done to reassure the public that the police were patrolling the community. Beat managers were introduced to take charge of patrolling in specific areas. They were seen as a way to provide access to the police for the public. There was an emphasis on a "citizen focus" to the extent that meetings were held by the police in local communities with the aim of listening to public concerns and acting upon them. Furthermore, the NWP established numerous community partnerships with local statutory and non - governmental organisations (NGOs) in an attempt to solve specific long term problems such as drug abuse.

(2.2): Rural comparisons.

North Wales is a unique area both geographically and socially. With all things being equal, then the constabulary that polices North Wales must also be unique. This makes comparisons between different constabularies problematic. Not only are the urban constabularies geographically and socially different from the North Wales constabulary, but so are many other rural constabularies. While it is possible to provide crude breakdowns between metropolitan and non – metropolitan constabularies, or between urban and rural districts, it is harder to distinguish between the urban and rural places within these areas (Anderson, 1997; Yarwood and Edwards, 1994).

The British Crime Survey has attempted to solve this problem by using “A Classification of Residential Neighbourhoods” (ACORN), which classifies households according to the demographic, employment and housing characteristics of the surrounding neighbourhoods (Miiriless-Black et al, 1998). ACORN was developed by CACI Ltd from a cluster analysis of variables taken from the 1991 Census, in order to determine the social environment where households are located (Aust and Simmons, 2002). Aust and Simmons (2002) used ACORN to identify constabularies that policed five categories of rural areas. These five categories have been labelled: most rural, less rural, middling, more urban and most urban. When generalising the results of this study to other constabularies it may be appropriate to consider those that Aust and Simmons call the most rural. The North Wales Police have been assigned to the most rural category alongside Dyfed-Powys, Lincolnshire and North Yorkshire.

A note of caution: while the categories employed by Aust and Simmons (2002) hold the most promise for generalising these North Wales research findings to other constabularies, the uniqueness of North Wales may still remain a problem. For example, the North Wales Police share the category of most rural with the North Yorkshire Police, but there are considerable differences between the two areas. The North Yorkshire Constabulary police the city of York, which can be considered a fairly large urban area in comparison to Bangor, the only city in North Wales, which in reality is more akin to a small town. Wrexham, the largest town in North Wales, is also smaller than York. The geographic topography of these two constabularies is also different. In part, North Wales is a mountainous region while North Yorkshire, for all its

hills, is not. However, it is this sort of debate over how rural one area is in comparison to another that is in itself counterproductive (Hoggart, 1990). What can be said about the policing areas that Aust and Simmons (2002) have characterised as most rural, is that they represent areas that, while not totally the same, are as comparable as is possible given the complexity of the different rural areas.

(2.3): The research rationale.

This is a study about the use of force. A controversial topic strangely neglected by criminology "...in comparison to the literature on other aspects of police behaviour, such as factors influencing decisions to apprehend, question or arrest, the body of knowledge on police violence is limited" (Philips and Smith, 2000:p 480). Furthermore, the studies available were mostly conducted in the US and concentrated on the use of lethal force (Alpert, 1998; Binder and Fridell, 1984; Binder, Sharf and Galvin, 1982; Blumberg, 1989; Boylen and Little, 1990; Fyfe, 1979; Fyfe, 1988; Geller and Scott, 1992; Geller and Toch, 1996; Jacobs and O' Brian, 1998; Scharf and Binder, 1983; Sherman, 1980; Waegal, 1984). The majority of violent encounters that occur between the police and citizens rarely involve the use of lethal force; it is lower degrees of force associated with brawls that occur more frequently during arrest (Philips and Smith, 2000). While non - lethal use of force is far more frequent it has, nonetheless, been a neglected area of police studies (Worden, 1996). The majority of studies regarding the use of force by the police of England and Wales were conducted in the context of crowd control situations; to be more specific, studies of riots (Brearley and King, 1996; Brewer, et al, 1996; Hillyard, and Percy-Smith, 1988; Jason-Lloyd, 1991; Jefferson, 1990; Vogler, 1991; Waddington, 1993; Waddington, 2000). There have also been a few studies of assaults on police officers (Brown, 1992; Christopher and Noaks 1990; Philips and Cochrane 1991; Moxey and McKenzie, 1993). However, these studies were conducted before the officer safety program was introduced nationally, which increased the defensive training available to police officers and the number of non-lethal options at their disposal.

There is a dearth of independent studies on how the police in England and Wales use force in the context of normal everyday duties. Furthermore, there

has been no previous independent research conducted on the officer safety programme and officer safety training. Specifically, there has been little independent research conducted on officer safety equipment and tactics, especially CS spray. This study will go some way to addressing these issues.

The negative media coverage of CS spray made this a controversial topic. A topic that was sensitive to the police. This needed some consideration when attempting to gain access to the NWP. It was decided that the request to conduct research on the NWP would be couched in the terms of how CS spray had influenced the officer's perception of safety. By putting the emphasis on officer safety rather than use of force it was thought that the NWP would be more willing to grant access. However, while approaching the study of CS spray from an officer safety perspective may have elicited a more favourable response from the NWP, they were not unaware of the controversial nature of the topic. This is the constabulary where an elderly gentleman died after the alleged misuse of CS spray (see Chapter 1: 1.3). Taking this into consideration, being granted access to conduct this study was a testament to the NWP's commitment to openness and transparency.

The main problem with conducting police research can be considered one of visibility, or to be more precise, low visibility (Reiner, 2000). Much of the police officers' job is conducted out of sight of their supervisors and in situations where there are no onlookers. This allows individual officers, who often work alone or in pairs, to construct an authoritative account of the incidents they are involved in (Chatterton, 1979; Manning, 1979). The only challenge to this account of events is from those being arrested. In most cases this is not considered to be a credible challenge (Box and Russell, 1975). It was the low visibility of police work that made participant observation the favoured way of studying police culture and practices (e.g. Banton, 1964; Cain, 1973; Holdaway, 1983; Kemp et al 1992; Punch, 1979). By accompanying police officers while they were on duty, it was hoped that researchers would gain access to these low visibility moments, the idea being that the objectivity of the researcher provided an alternative to the police officers account of events (Reiner, 2000). According to Reiner (2000), the strength in the observation method is that all other methods relied on the possibly biased accounts of police officers. A major advantage of observational research is that it involves

the observation of behaviour in its natural setting (Chadwick, Bahr, and Albrecht, 1984). While responses to interviews and questionnaires can often produce answers that differ from actions (Agnew and Pike, 1982; Hanson, 1980; Oskamp, 1977), the directness of observation is not influenced by the participant's memory degradation or need to appear socially desirable (Robson, 1993).

Robson (1993) indicated that observation could be problematic because the observer's presence may affect the behaviour of those being observed. Reiner (2000) also suggested that the presence of a researcher often influences the behaviour of police officers, which could be why many controversial forms of police deviance went unobserved. In situations where those being observed were aware of the researcher's presence, it would be familiarity gained with the progression of time that would reduce the effect of the researcher's presence; when people became accustomed to being observed, the researcher's presence would be ignored and they would resume normal behaviour (Robson, 1993). However, where studies of the police are concerned, it is not just a matter of familiarity but also a matter of trust between the researcher and the officers participating in the study. Reiner (2000) suggested that a long and labour intensive period of observational work was needed to obtain that trust and that the trust built up between the researcher and the researched was never complete on the part of the officers. Therefore, an observational study of how the police used force could still run into difficulties because of reluctance on the part of officers to attend incidents that had serious potential for violence while the researcher was present. Even without such concerns, police officers often had little reason to use physical force (Bayley and Garofalo, 1989; Sykes and Brent, 1983). This raised the possibility that an observational study would not reveal much in the way of CS spray use, or other types of force used by the police. Another pressing problem with the use of this method was its time consuming nature, which could involve months or even years of the researcher attempting to immerse himself into the police culture (Gans, 1999; Malinowski, 1922; Stenhouse, 1982). The researcher needed to work in order to support his studies. Therefore, a time consuming study that would not yield much information about the topic being studied was to be avoided.

The advantages of employing a questionnaire survey were considered. Questionnaires have the advantage of being an economical method of gathering wide - ranging information (Robson, 1993). They are economical (Dillman, 1978) as well as frugal with the time and effort the researcher has to spend in their application and analysis (Chadwick, et al, 1984; Gillham, 2000). Questionnaires lend themselves to sampling from large populations (Schutt, 2001). It is possible that this method of collecting data would reach more police officers than other methods, increasing the likelihood of gaining a representative sample of those that serve in the North Wales Police. Furthermore, questionnaires can be completed without the presence of a researcher, which may reassure the respondents of their anonymity (Gillham 2000). This reassurance that attitudes can be reported without fear of reprisals makes it easier for the respondents to answer questions of a sensitive nature (Sudman and Bradburn, 1982). This would appear to make questionnaires the ideal way of gathering data about the attitudes held by police officers in regards to the issues surrounding the use of officer safety equipment. However, there are drawbacks to the use of questionnaires.

While the major advantage of surveys conducted with questionnaires is that they provide a maximum of data for the minimum of time, effort and money, this economy is gained at the expense of inherent limitations in the depth of the data obtained (Chadwick at al, 1984). The answers are squeezed into small boxes, which may or may not be appropriate (Robson, 1993) and there is no way for the respondents to clarify badly designed or ambiguous questions (Gray, 2004). Furthermore, the researcher's absence during the data collection means that there is no way of responding to any interesting leads that may present themselves (Chadwick et al, 1984). A survey of the NWP regarding police officers' opinions on numerous policing matters including that of CS spray had been achieved by Baker and Waddon (1998). While the results of the survey were interesting, they lacked the depth that could be achieved with more qualitative work. The survey had established how the respondents perceived numerous topics but not why. Unfortunately, only about half of the officers serving in the NWP responded to the questionnaire, which hardly made it representative of the whole constabulary. Response rates are often poor, especially when the questionnaire is particularly long (Dillman 1978; Gillham,

2000). Rather than adopt Baker and Waddons (1998) quantitative approach to studying the perception of police officers, it was decided that this study should investigate how the NWP perceived officer safety in a more flexible and detailed manner.

While the use of questionnaires to gather data was considered too inflexible to explore the complex issues that surrounded officer safety, interviews were not. Interviews are a flexible and adaptable means of exploring social phenomenon (Robson, 1993), which yield rich in-depth descriptions of social processes in local contexts (Grey, 2004; Miles and Huberman, 1994). The use of interviews as a research technique is particularly appropriate when the objective of the research is to explore people's feelings, attitudes, values, and knowledge in regards to a specific topic (Cohan and Manion, 1997; Gray, 2004). It is not only possible to modify the line of enquiry when the need to do so arises (Robson, 1993), but also to allow the interviewee an opportunity to reflect on issues to which they had given little previous thought (Arksey and Knight, 1999). Furthermore, interviews allow the researcher access to the participant's oral history (Hall and Hall, 1996; Plummer, 1983). This would facilitate greater access to information regarding the rare occasions that CS spray has been used, by allowing the researcher to examine the officer's past experience as well as their present perceptions. Loader and Mulcahy (2003), used biographical and oral history interviews in a similar manner while studying the Manchester Police. There have been many studies of the police that have relied on interviews conducted with police officers (e.g. Fielding, 1988; Holdaway, 1991; Reiner, 1991). It was decided interviews should be the main means of exploring police officer's perception of CS spray.

There is a major problem with bias when using interviews (Gray, 2004). Bias falls into two categories; those biases associated with the interviewer and those associated with the participant. Interviewer bias is often associated with the way that the researcher behaves or looks, which can influence the answers that are offered by respondents, often in the most subtle of ways (Gray, 2004). However, it is those biases associated with the participant that are of specific concern when it comes to the study of the police. It could be argued that the police, more than anyone, would want to safeguard their image by providing overly positive accounts of their behaviour when using force.

According to Chadwick et al (1984) it is good research practise to triangulate whenever possible. Triangulation involves the collection of data, on the topic being studied, over different times and from different sources (Denzin, 1970; Easterby-Smith et al, 1991; King, 2000). This multi - method approach would provide a solution for the problem of possible bias that may occur if the study relied only on the accounts of police officers. If the interpretation of one set of data could be corroborated with other sources the validity of the findings would be enhanced. The same goes for the researcher:

“Research findings are affected by the nature of the research method applied, by the researcher’s specific knowledge of that method and how it should be applied, by the personal and professional characteristics of the researcher, including mood, idiosyncrasies, and perspectives...Triangulation in all its possible varieties permits the researcher to escape some of the variance attributable to these four sources of discrepant observation.”
(Chadwick et al, 1984:p 40)

Therefore, the ideal way of studying how the police perceived CS spray would be to question police officers about an incident where it was used and then question the person or persons it was used on. It may have been possible to get further corroboration from witnesses. The problem with using this type of triangulation is its similarity to an investigation into a police officers misuse of force. There was the possibility that this method would have appeared similar to a PCA investigation which could have made the police reluctant to take part in the research. Establishing a rapport with those being interviewed can be important as a means of facilitating honest responses (Arksey and Knight, 1999; Benney and Hughes, 1977; Chadwick et al, 1984; Hall and Hall, 1996). If the interviewed officers identified the research process as similar to a PCA investigation then establishing rapport to gain honest answers would be difficult, if not impossible. Therefore, it was decided that this would be an inappropriate method to employ.

The idea was still to triangulate the data, but this was not to be achieved by comparing the perceptions of the actors in a specific incident. Instead, police officers that worked out of Bangor police station were interviewed and observations were made of officer safety training. The observation of officer

safety training allowed the researcher the opportunity to objectively check many of the statements made by officers during the interviews. Furthermore, the perception of how police officers viewed CS spray was compared to how the public perceived it by interviewing people that had been sprayed, or who knew someone who had been sprayed. When considered alongside the documentary work that was conducted regarding guidelines and rules of engagement, the methods employed during the fieldwork were eclectic. Indeed, triangulation between these different research methods has been used by previous researchers. Reiner (2000) suggested that many studies of the police have included a combination of different methods such as documentary analysis, observation and interviews (e.g. Hoyle, 1998; Lee 1998).

(2.4): Researching police perception.

In order to gain a better insight into the police officers' perspective of CS spray a number of semi-structured interviews were conducted. Semi-structured interviews are a non standardized means of interviewing that still maintain some form of structure while allowing for a certain amount of flexibility (Fielding, 1993; Gray, 2004; Powney and Watts, 1987). The interviewer constructs an interview schedule that comprises a list of questions (Appendix 6) covering important aspects of the research topic (Gray, 2000; Powney and Watts, 1987). The topics for the interview schedule were constructed from knowledge gained from literature searches regarding the issues that surround officer safety. Hall and Hall (1996) strongly recommend that interview schedules are piloted. For this study an initial pilot interview was conducted with an officer safety instructor and the schedule was modified for use in subsequent interviews. The pilot interview was included in the study. Powney and Watts (1987) explained that semi-structured interviews were respondent interviews where the interviewer gained responses to a shopping list of topics, but that there was great freedom in what sequence the questions were asked and how the questions were framed. The semi - structured interviews for this study started when the interviewer asked participants to explain how they would deal with a potentially violent situation. How subsequent questions were asked was dependent on the answers given to the initial inquiry. The questions asked were generally open ended (e.g. Fielding, 1993) with the exception of

those used when seeking clarification on a specific point. This allowed for a structured approach that ensured comparability between the different types of equipment and officer safety tactics, while maintaining the researcher's freedom to pursue other relevant avenues of questioning that arose during the interview process (e.g. Gray, 2004).

These semi - structured interviews were conducted with "frontline" police officers. Frontline police officers consist of uniformed constables and sergeants. These were the officers who were most likely to be assaulted (Brown, 1994; Christopher and Noaks, 1990; Moxey and Mckenzie, 1993) because they dealt with the more dangerous aspects of policing (Philips and Cochrane, 1991). A sample of 21 police officers were interviewed all of whom were based in one police station in Bangor (Appendix, 7). Many of these officers were stationed in outlying villages such as Menai Bridge and Bethesda, which encompassed the village of Tregarth. There were 3 female officers interviewed and 18 male officers, with the female officers representing 15% of the sample. This was approximately the percentage of female officers in the overall population of the NWP. The age of the officers ranged from 24 to 47 with a mean age of 36. There were 5 sergeants interviewed and 16 constables, with one constable being the coroner's officer and another being based at the local hospital. Two of the sergeants had been involved with organising the officer safety training in the NWP service during the period while the interviews were taking place. The advantage of interviewing officers that were associated with one particular station was that they had all been exposed to the same working culture and had experienced similar situations making it easy to see how the participant's views of officer safety had been influenced by the perceptions of their fellow officers. However, with the focus being on one particular police station there would be problems with generalising the outcome of the interviews to the rest of the Western Division of the NWP. The participants interviewed during this part of the study will hence be referred to as officers 1 to 21.

Robson (1993) indicated that interviews that lasted for less than half an hour would have little value and interviews that lasted over an hour would prove to demanding for those busy working to participate. These semi - structured interviews were conducted while officers were busy working and too ensure

co-operation it was important to be flexible in how much time was spent interviewing. Interviews lasted from 30 minutes to two hours depending on how much time the officers had to spare. The researcher had no influence over which officers were selected and this was far from a random sample. The interviews were conducted in one of the police station's interview rooms and the duty sergeant selected the officers to be interviewed, while the researcher patiently awaited his or her arrival. This was advantageous when it came to ensuring that the majority of officers were interviewed. Although the response rate to interview requests was generally positive (Robson, 1993) there were concerns about the sensitivity of the topic affecting the response rate. Undoubtedly, it would be a harder for a constable to refuse to be interviewed if the request came from the sergeant than if it came from a researcher.

The disadvantage with this approach was that reluctant officers may have felt pressured to participate in the study and may have answered the questions in a way that they believed to be socially acceptable (Chadwick et al, 1984). Therefore, the researcher ensured that all those interviewed were aware that they could refuse to participate at the beginning or during any stage of the process (Appendix 8). They were also informed that they could leave in an emergency. Any officer who was reluctant to be interviewed may have felt the need to be less than truthful with his or her answers. In order to lessen the pressure to fabricate answers it was explained that their confidentiality would be guarded. Gray (2004) indicates that interviews allow the respondents to reflect on events without committing themselves to paper, which makes the whole interview process appear more anonymous. It has also been suggested that "[i]nterviews are also useful where it is likely that people may enjoy talking about their work" (Gray, 2004: p 214). Therefore, it was also explained that this was a rare opportunity for them to express their opinions freely about officer safety. Many officers appeared to relish the opportunity to voice their opinions about the limitations of the officer safety programme and other policing matters.

When analysing the data there was considerable agreement between participants about various aspects of CS spray use and officer safety in general. While the answers given by officers often corresponded with each other, the reasons for this agreement often differed. It was unlikely that all the

participants were lying in a uniform manner and the variation of responses suggested that these officers were not just giving the standard official answers. Therefore, it was assumed that the data gathered from these interviews reflected the true opinions of the participants. There was one interview that was the exception. The officer concerned stated that he would never wear protective body armour. However, only two weeks later this officer was observed wearing body armour when the researcher was in town on private business. Extracts from that particular interview were not used in this study unless other interviews substantiated the claims made by this officer. Living in the same area where the field work was conducted was advantageous. In the time after the fieldwork was conducted a number of statements made by officers were substantiated as the researcher went about his private life. For example, the perception that the majority of these officers often failed to wear their protective body armour was easy for the researcher to substantiate. In the months subsequent to the interviews every time the researcher saw a police officer he checked whether they were wearing their body armour.

Williams (1968) indicates that respondents are often more prone to this sort of bias when there is a considerable social distance between the interviewer and the person being interviewed. Social distance makes it less probable that the person being interviewed will respond in a truthful manner when asked sensitive questions (Campbell, 1981; Schuman and Converse, 1971). It is a matter of trust. Reiner (2000) emphasised the importance of the researcher gaining the trust of the police officers being studied. This was a particularly hard task to accomplish in the short time used to conduct interviews. It was important to build a rapport with each participant interviewed in order to dispel the participant's fears and facilitate honest responses (Williams, 1968). This was achieved, to a lesser or greater extent, by numerous different means. According to Rubin and Rubin (1995) those being interviewed should be treated respectfully as knowledgeable partners in the study whose time is valued. Just the fact that the researcher was willing to wait at the officers' convenience to conduct the interviews indicated that the researcher was willing to work around the busy schedules of the officers. This seemed to demonstrate to the officers that the researcher was sensitive to the occupational demands of policing. Consequently, this may have made the officers more sensitive to the

researcher's wishes to conduct research by reciprocating in an honest manner. If the researcher was helpful by being patient about when the interviews were conducted, the officers may have felt inclined to consider this stranger to be "alright". When dealing with police officers there was a sense of the researcher having to pay his dues in order to reap the rewards.

According to Hall and Hall (1996), the gaining of the participants' trust through the establishment of rapport can be facilitated by the interviewer appearing to be friendly and encouraging. While waiting for officers to present themselves for interview and during the interview itself, the researcher made a point of cultivating a "sunny disposition" to put their minds at ease. When an officer came through the door of the interview room he or she was greeted with a smile followed by an enthusiastic handshake and introduction. According to Kvale (1996), the initial stages of the interview should allow for the expression of interest in the person being interviewed and an explanation of the purpose of the interview. During this study, a short amount of time was taken up with small talk, a brief summary of what was wanted by the researcher and the police officer's right to refuse to be interviewed. The police officer's were asked to fill out a form with questions regarding personal details (Appendix 9). This allowed for a certain amount of time for the officers to relax a little, while the researcher put their minds at rest. It was the intent of the researcher to make the interview process as stress free and even as enjoyable as was possible. Hopefully, they would inform their colleagues that it was alright to be interviewed; that there was nothing to worry about. By making the interview process as relaxed as possible it would be easier for those being interviewed to develop, no matter how superficially, a bond of trust with the researcher (Hall and Hall, 1996). Despite this the first interview, while successful to a point, did not go as well as was planned. The first officer interviewed was extremely nervous for no apparent reason. Reflecting on this, the researcher noticed that he was sitting by the tape recorders used by police officers for taping interviews with suspects. The researcher had sat in the seat normally used by the officer when attempting to extract information from suspects. In case it may have been the role reversal that made the officer nervous, during subsequent interviews the researcher changed seats and sat across the table from that normally used by the officers. By sitting in the seat normally

occupied by suspects it was hoped that the officers being interviewed would feel more comfortable. The subsequent interviews progressed in a far more relaxed manner.

By keeping the whole interview process as relaxed as possible for the officers being interviewed, it was hoped that the officers would respond in a favourable manner to the questions posed. For the most part, the participants appeared at ease during the interviews, and they seemed to trust the researcher enough to discuss sensitive issues. For example, when asked to describe violent incidents where CS spray was used, some of the officers involved in the Tregarth incident (where Mr Roberts was alleged to have died after being sprayed) volunteered their side of the story. This was instigated by the officers themselves and was totally unexpected. It would have been very easy for them to keep quiet in regards to this matter but to their credit, they did not. This disclosure may have been indicative of the researcher's ability to gain the trust of participants. However, impartiality has also been considered a means of ensuring honest responses during the interview process (Chadwick et al, 1984) and throughout the research process the researcher endeavoured to remain friendly but neutral. Regardless of what was discussed, the researcher remained non-judgemental. Furthermore, it is often the case that police officers feel comfortable with being interviewed because they can express their views honestly when they are removed from the influence of their colleagues (Toch, 2002).

Patton (1990) emphasised the importance of recording data because the analysis stage may be compromised if the interviewer fails to accurately capture the words of the respondent. Gray (2004) suggests that the use of a tape recorder is the best way to achieve this goal. "Not only does it record the essential data, it permits the interviewer to concentrate on the process of listening, interpreting and re-focusing the interview" (Gray, 2004: p 227). During this study, permission for taping the interviews was sought from the respondents, the majority of whom gave their consent. However, it has been noted that the use of tape recorders can make some respondents feel uneasy about the confidentiality of the study, especially when the interview is likely to lead to the discussion of sensitive material (Gray, 2004). During this study two police officers requested that an alternative means of recording the interview

was found. As a way of reassuring these officers about the confidentiality of the research process, the researcher recorded these particular interviews by note taking. Gray (2004) considers recording interviews with hand written notes to be slower and more inaccurate than tape recordings. During these interviews the researcher wrote down key words and the occasional verbatim comments. Where possible, these notes were immediately written in full after the interview in order to minimise any recording inaccuracies that could arise from the researcher's own faulty memory.

Patton (1990) suggests that the ideal objective is to fully transcribe the whole interview, which is a time consuming process. If the interviews are not transcribed in their entirety, then the sections that are transcribed will be done at the discretion of the interviewer. It is here that the bias of the researcher may lead to the "cherry picking" of data that supports the researcher's view of the world. In order to avoid this type of bias the researcher transcribed the entirety of all the interviews.

After the transcription was completed the researcher spent considerable time immersed in the data. Initially the researcher found the complexity of the data confusing, but with further reading and rereading, patterns began to emerge. There was a need to find a means of simplifying this rich data set. Unfortunately, while certain academics advocate specific approaches to the gathering and analysis of qualitative data (e.g. Glaser and Strauss, 1967; Miles and Huberman, 1984) there is, in fact, no clearly accepted convention as to how this should be achieved (Robson, 1993; Tesch, 1990). However, the analysis of qualitative material almost always involves the breaking down of the data into smaller units to explore their structure and characteristics (Dey, 1993). According to Gray (2004), the most common approach to analysing qualitative data is content analysis. "Essentially, this involves the making of inference about data [usually text] by systematically and objectively identifying special characteristics [classes or categories] within them." (Gray, 2004: p 328). Initially the data in this study could be divided into two distinct categories; information about how the police perceived danger and information about how they perceived safety. As the analysis continued other subcategories were derived from the data to explain how the participants perceived this dichotomy (Appendix, 10). Although this was not strictly correct, as Flick

(1998) indicated, these categories are often informed by theoretical models. Some categories are brought to the data rather than derived from it. This means that these theoretical models will be evaluated against the data and modified when necessary. Finally, the data was organised into a number of matrices (appendix, 10) that allowed the researcher a simplified means to contrast and compare aspects of the data in order to make the appropriate theoretical inferences.

Ideally, the objectivity of the researcher should be measured against that of another. According to Robson (1993), content analysis allows for the possibility of inter - observer agreement between the analysis of the same data by separate researchers. Unfortunately, restriction in time and monetary resources made this impractical. However, the reliability of the data and the researcher's analysis was improved, if not guaranteed, by the triangulation of methods used in this study (Denzin, 1989).

Access was gained to the officer safety training sessions held annually by the NWP, which made it possible to conduct observation over the period of three of these courses. The first course enabled the researcher to use participant observation as a means of investigation. Robson (1993) suggests that the main characteristic of participant observation is that the researcher attempts to become a part of the group that is being observed. "Part of this process is the reporting of the researcher's own experiences"(Gray, 2004: p 241) while interacting with those being observed. While this is a good means of understanding the world from the perspective of those being studied there are concerns that the interaction between the researcher and researched erodes objectivity (Robson, 1993). For this reason, during the second and third officer safety course the researcher did not participate in the training but stayed on the sidelines observing behaviour. It was hoped that by reducing the level of interaction, the researcher would remain more objective. None of the observations were covert. The fact that the researcher was observing the training was made apparent to those attending all three courses. According to Robson (1993), this approach allows the researcher the opportunity to ask those being observed questions about various aspects of their behaviour. Each course lasted for two days and each day ran from 9 am in the morning to 5 pm in the afternoon with breaks for morning tea, lunch and afternoon tea. During these

two days all aspects of officer safety training must be covered: UDT, Baton use, CS spray use etc.

The researcher had a number of unique skills that would be invaluable during the observation of officer safety training. From the age of about ten the researcher had studied some form of martial art: started with Judo, Karate, Boxing, Kickboxing, and ended with Tae Kwon Do. The researcher gained a black belt in Tae Kwon Do and had moderate success fighting in tournaments at a national and international level. These personal experiences allowed the researcher to notice things that would only be apparent to a skilled fighter and would undoubtedly be missed by others. For example, after watching a couple of officers play fighting before the training started, it was apparent they could not stand or manoeuvre in a way that maintained balance. This would mean that any blocks or strikes that they tried to apply would probably result in one or the other losing balance or even falling over. Subsequently, both of these officers were observed falling over while trying to apply the officer safety techniques that they were being taught.

Being a trained martial artist made it possible for the researcher to actively participate in officer safety training. By taking part in the first session the researcher gained a certain amount of respect from the officers taking part. Despite having not trained for approximately seven years the researcher was familiar with variations of all the techniques taught with the exception of handcuff and CS spray use. He was also far more powerful and faster than the majority of officers who were being trained. This became apparent to the researcher and the other trainees when it came time to strike handheld practice shields. The researcher made a lot more noise when his strikes hit the pad. During training the researcher always picked training partners that were avoided by the rest, mostly the larger more powerful officers.

It is important to gain the respect and trust of participants in order to take full advantage of opportunities to ask questions during the observation process (Robson, 1993). The perception of the researcher's ability to fight quickly earned the respect of these officers, which made it easier to talk to them during the break. A considerable amount of information was gained during these conversations that added depth to the knowledge gained from the interviews and observation. These conversations with individuals and groups covered the

views of 18 officers. There were, overall, 12 conversations that occurred between the researcher and individual or groups of officers during the three officer safety training sessions. While they were not considered as part of the official interview process these conversations did substantiate a number of views expressed during the interview process as well as providing new information. In future these conversations will be identified as conversation 1 to 12.

Robson (1993) emphasises the importance of writing up the notes of the observation into a narrative in a prompt manner in order to avoid problems with selective memory which could bias the analysis. During this study, the notes were made in shorthand and were expanded on as soon as was possible. This was usually achieved the same evening that the observations occurred. The observation data was summarised and compared with the data obtained from the interviews.

Being at the officer safety training sessions enabled the researcher to experience behaviour as it happened from a participant's point of view as well as that of an observer. The direct observation of action enabled the gathering of data that, unlike the interviewing process, was unaffected by the participant's memory and/or justification of their actions (Selltiz, Jhoda, Deutsch and Cook, 1959). The observation of training sessions added validity to many of the statements made by officers during the interviewing process. For example, the firm belief expressed by many of the officers during interview that the CASCO could be used with more force than the PR-24 was substantiated by the researcher after having used them both himself. There were also insights into officer safety that could only be achieved using this method. This allowed the researcher to gain a greater understanding of the advantages and limitations of officer safety equipment and tactics. Furthermore, many of the officers who attended the training sessions were based at different stations throughout the Western Division of the NWP and from the informal conversations with these officers it became apparent that many of the views that were expressed by Bangor officers could be generalised to much of the Division.

(2.5): Researching public perception.

There had already been surveys conducted to determine how the public perceived the NWP (Baker and Waddon, 1990; Baker and Waddon, 1996). Furthermore, there had been surveys that evaluated the public's perception of the use of batons (Kock, Kemp and Rix, 1993), CS spray (Kock and Rix, 1996) and the new officer safety equipment in general (Cooke, Puddifoot and Brown, 2001). However, there had been only one study, conducted by the PCA, on those members of the public who had been exposed to CS spray (Dobry, 2000). The intent of this study was to interview people who had been exposed, in order to gain some perspective on their perception of CS Spray. People who had been exposed to CS spray are a rare population to study. Initially, approaches were to be made to the PCA in the hope of gaining access to this rare population. However, the PCA had conducted a study of complaints about CS Spray, which meant that the only access available was likely to be from the cases used in the PCA report. Rather than replicate that study by using the same participants, and with the lack of suitable alternatives for contacting participants, it was decided that a case study approach would be used. According to Yin (1994), case studies involve a tightly focused empirical investigation of a contemporary phenomenon in a real life context, by using multiple sources. He argues that case studies are research conducted in their own right, rather than as a sample from a population. However, when the case studies are substantiated by wider sources of information then it may be possible to generalise the finding to the larger population (Gomm, Hammersley and Foster, 2000). Where this study is concerned, information about how the public perceived CS spray was gathered from media sources that had been collected since just prior to the adoption of CS spray, personal communications from the Newham Monitoring Project, attendance at public meetings held by the NWP, and two case studies.

It was fortunate for this study that a person involved in a well - publicised CS spray incident had recently, along with his family, moved to North Wales. This person was more than willing to be interviewed for the first case study. The interview lasted approximately 3 hours, yielding a great depth of information about his perception of the events leading up to and beyond the incident where he was sprayed. The interview was semi - structured. There

were a number of prompts used to remind the researcher of the questions that were important to the study (Appendix 10), but in this case the participant needed very little encouragement to discuss the topic, and the sheet of prompts were ticked off as the participant's conversation gradually answered all of the questions. The participant was unwilling to allow other family members (partner and daughters) who had been present at the incident to be interviewed, in case they found it upsetting. However, he did provide video evidence from a Close Circuit Television (CCTV) and a tape of the conversation that occurred between him and the arresting officers when he was interviewed. This allowed for an examination of the arresting officers' perception of the event and the use by the researcher of objective observation from the video footage. The triangulation of these different sources of information made a robust case study.

As mentioned earlier (chapter 1, 1.3), a local pensioner, Mr Frank Roberts, was sprayed and later died, allegedly due to being exposed to CS spray. This occurred in the village of Tregarth, which was within 5 miles of Bangor. Tregarth was a very small village where most people knew each other, or at least knew of each other. It was the ideal place to study how the local community reacted to the use of CS spray when it allegedly caused the death of a fellow resident. This was to be the second case study. In a study conducted in this sort of environment it is important not to upset the community because of the possibility that no one would be willing to participate in the study. Chedwick et al (1984) also expressed the importance of approaching people in a manner that would motivate them to participate in the study. Therefore, a lot of consideration was given to how information could be gathered without distressing the community. This, of course was also an ethical consideration. To just blunder in asking questions could have possibly caused the residents some disquiet.

The opportunity to study the community at the time of Mr Robert's demise was missed by the researcher, largely because this PhD commenced after the incident occurred. The CS spray incident occurred during September 1998, this study started during September 1999, and the researcher did not instigate fieldwork until 2001. For the few weeks after the incident, there would have been media representatives asking questions of the community and one more

set of questions by a researcher from the University of Wales, Bangor, would probably have made little difference. However, research could not commence until well after the incident occurred, which left the researcher with a number of ethical and methodological problems to be solved. To avoid upsetting friends and relatives of the deceased it was decided to leave the investigation of the Tregarth incident to the last moment. Hopefully, the passing of time made the investigation of this incident less traumatic for those concerned and allowed for some assessment of how long this incident had remained an issue in the village.

Much of this study was to occur in the village of Tregarth itself. It was decided that, in this setting, the semi-structured interview technique previously employed would be too formal as an investigative tool during this part of the study. Instead, it was decided that informal conversational interviews would be employed. Grey (2004) suggests that the informal conversational interview relies on the spontaneous generation of questions by the researcher as the interview progresses. The advantage of this approach is that it is open-ended and therefore flexible in the path that the interview takes (Gray, 2004). For the purpose of this study it was also a more relaxed and reassuring means of eliciting sensitive information. It enabled the researcher to inform people that he was studying the use of CS spray by the police, and then in a casual and relaxed manner, to strike up a conversation about its use. These interviews often started with the researcher making introductions and asking politely if the person remembered the incident where an elderly gentleman passed away after being sprayed. If the reply was “yes”, and they seemed willing to answer questions, they would be asked their opinion of the incident and what they believed the rest of the village thought about it. From then on, the researcher only made inquiries that were reactions to the answers from each individual. Two of these interviews were conducted over the telephone, while others were conducted in the participant’s place of work, and in a few cases even on the street. The majority of interviews lasted approximately 30 minutes. The age of the participants varied but there were none below 30 years of age, while the oldest was in his 70s. The informal nature of the interviews would have been disturbed by intrusive questions about age so any mention of age in this text was estimated by the researcher. Of the people who participated in this part of

the study, 6 were male and 8 were female. The participants interviewed during this part of the study will be referred to as Citizens A to N.

Further care was taken not to cause any undue upset to the residents when asking questions about the incident where mister Roberts lost his life allegedly due to exposure to CS spray, by interviewing those people who were central to village life such as shopkeepers (2 participants), the postmaster (1 participant), the vicar (1 participant) and local councillors (2 participants). These people had access to the views of the other villagers and were in a position to understand the general mood and views of the community. Some local residents were approached on the street while they were at the bus stop (6 participants): waiting for a bus was boring and people appeared relieved to engage in conversation. This data was triangulated with that of the media and their representatives. In order to achieve a better perspective on the mood in the village at the time of Mr Robert's demise, the newspaper reporters who covered the incident were approached (2 participants). These newspaper reporters were not members of the Tregarth community, so their data provided an outsider's perspective on what had occurred.

According to Gray (2004), there are a number of disadvantages arising from the use of conversational interviews. Generally, in order to maintain the informal feel of the interview it is important that notes are not taken during the process. This means the researcher must write up the notes at the first available opportunity. Where this study was concerned, the data was arranged into a number of brief summaries that provided an overview of the villagers' perception of CS spray and the police.

There was one other avenue of investigation open for the researcher. As a way of gaining the trust of the citizens, and as a way of identifying the appropriate police objectives for the area, the NWP held a number of meetings with the public throughout the Western Division. The researcher attended two of these meetings during 2001, one in Caernarfon and another in Betws y Coed. This data was collected without the knowledge of those attending the meetings and compared with the views of those interviewed. Although attending these meetings was an afterthought by the researcher, the discussions in these meetings were very informative about how the public perceived the police.

(2.6): Breadth versus depth.

Gray (2004) indicates the most problematic issue that faces this type of qualitative research is its lack of external validity; a small sample size such as this is not representative of all policing organisations in England and Wales. Gomm et al (2000) point out that a considerable amount of qualitative research has made claim to external validity. They also claim that while the data may not be representative of the population as a whole, the case for generalisability can be made by providing evidence that key characteristics of the study fit with those of the larger population. Furthermore, when information about the population is unavailable, a warning about the risks of generalising to the larger population should be given (Gomm et al, 2000). Where this study is concerned, care must be taken with attempting to generalise the findings of this study to other areas. The unique characteristics of the NWP make the majority of generalisations inappropriate. North Wales is predominantly a rural area, while many constabularies are mostly urban in nature. Any generalisation to another constabulary would be dependent on the similarities between the topographical areas (see 2.2). There are parts of this study where evidence is cited from other research at a national and international level, which support some of the present findings. To generalise the findings of this study without the support of other sources to a policing area that is not similar to the one policed by the NWP would be inappropriate. The methods used in this study allowed for a great depth of understanding rather than breadth. However, it is left to the discretion of the reader as to what should be generalised and what should not.

CHAPTER 3

REGULATING THE USE OF FORCE

Waddington (1999b) believed that it was the “monopolisation of force” that made coercion central to the role of the police. It was not the use, but the potential to use force that was the important factor in deciding its place. Bittner (1974) indicated that it was the ability to use force in any situation that was the main characteristic differentiating the police from other occupations. For example, nurses could use force to stop hospitalised patients from harming themselves but not on people outside the hospital who were not patients. Thus, nurses only have limited recourse to the use of force, while the remit for the police use of force is all - encompassing. They can use force on virtually anyone, anywhere. Even fulfilling the service aspects of the occupation does not totally rule out the use of force. “The problem is that most of the so-called ‘service’ jobs of the police [which, indeed, were sometimes seen by officers as not ‘police’ work] have a potential emergency element, which may involve the need for coercion of legally sanctioned violence against persons or property.” (Shapland and Hobbs, 1989: 22). While the more social functions that police officers undertake are important, there are occasions when force resolves situations involving “...something - that - ought - not - to - be - happening - and -about - which - someone - had - better - do - something - now!” (Bittner, 1974: p30).

The police occupy a unique but morally ambiguous position in society (Klockers, 1985; Waddington, 1999a; Waddington, 2000). There are times when police officers’ behaviour would be considered illegal if undertaken by others (Kappeler, et al, 1998; Waddington, 1999a; Waddington, 2000). Therefore,

“A police officer may ask for the compliance of other citizens, but if they refuse he is able to compel compliance to a degree that virtually any other citizen is denied. However, if and when the police resort to the use of overt force the legitimacy of their actions is always questionable, and sometimes questioned.”

(Waddington, 2000: p 156)

In the context of crowd control situations, Waddington (2000) suggested that individual officers under the direct supervision of their superiors would be less likely to succumb to excessive force. With the presence of someone in

authority, the discretion of each individual officer was reduced because the decision on how and when to use force was influenced by a senior officer. Furthermore, the direct involvement of the senior officers made them more accountable for the actions of their subordinate colleagues and therefore more likely to ensure that no problems arose. For Waddington, it was the control of police discretion that ensured public safety and officer safety, while preserving police legitimacy. However, the primary concern of this study was not crowd control situations. The routine arming of virtually every police officer in England and Wales with CS spray made the close supervision, which Waddington considered essential, impractical. Alternative means of regulating police discretion must be considered.

As a means of exploring how officer discretion when using force could impact on their safety, public safety and police legitimacy, some consideration must be given to its regulation. This was achieved by examining the problems faced by the Jamaican police who have little or no regulation of how their officers use force. Also, much consideration was given to the way that US law enforcement organisations regulated the use of force by their officers.

(3.0): The Jamaican experience.

Chevigny (1995) described Jamaica as a small nation that until 1962 was under British colonial rule and had since maintained close cultural and political ties with its former rulers. Jamaica has a democratically elected government with a Prime Minister, as well as a Governor General who represents the Queen, both having the responsibility for the appointment of many officials. The Jamaican judiciary is independent but final appeals against court decisions can be made to the British Privy Council.

In many ways, the image of Jamaica was one of contrast. It "...has a reputation as 'the violent island' of the Caribbean" (Chevigny, 1995: 203), although many people hold a different, idealised, view of Jamaica. Some people perceived it as a peaceful island characterised by a relaxing atmosphere. The following quote from a Jamaica tourism advertisement stated that Jamaica was

"A place that is both unique and familiar with beaches that stretch "clear blue" forever. And the seemingly endless hours of warm Caribbean sunshine. A trip to Jamaica may include river rafting,

waterfall climbing, horseback riding, beachcombing, ballooning, diving, mountain biking, snorkelling or just relaxing in a swaying hammock watching the sunset.”

(Jamaicans Com, 2002; p 1)

While the ideal may be prevalent in the minds of potential tourists, the reality was somewhat different. Jamaica was in fact a very dangerous place; with the exception of war zones, it was possibly one of the most dangerous places in the world. The Island has a history of violence perpetrated by armed gangs affiliated to political parties. Some of these gangs lived in garrison communities that were a product of the widespread political tribalism in Jamaica (Amnesty International, 2001a; Calathes, 1990; Harriott, 1997; United States Department of State, 2001). A garrison community is a political stronghold controlled by a party and alternative political views were not tolerated (National Committee on Political Tribalism, 1997). The United States (US) Department of State (DOS) indicated that political violence was only part of the problem. In a country where there was a large gap between the rich and the poor, inner city areas were controlled by well - armed gangs trafficking in drugs and guns. There was also a problem with vigilantism involving mobs spontaneously executing suspected criminals, as well as the usual domestic violence and robbery.

The Homicide rate in Jamaica was very high, “...exceeding 30 per 100,000 persons” (US, DOS, 2001: p 2). The constant fear of violence had a dramatic effect on Jamaican citizens as the following quote from the Police Executive Research Forum (PERF)ⁱⁱ indicates:

“...crime and fear of crime so preoccupied daily life that it soon became apparent the very quality of life as Jamaicans had come to know it was at stake. Crime has impacted people where they live, work, and socialise. The economic viability of the country is being questioned as citizen’s talk openly about friends and business associates migrating off the island and ... concerns about an ongoing tourist industry. So urgent is the issue of crime to the lives of Jamaicans that it is fair to say that unless there is a virtual sea change in the issue of crime the country’s very existence is in danger.”

(PERF, 2001: p 1)

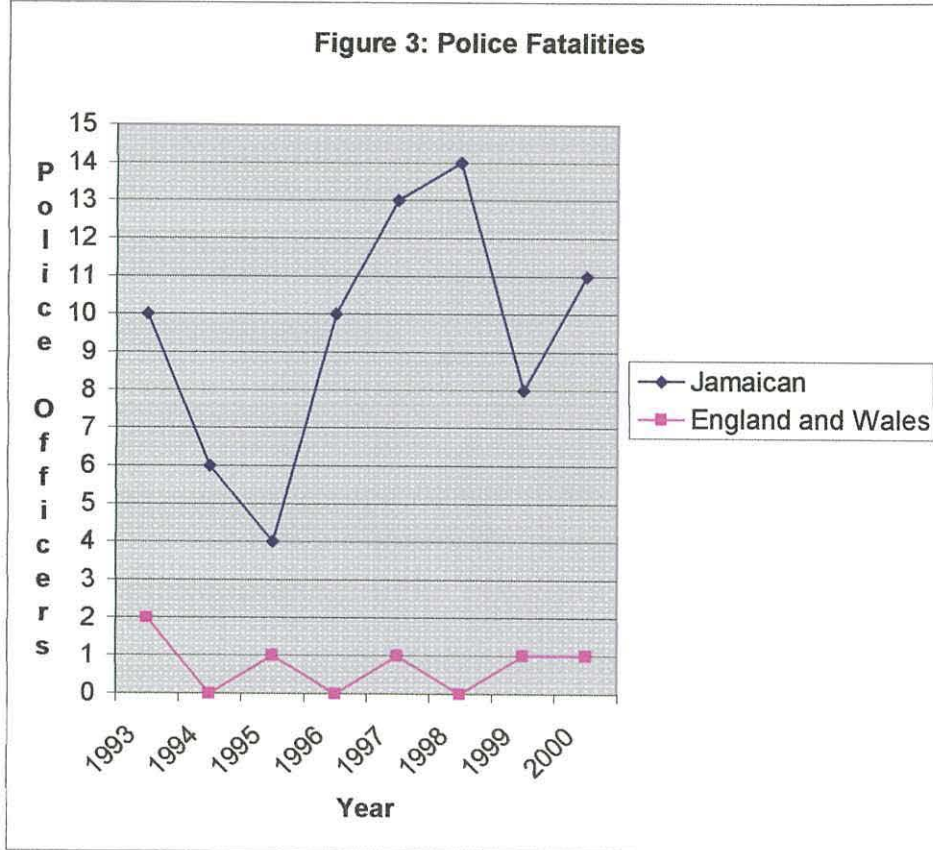
The PERF suggested that Jamaica was such a dangerous place to live that Jamaican society could be on the verge of collapse. This made efficient and humane policing hard to accomplish.

According to the PERF, the Jamaica Constabulary Force (JCF) had 7,159 constables and was undermanned by 1,350 officers. Despite having no mandate for law enforcement, the Jamaica Defence Force (JDF) was also used for policing operations (US, DOS, 2001; Amnesty International, 2001b). Amnesty International acknowledged the complex difficulties of policing such a dangerous society and the perilous situations faced by Jamaican police officers. Officer safety was definitely a problem for those serving in the JCF. According to Ingleton (1996) one of the more reliable measures of how dangerous policing can be is the number of fatal assaults, because unlike non - fatal assaults the definition of fatal assault is so clear. Where fatalities are concerned there is no halfway ground to blur the categories: a person is either dead or alive.

Amnesty International (2001b) indicates that between 1991 and 2001 the JCF suffered 97 officer fatalities in the line of duty. In comparison, the fatalities suffered by the police constabularies in England and Wales were minimal; from 1991 - 2001 only 13 officers were killed in the line of dutyⁱⁱⁱ. Using data collected from HMIC and Amnesty International, Figure 3 describes the yearly breakdown of police fatalities in both Jamaica, and England and Wales. During the year 2000, there was potential for approximately 150 fatalities per 100,000 serving JCF officers^{iv}, while during the same year fatalities for police officers serving in England and Wales were approximately 1 per 100,000. The number of fatal injuries suffered by police officers in the constabularies of England and Wales was considerably lower than those suffered by the JCF. Furthermore, there was a difference in the annual range of police officers killed between 1993 and 2000. The annual range of police officers killed in England and Wales varied little with the minimum of fatalities being 0 and the maximum being 2; a difference of two officers. In comparison, the fatalities of JCF police officers varied to a greater extent with the minimum of fatalities being 4 and a maximum of 14; a difference of ten officers. Jamaican police officers experienced far more danger than their counterparts in England and Wales.

Furthermore, the level of danger they faced was more varied and far less predictable.

Figure 3: Police Fatalities



The high levels of danger faced by the Jamaican police were a considerable source of fear for serving officers.

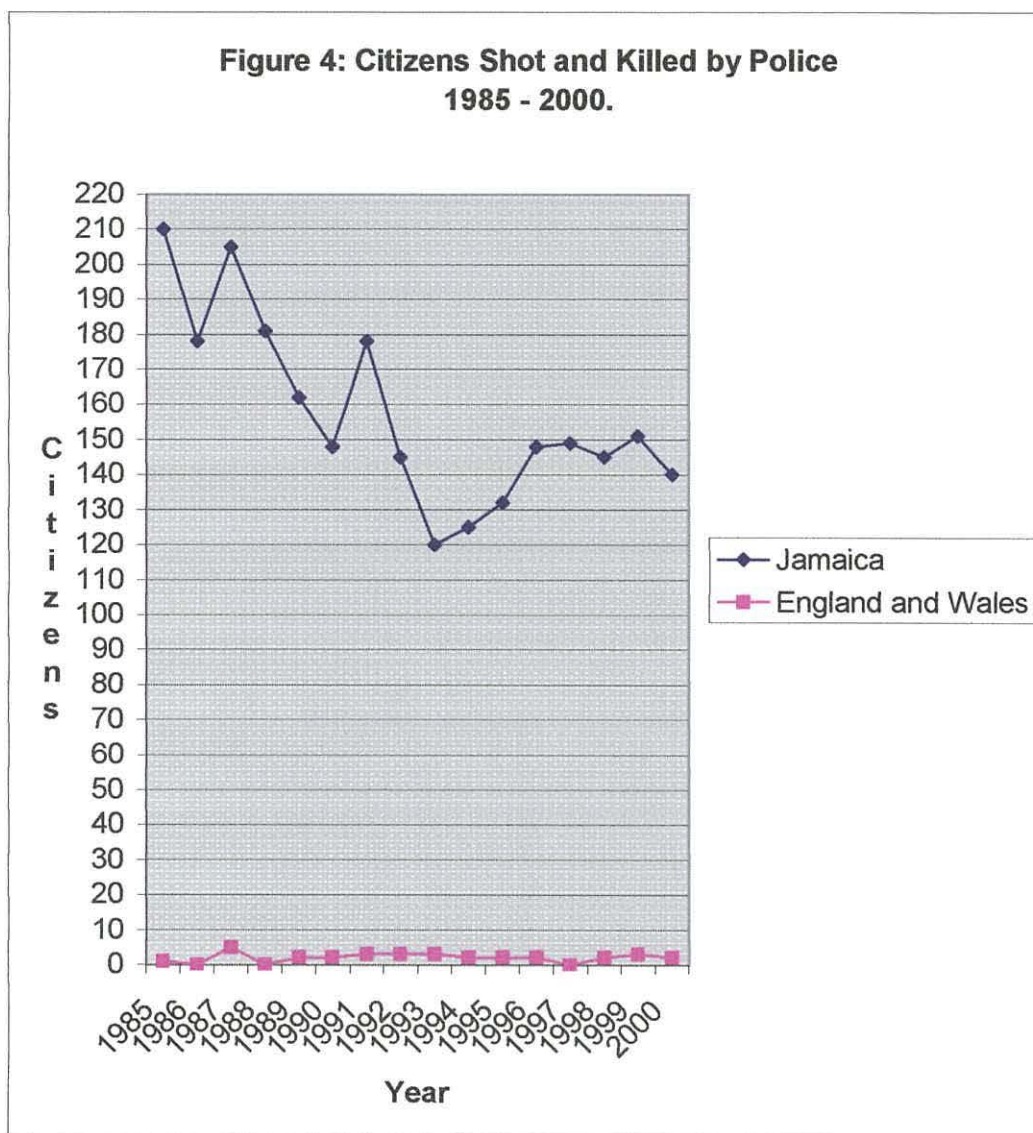
“... for many constables there is a ... fear of interacting with citizens even in routine matters. Because of the high levels of violence coupled with the prevalence of guns, constables often feel unsafe and vulnerable. For this reason the police have adopted paramilitary techniques such as carrying assault weapons, wearing bullet proof vests outside their uniforms and travelling in groups of four.”
(PERF, 2001: p 7)

The citizens and police of Jamaica shared a common fear of crime. However, the paramilitary appearance of the police and the alleged use of excessive force led to citizens being afraid of the police (National Committee on Crime and Violence, 2001; PERF, 2001).

According to Geller and Toch (1996), officers who perceived police work as dangerous often tolerate excessive force, which could be the case with Jamaican police officers. Amnesty International (2001c) accused the JCF and the JDF of killing with impunity. Jamaica has a small population, but more than 1,400 of its citizens have been fatally injured by police gunfire during the past 10 years, compared with England and Wales, where only 22 citizens have been shot dead over the same period. The number of Jamaican citizens killed by police gunfire each year was approximately 5 per 100,000 of the total population while in England and Wales, police shootings of citizens approximated 0 per 100,000. Figure 4 indicates that the number of civilians shot and killed by the police in Jamaica was excessively high compared with England and Wales^v. It would be easy to suggest that elevated levels of citizen fatalities from police shootings were due to Jamaican culture being more violent than British culture, but that may not be the case. Amnesty International (2001b) suggests that the number of lethal police shootings in Jamaica was among the highest in the world. They indicate that Jamaican police officers killed five times as many citizens as their counterparts in South Africa, a country with escalating violent crime rates and a population of 42.4 million people, approximately 16 times greater than that of Jamaica. However, the violent culture in Jamaica was not the only reason for the high number of citizens killed by police gunfire.

Politicians and police officers alike believed the high level of citizens shot, and killed, were justifiable. These justifiable homicides were supposedly committed as a result of gun battles initiated by Jamaican citizens (Amnesty International, 2001b; Amnesty International, 2001d). There may be some validity to these claims, but they fail to explain why every year more citizens were killed by police gunfire (potentially 1932 per 100,000 serving officers in 2000) than there were police officers being fatally wounded by citizens (potentially 150 per 100,000 serving officers in 2000). In comparison, only 1 police officer was killed on duty, while the police shot, and killed, 2 members

Figure 4: Citizens Shot and Killed by Police, 1985-2000



of the public in England and Wales during 2000. This discrepancy between officers and citizens killed in England and Wales was negligible compared with Jamaica. If the deaths in Jamaica were caused by citizens initiating gun

battles, the advantage gained by attacking first should have led to more police officers being killed than citizens, or at least a more comparable number of deaths between the two groups. The over - representation of citizens killed by firearms could be indicative of willingness on the part of the Jamaican police to shoot first and ask questions later.

Amnesty International accused the JCF of resorting to extra - judicial executions.

“The reports allege that police arrived at Richard Williams’ workplace, a boat yard, and beat him for over an hour in front of his co-workers...His mother, who worked close by, arrived at her son’s workplace after hearing screams... Richard Williams’ colleagues stated that police then pushed him away from his mother and shot him in full view of all those present.”

(Amnesty International, 2001c: p 4)

And the Jamaican police have also taken part in retaliatory killings:

“Sean Robertson was killed ... as he hid in a cupboard, after at least 10 police officers forced entry to his house, holding members of his family, including two young children, at gunpoint in the hall. Three days before he was killed, he received an anonymous death threat by telephone. The caller stated that Robinson would be killed in connection with his escape from police custody in 1999.”

(Amnesty International, 2001c: p 15)

Furthermore, the police often used lethal force without first attempting to resolve situations with more benign methods. Firearms were often used against unarmed citizens who posed little threat to human life.

“At least six out of seventeen passengers were seriously injured when police officers opened fire indiscriminately on a public bus ... Police chased the bus, which failed to obey police signals to stop. According to passenger accounts, after a fellow passenger was shot in the foot, another started waving his white shirt outside a window, shouting, 'don't shoot'. Two police officers in a car beside the bus shot directly at him, injuring him and others.”

(Amnesty International, 2001b: p 20)

It seems the Jamaican police use lethal force indiscriminately. They appeared to have little understanding of when it was appropriate to use force, and to be

unaware of which level of force was unacceptable. However, the social context of Jamaican policing was unique. Kappeler et al (1998) suggested that cultural differences between policing organisations led to the adoption of different norms and values. While one policing organisation condemns the use of aggressive measures to control crime, another may reward officers for aggressive tactics. Kappeler, et, al suggested that police officers in crime - ridden areas could be more ready to view aggressive practices favourably than those policing relatively peaceful areas. What many policing organisations in England and Wales considered excessive force, could be considered legitimate in more violent societies such as Jamaica. Some JCF police officers believed that "...vigilant and violent anti-crime action by front-line police sharpshooters helped to reduce the threat from gunmen" (Calathes, 1990: p 277). Police officers' fear of being killed during encounters with citizens may in itself be a justification for shooting first and asking questions later. For example, in January 2001 the Jamaican Minister of National Security, the Honourable K.D. Knight, made the following statement:

"The police must be able, if challenged to [by gunmen] to respond swiftly, efficiently and effectively...I know I am going to be criticised for this, but gunmen who challenge the police...their place belongs in the morgue."

(Amnesty International, 2001d: p1)

The Minister of National Security was criticised by Amnesty International (2001d) for appearing to legitimise the use of excessive force. While it may have been acceptable to condone the killing with impunity of people by the police, this attitude fell short of the international consensus on how police officers should behave when using force. What amounted to the indiscriminate killing of bystanders and the discriminate street executions of citizens by the police was not legitimate in the eyes of the international community.

(3.1): The regulation of the Jamaican Police.

With the Jamaican police using force in an indiscriminate manner, it was important to examine how they regulated the use of force. The Herst (1992)

and the Wolfe (1993) inquiries into the JCF, concluded that high rates of civilian deaths occurring during police contact with citizens were due to firearms being used as a first resort. They suggested that a strategy was needed to reduce the abuse of police powers. Harriot (1997) suggested that, for the first time, there was official discouragement of excessive use of force. This led to consideration of the United Nations (UN) international standard for the use of force, the “basic principles on the use of force and firearms by law enforcement officials” adopted by the eighth UN congress on the prevention of crime and the treatment of offenders, in 1990. In 1995 the commissioner of police issued a “force order”; this was an internal regulation that, if disobeyed, could lead to disciplinary measures. This brought the internal regulations regarding the use of force by the JCF in line with the international consensus. According to Amnesty International the force order stated that police officers:

“...shall use only that force that is reasonably necessary to effectively bring the incident under control and shall meet force with no more force than is necessary in protecting the lives of the members or of others.”

(Amnesty International, 2001:p 10)

This force order stated that the intention was to use force in a reasonable and proportionate manner.

While the reform of internal regulations brought the JCF in line with the international consensus regarding the use of force, it was uncertain whether this had any effect on the numbers of citizens killed by the police. Figure 4 indicates a steady decline in citizens shot and killed by the police between 1985 (210 deaths) and 2000 (140 deaths). The reduction in the number of citizens killed by police officers attributed to these reforms was measured against an already downward trend. The reason for this downward trend was unclear and may just be a function of regression toward the mean. In this case, an uncharacteristically high number of citizens shot, and killed, by the police may mean that this downward trend indicates a return to lower levels of citizen fatalities before 1985. There is some merit to this explanation because the number of persons shot dead by the police was considerably lower in the early

1960s, with only 33 citizens killed by the police between 1960 and 1965, and 7 citizens killed during 1966 (Chevigny, 1995).

The number of citizens killed by police gunfire was lowest in 1993 (120): after this the trend reversed. Despite the reforms of 1995 advocating the use of reasonable and proportionate force there was a general increase in the number of citizens killed by police gunfire. A note of caution; it was possible the reforms of 1995 may have reduced the number of citizen fatalities against an increase in violent encounters between the police and citizens. This could mean that the reforms effectively reduced the number of citizens killed by the police, while the data in Figure 4 indicates no reduction. However, it has been suggested that levels of community violence may only have a marginal effect on police shootings (Fyfe, 1988; Macdonald, Kaminski, Alpert and Tennenbaum, 2001; Uelman, 1973). The number of citizens killed in police shootings in England and Wales between 1985 and 2001 ranged from 0 to 5 per year, while citizens shot by the JFC over the same period ranged from 120 to 210 (see figure 4). There was greater variation in the number of Jamaican citizens that were fatally wounded by the police. However, the introduction of reasonable and proportionate response in 1995 brought Jamaican law enforcement in line with the appropriate international standards regarding the use of force and the variation between the numbers of citizens killed decreased. In the years subsequent to 1995 the number of citizens killed by the police ranged from 140 to 151 (see Figure 4). The introduction of the reasonable and proportionate response standard to the JCF may have stabilized the numbers of citizens shot and killed on an annual basis, but the number of citizens killed by the police remained unacceptably high.

Waegal (1981) suggested that changes in law regarding the use of force had no effect on the rate of citizens shot by the police, although generally this was not the case where internal police policies were concerned. Internal police policy was made by the organisation itself and was considered

“... a statement of guiding principles which must be followed in activities that fall within either specific organisational objectives or the overall police mission. A policy is a guide to thinking based on an organisation’s orientation to achieving its goals.”
(Kappelar, et al 1998: p 218)

There has been a considerable amount of research conducted in the US to evaluate policies restricting the use of firearms by police officers. This research indicated strong support for the view that restrictive policies effectively reduced the number of police shootings (Binder, Scharf, and Galvin, 1982; Binder and Fridell, 1984; Blumberg, 1989; Fyfe, 1979; Fyfe, 1988; Geller and Scott, 1992; Meyer, 1980; Sherman and Cohn, 1986; Walker, 1993). These policies not only reduced the number of shootings but also changed their nature. Fyfe (1979) indicated that after such policy changes the majority of police shootings were in defence of life, whereas before, firearms were used to stop fleeing offenders. Amnesty International (2001b) suggested that Jamaican police regularly ignored international standards, their own national laws, and internal codes of conduct. They suggested that the reforms of 1995 did little to reduce the number of citizens killed by the Jamaican police and the nature of these killings had not changed.

The policy adopted by the police in Jamaica stated an intention to “use force that is reasonably necessary to... bring an incident under control”. While this statement of intention was admirable, it was not very illuminating; it failed to explain how this was achieved. The front line police officer needed to understand what the terms “necessary” and “reasonable” meant in order to comply with the policy (Alpert and Smith, 1994). This following quote regarding the use of pepper spray by Jamaican police officers is an example of how a lack of explicit instructions could become problematic.

“It was reported that police officers used force including a chemical spray, thought to be Oleoresin Capsicum [pepper spray] to remove homeless people from the centre of Montego Bay. Amnesty International is concerned that pepper spray was used by police officers in such circumstances. A growing number of studies have warned of the potential dangers of using the spray, including the risk of death. Given the dangers associated with the use of this weapon Amnesty International urges your government to introduce strict guidelines and limitations on its use.”

(Amnesty International, 1999: p 1)

In this instance, it may not have occurred to police officers that using pepper spray to remove homeless people from the area was inappropriate. After all,

this level of force was more benign than using firearms. The homeless people posed little or no threat to the police officers, so they used a level of force they perceived as less than lethal. With the lack of any instructions to indicate otherwise, the use of pepper spray under these circumstances was appropriate because police officers were not informed otherwise. Under these circumstances, Klocker's (1996) assertion that police officers were expected to use force, with the only instruction of how to accomplish this consisting of a sermon about being humane and circumspect, was in itself problematic. Bittner (1975) believed it perverse to expect police officers to use force while refusing to explain clearly what it meant.

Sherman and Cohn (1986) suggested it was necessary for policies regarding the use of deadly force to be explicit, but even that would not be sufficient to ensure a reduction in the use of deadly force. This implied that there was a need to consider further restrictions that were more specific about how force should be applied by police officers. While policy stated, in broad terms, an intention to achieve a specific objective there was also a need to construct a narrower framework of rules about how this should be achieved. Kappeler et al (1998) defines rules as a mandate for action that either supported or prohibited certain behaviour. Any framework of rules would need to consider when it was appropriate for officers to use non-lethal force as well as firearms. These rules should act as an explicit definition of the acceptable use of force in any given circumstance. McKenzie (2000) emphasised the importance of adopting "rules of engagement" and training police officers in their use.

(3.2): The case for rules of engagement.

Many policies that attempted to regulate the use of force by police officers were aimed at detecting the abuse of force and punishing the officers concerned. The concern was about accountability. According to Waddington (1999b) the police in England and Wales have internal organisations, often referred to as "internal investigations" or "complaints and discipline", to investigate suspected abuses of authority. These investigations were adjudicated by senior police officers at a formal tribunal that could enforce internal disciplinary measures on officers found guilty. The possibility that police officers could commit criminal offences, such as assault, could also be

dealt with externally by a court of law. These are not mutually exclusive, and it is possible that a police officer may face both internal and external forms of discipline if the transgression was considered serious enough. This process is helped by the PCA, an independent organisation charged by the government to oversee complaints against the police in England and Wales. These complaints come directly from the police or members of the public.

Waddington (1999b) suggests that the purpose of disciplinary and legal regulation is to deter wrongdoing by police officers. Bayley and Bittner (1984) support the notion of the deterrent value of accountability by suggesting that police officers', often worry about the repercussions of their actions. If this is the case, then accountability would, to some extent, regulate the behaviour of officers during encounters with the public. However, Alpert (1989) suggested that departmental policy was rarely a consideration for police officers when they decided to use lethal force, but was often the first thing officers thought about after the incident. It was possible that police officers had little time to consider the repercussions of their actions in the face of violence. This called into question the deterrent value of accountability. Without a deterrent value the purpose of accountability becomes a matter of punishing police officers after they had used excessive force and its role as a means of regulating the use of force was diminished. Accountability deals with the consequences of police officers' behaviour. In contrast, rules of engagement are designed to regulate the discretion of police officers before and during situations where coercion is needed. If officers are trained to use rules of engagement it should be possible to avoid some of the mistakes that lead to complaints about excessive force.

There was another major argument for the use of rules of engagement that was concerned with the mens rea, (criminal intent) and actus rea (the criminal act) of the police officer who had used excessive force.

“Discussions of police violence are often blurred by the failure to distinguish between violence that is clearly extralegal and abusive, and violence that is simply the unnecessary result of police incompetence. This is important because the causes of these two types of violence and the motivations of the officers involved vary greatly. Extralegal violence involves the wilful and wrongful use of force by officers who knowingly exceed the bounds of their office. Unnecessary violence occurs when well-meaning officers prove

incapable of dealing with the situations they encounter without needless or too hasty resort to force.”

(Fyfe, 1989: p 465)

Fyfe continued by suggesting that extralegal police violence, while serious, was less frequent than violence due to police incompetence and less likely to happen to those considered as innocent citizens. The successful control of the use of excessive force needed to be targeted at the incompetent police officer. While it may be hard to change the behaviour of officers who were intent on employing excessive force, there was a possibility that training to use rules of engagement may turn an incompetent police officer into a competent one.

(3.3): The continuum of force.

Klinger (1995) suggested that laws governing the use of force by US law enforcement agencies dictated that police officers should use no more force than was necessary to overcome resistance. However, what the word necessary meant exactly was rather vague (Bittner, 1970; Klinger, 1995). The same could be said about policies that stipulated the need for reasonable force. “The terms ‘necessary’ and ‘reasonable’ need to be defined” (Alpert and Smith, 1994: p 485), because there could be no regulation of the use of force without defining the boundaries of what was meant by reasonable force. Without a strict definition of “reasonable” there could be no understanding of “unreasonable”. This meant that the difference between reasonable and excessive force was blurred.

The “fuzzy” nature of these concepts led to the development of rules of engagement that categorised the level of force appropriate for use by police officers under specified situations. Rules of engagement acted as an operational definition of reasonable force and in doing so also attempted to define “unreasonable” or “excessive”. According to Stetser (2001), these rules of engagement have been used since the early 1980s and are now employed by virtually all law enforcement organisations in the US. The rules of engagement varied, to a lesser or greater extent, and have been given almost as many different names as the departments that adopted them. Despite this, there were usually similarities in their structure that firmly linked them to a particular

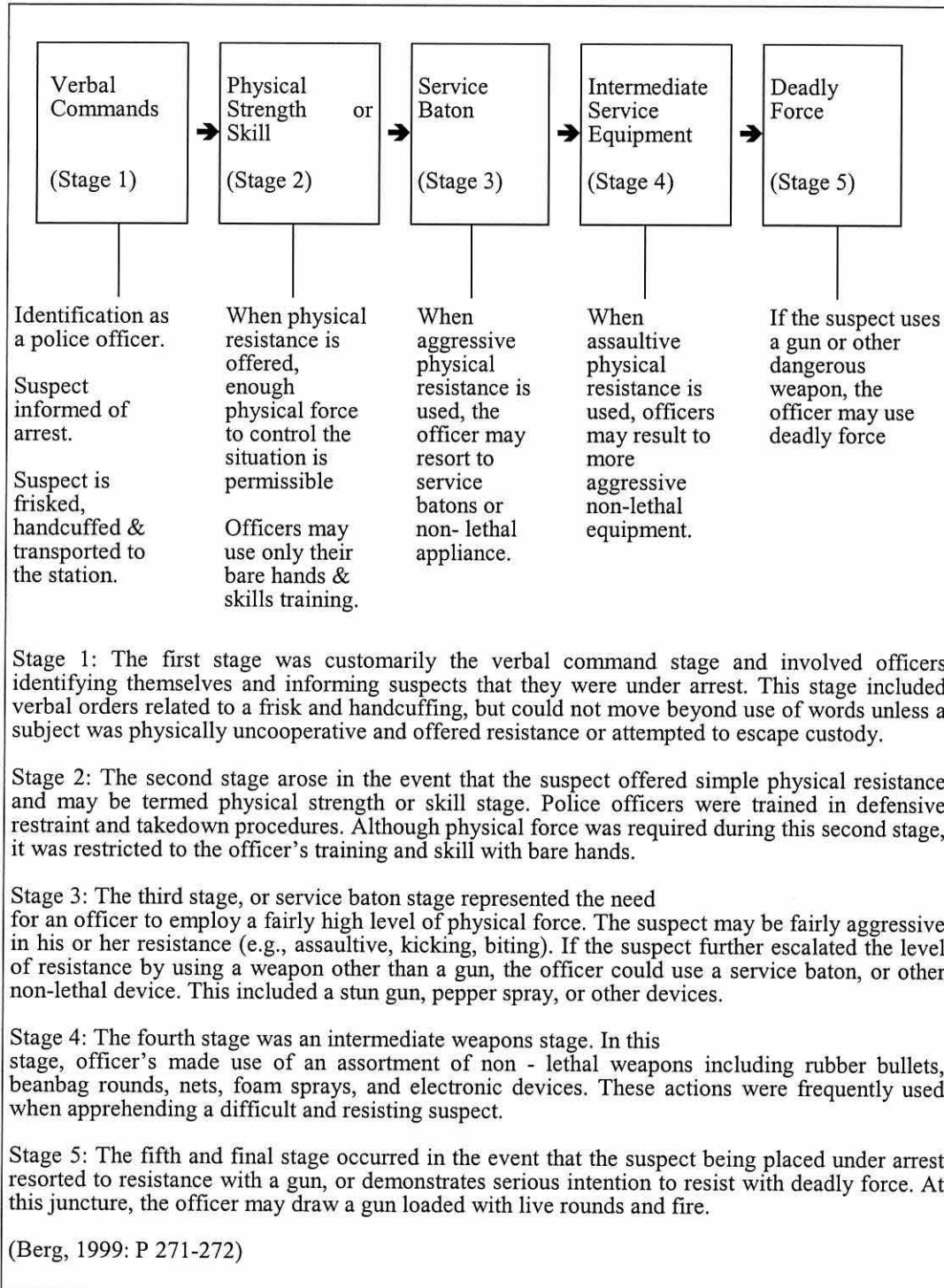
model of engagement known as the continuum of force. Stetser suggested that the continuum of force had become central to use of force policy in the US. There is one notable feature present in all models of engagement based on the continuum of force. The different types of continuum of force are basically structured in the form of linear hierarchies as the following quote explains.

“Most continuum of force models are similar and use the concept of a pyramid or ladder. At the bottom are the least forceful and most reversible techniques and at the top, the most forceful and least reversible. If there is a starting point or beginning in the continuum of force, it is usually the officer’s mere presence. At the top is lethal force, usually illustrated by the use of a firearm.”

(Brown, 1994; p 31)

The continuum of force assumes that violent encounters consist of what Archer (1994) described “...as a series of ‘moves’ which escalate the conflict from threats to physically damaging acts, until one protagonist gives up” (p 129). There have been a number of studies conducted about the interactions between two male protagonists when engaged in violence that support Archer’s statement. Most aggressive exchanges begin with a perceived threat or insult that develops into an argument. Voices are raised and insults turn to threats until one person strikes the other and the fight begins (Archer, 1994; Campbell, 1986; Dobash and Dobash, 1984; Felson and Steadman, 1983; Felson, 1984; Luckenbill, 1977). Even when a fight is in progress, the likelihood of serious injury or death is rare (Cretney and Davis, 1995). However, this changes when one of the protagonists resorts to the use of a weapon such as a knife or a gun (Daly and Wilson, 1988). This research supported the view that violent encounters have a linear hierarchy that often started with lower levels of verbal violence and escalated to more dangerous and life threatening levels. The similarity between the linear nature of male on male violence and the continuum of force suggested the latter may be a useful way of defining the appropriate use of force, as well as constraining the discretion of police officers during violent encounters.

**Table 2: Escalating Levels of Permissible Force by Police Officers.
(A Continuum of Force Model)**



A good example of a continuum of force model was taken from Berg (1999) and is depicted in Table 2. It not only displays the hierarchical structure typical of the continuum of force models of engagement but also shares a number of other features characteristic of this approach.

One such characteristic was concerned with the police officers' reaction to violent situations. "The amount of force used by the officer is determined by the assailant" (Brown, 1993: p 19). The use of force by police officers should be a reaction to the behaviour of the citizen they were interacting with. If an officer had to arrest someone who was verbally protesting his/her innocence in a calm manner, then the officer should arrest this individual using verbal tactics and only gentle physical coercion if needed. If the person being arrested decides to increase the level of resistance by using physical means, then the officer could also increase the level of force in order to gain compliance. There are two misconceptions regarding the continuum of force. The first misconception is concerned with the belief in the necessity to proceed through each stage of the continuum in order to reach an appropriate level of force (Brown, 1993; Geller and Scott, 1992; Stetser, 2001). This is not so. When officers attend an incident and are faced with the threat of firearms they should not start at the bottom of the continuum and work their way up to lethal force. Instead, they entered the continuum at a level appropriate for their own protection (stage 5 would be appropriate). The second misconception is that the officer can only move up the continuum. Again, this is not so. If the threat to an officer lessens than it is possible for the officer to de - escalate the level of force correspondingly (Americans for Effective Law Enforcement, 1988; Brown, 1993; Geller and Scott, 1992; Stetser, 2001).

Each category depicted in Table 2 defines the level of force appropriate for use and also acts as a definition for the inappropriate use of force. "By grouping and ranking force types and outlining when force of a given type may be used, force continua put flesh on the bare bones of the statutory admonition that officers use no more force than necessary" (Klinger, 1995: p 172). Furthermore, each category specifies the highest level of force that can be used justifiably, given the suspect's level of non - compliance (Garner, Schade, Hepburn and Buchanan, 1995). Stage two, in Table 2, indicates that when a suspect offers unarmed physical resistance to arrest, then the officer is allowed

to use unarmed physical force to gain compliance. While the suspect is struggling the police officer could use unarmed defensive techniques such as takedowns in order to arrest the suspect. At stage two, the officer can only rely on his or her training in unarmed defensive tactics; it would be inappropriate to use a baton or chemical incapacitant. Non - lethal weapons could only be used if the suspect used physical force to attack the officer. If this were not the case, an escalation to stage three would not be appropriate. Each category explains to the officer what is, and is not, considered an acceptable use of force. Police officers are provided with a template that informs them how to behave under a given circumstance.

The continuum of force offers specific instructions on the appropriate level of force police officers should apply in most situations. This conforms to the law and policy directives that require police officers to use no more force than necessary to gain compliance from a suspect (Graves and Connor, 1992; Klinger, 1995; Garner, et, al, 1995). This being the case, the continuum of force has implications for incidents where legal action was taken by citizens against arresting officers (Brown, 1993; McKenzie, 2000). In a legal setting, the continuum of force could provide police officers accused of using excessive force with the necessary justification for their actions (Brown, 1993; Remsberg, 1986; Stewart and Hart, 1993). Remsberg (1986) suggested that the continuum of force offered a framework that those police officers accused of excessive force could refer to in their defence. The accused police officer could use the continuum to explain how the level of force applied related, in intensity, to other levels of force. It would also be possible to explain why a particular level of force was chosen instead of other levels available to the officer. And as long as the level of force used by the officer corresponded with the level of resistance offered by the citizen, as outlined by the continuum, then the level of force used was acceptable.

It is also possible that the continuum of force could be used to justify the complainants' accusations against the police officer (Brown, 1993; McKenzie, 2000). McKenzie (2000) indicates that any continuum of force used by American law enforcement is a matter of public record. There were official public documents published for all to see. It was possible for citizens to substantiate claims of excessive force, where the level of force used by police

officers exceeded that recommended by the continuum. In the US the continuum of force offers citizens a promise of accountability if they become victims of excessive force.

(3.4): Discussion.

The authority of the Jamaican police appeared to be undergoing a crisis in legitimacy. When upholding the law, the Jamaican police often exceeded it by brutalizing and executing members of the public with impunity. The police officers' fear of the public could only be matched by the public's fear of the police. Fear appeared to be the only thing that the police and public shared. When seeking justice, the public often resorted to vigilantism rather than the police. From Beetham's (1991) perspective there was a legitimacy deficit due to the disintegration of the consensus between the dominant and the subordinate. The Jamaican public appeared to have withdrawn their consent to be policed in such a manner. Therefore, the authority of the police had been seriously undermined and the objectives of policing had become that much harder to achieve. Even the adoption of the international standard, that the use of force should be applied in a reasonable manner and only when necessary, appeared to have little effect on the levels of police violence.

The laws and policies that protected the public from the use of excessive force by police officers also safeguarded the legitimacy of police authority. They stated the intention that force should be used in a reasonable manner but failed to explain what was meant by reasonable. Even when countries like Jamaica adopt international standards for the use of force, the front line police officer was still none the wiser about which level of force should be used in any given situation. While a statement of intention was admirable, its practicality was often questionable; especially to police officers entrenched in a culture of fear and violence, such as those serving in the Jamaican police. The admirable intention of written policy or law needed to be translated into the reality of the front line police officer.

Rules of engagement are practical instructions taught to police officers in order to make the intentions of law and policy operable in a real world setting. The big advantage of teaching rules of engagement to police officers lay in the potential to clarify what was expected of officers when they used force. By

providing a model that clarified the use of force, it was assumed that excessive force would be reduced, safeguarding the human rights of the public, the future careers of many police officers and the legitimacy of the policing organisation. Rules of engagement could be considered an attempt to remove excessive force from the equation before it became a problem, rather than just relying on punishment after the fact.

The continuum of force employs a linear hierarchy of discrete categories that describe to the officer which level of force is appropriate under a given circumstance. Each level of force used by the officer corresponds with the level of resistance offered by the offender. Theoretically, the use of minimum force is ensured by the definition of parameters set for each level of the continuum; the definition of acceptable force at each level also defines what is unacceptable at that level. The continuum of force regulates the discretion of individual police officers in circumstances where force is used. Furthermore, the explicit nature of the continuum allows for its use in a court of law when a police officer's use of force is challenged. Not only could it justify the use of force when the actions of the officer correspond with the instructions of the continuum, but it also offers the promise of accountability when the officer's actions fail to correspond with the continuum's instructions. However, to fulfil this last requirement the continuum needs to be made available to the public.

The continuum of force is a good way to define the fuzzy concept of reasonable force for the police and public alike. Not only does the continuum of force regulate the officer's discretion but it offers a promise of accountability. Therefore, it can safeguard the legitimacy by providing a means of consensus between what the public and the police consider as an acceptable use of force.

CHAPTER 4

JUSTIFYING THE USE OF FORCE

Having discussed the beneficial application of explicit rules of engagement to define reasonable force from an international context, consideration must now be given to the police of England and Wales. In a similar manner to the international standard for the use of force, the law regarding the use of force in England and Wales is also rather “fuzzy”. It states:

“A person may use force as is reasonable in the circumstances in the prevention of crime, or in effecting or assisting in the lawful arrest of offenders or suspected offenders or of persons unlawfully at large.”

(Section 3 Criminal Law Act 1967)

The law applies the “reasonable standard” to the use of force in England and Wales, and hence, the use of force needed to be “reasonable under the circumstances”. However, there is still the question of what is reasonable under any given circumstance. This is a matter that needs some clarification.

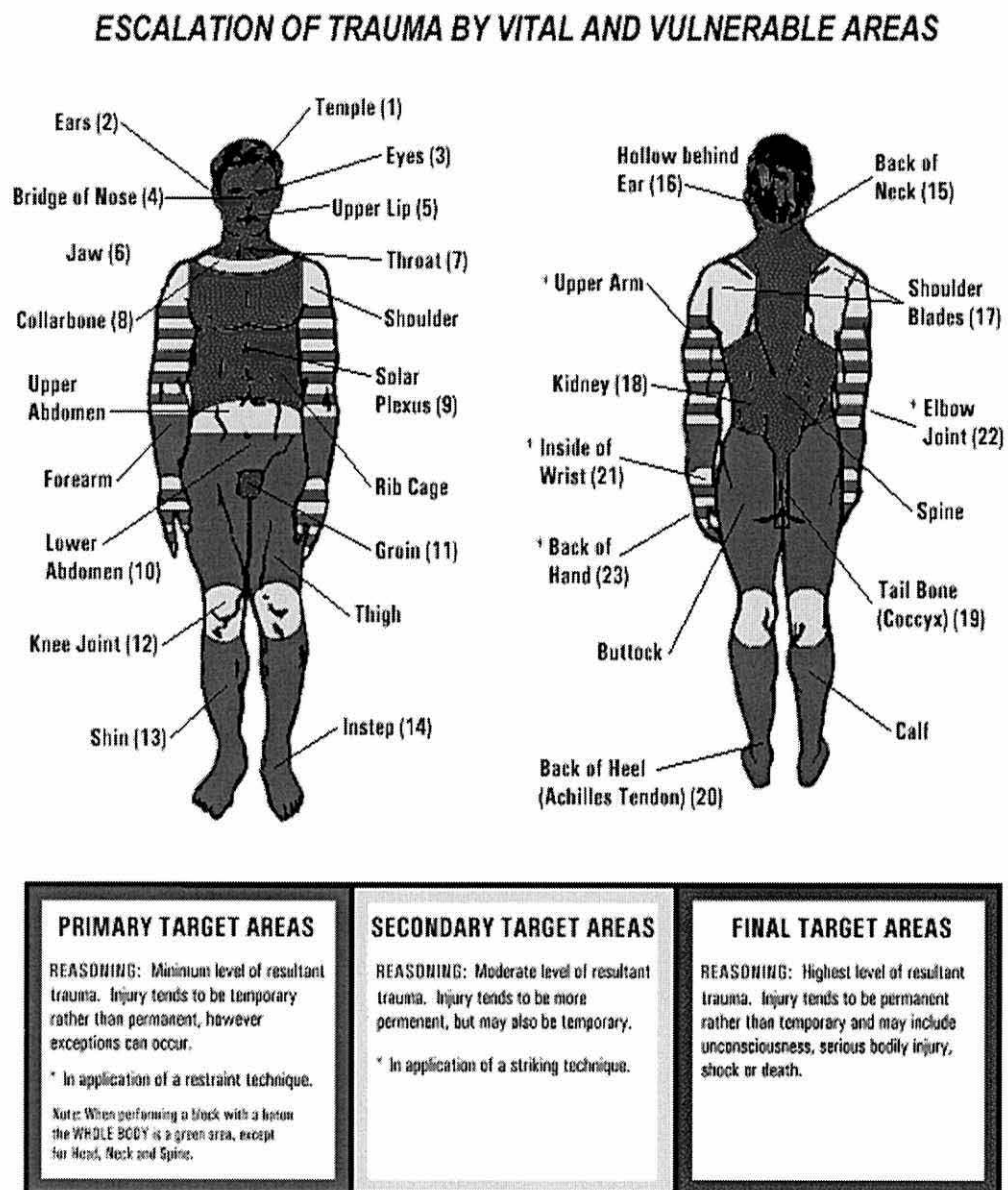
Considering the importance that Waddington (2000) attached to the regulation of police discretion to ensure public safety where the use of force was concerned, and considering that the only practical way of regulating police discretion over these matters was with the use of guidelines and the rules of engagement, this chapter focussed on those used by the police of England and Wales.

(4.0): The guidelines for the use of force.

The officer safety programme “... is the name given to the updating of the current self defence training” (National Police Training), which allowed the police of England and Wales access to a greater number of unarmed defensive tactics (UDT) as well new equipment (HMIC, 1997). They were now free to use numerous offensive strikes with their hands and legs. Furthermore, they could now be armed with either a CASCO or a PR – 24. The officer safety

equipment manufacturer and supplier Monadnock (1998) provided guidelines that described the effect on people of being struck in certain areas with a baton.

Table 3: Baton Chart.



While these guidelines were designed with batons in mind, the National Police Training (NPT)^{vi} also used them for the strikes taught with UDT. Table 3

depicts these guidelines in the form of the “the Monadnock Baton Chart for the escalation and de – escalation of trauma” (Monadnock, 1998). This chart uses colour coding to highlight the potential risk of injury to the person when police officers struck different areas of the body. The colours used are green yellow and red. Table 3 indicated that primary green target areas, which consisted mostly of the legs and lower forearms, could be struck by the baton with a minimum of permanent trauma. Yellow target areas were concerned with strikes to the joints and areas of the body where bone was exposed and could be easily damaged. A strike in this area was considered to cause a moderate level of trauma that for some could cause more permanent injury. The red target areas consisted of the head and the majority of the torso. These were the areas that contained the majority of vital organs. Therefore, the potential for permanent and even fatal injury was at its highest when struck in these areas. Red areas were not to be struck unless the officer’s life was at risk.

The Monadnock Company suggested that its baton chart (Table 3) selected these target areas based on medical evidence regarding the vulnerability of the various parts of the body. The chart provided guidance about the vulnerability of different areas of the body, but it failed to provide an explanation of which target should be selected by the police officer in any given situation. When it was appropriate for the officer concerned to hit a specific target was ambiguous.

To date there have been two sets of guidelines issued by the ACPO regarding how police officers should use CS spray. According to Rappert (2002a), the first set of guidelines issued specific instructions about how CS spray was to be used by the police. The original guidelines stated:

“The incapacitant is primarily designed for dealing with violent subjects who cannot otherwise be restrained. Its use against a subject armed with a firearm is inappropriate and should not be considered. It is issued primarily for self – defence.”

(ACPO 1996: p1)

This indicated that CS spray should only be used as a last resort, with the exception of firearms. However, CS spray was not used as a last resort, it quickly overtook the baton as the preferred means of gaining compliance and

there were claims that it was often deployed too early (Bennetto, 1998; Johnstone, 1998; Kossoff, 1998; McKenzie, 2000; O’Neil, 1998; Pook, 1998; Stokes, 1998). It appeared that many police officers were breaking the guidelines for CS spray use by employing it too quickly. It was suggested that as a “response to violations of the guidelines, the expanding remit of the sprays, and experience in using them” (Rapport, 2002: p 700), a new set of guidance was introduced by the ACPO Self – Defence, Arrest, and Restraint Committee in 1999. This second set of guidelines was anything but explicit.

“In this regard individual officers must be prepared to account for their decisions and to show that they were justified in doing what they did and that they acted reasonably within the scope of the law on the use of force.”

(ACPO, 1999: p 1)

Replacing explicit instructions with the suggestion that officers needed to justify their actions made the boundaries between what was acceptable and what was not, far more “fuzzy”. No longer were CS sprays a last resort for self – defence; instead they could now be used in any situation as long as the officer doing so could justify their use.

Perhaps the best example of this was concerned with how far away an officer should be when using CS spray. The 1996 “guidelines for CS spray” stated:

“These devices should not be used at less than 3 feet unless life is at risk, the 3 feet distance should be the distance of the canister from the subject to be sprayed, not between the officer and the subject. This is due to the danger of injury to the eyes if used at close range.”

(ACPO, 1996: p 2)

The 1999 “guidance for CS spray” was far less explicit about when it was appropriate to spray someone from within three feet. It stated that:

“The spray should not be used at a distance of less than 1 metre unless the nature of the risk to the officer is such that this cannot be avoided. In such cases officers must be prepared to justify not only their use of the spray but also their decision to use it at a distance which may cause damage to eyes due to the discharge of the liquid.”

(ACPO, 1999: p 4)

The 1996 guidelines explicitly stated that the officer should not use CS spray at such a close distance unless his or her life was threatened, but the 1999 guidance was less explicit when stating that it should only be used when it could not be avoided. The 1999 guidance gave no explanation of what risks could be considered unavoidable.

For Rappert (2002) it was all in the name: “guidelines” or “guidance”. The 1996 “CS spray guidelines” for police use were a more prescriptive set of instructions regarding how to use CS spray. They informed officers how to use CS spray in what was considered an appropriate manner. However, the 1999 “CS spray guidance” for police use is vague about what is acceptable and what is not. It leaves the decision of when or where to use CS spray to the discretion of the individual officer. The 1996 “guidelines for CS spray” use instructed officers to use it in a defensive manner. Therefore it should have been used as a last resort, which was in line with the doctrine of minimum force. However, the 1999 guidance for CS spray use allows officers to use CS spray in a manner of their choosing as long as they justify that it was used in a reasonable manner. By using the doctrine of reasonable force it would be possible to exceed the minimum level of force needed to gain compliance with a reasonable, at least to the officer, justification. Hence problems could arise when the officer’s perception of reasonable force was not congruent with those observing the incident.

However, the ambiguity of both the law and the 1999 “guidance for CS spray” use could be clarified by clear and concise rules of engagement similar to those of the continuum of force discussed in the previous chapter (chapter 3, 3.3).

(4.1): The continuum of force in England and Wales.

There were few if any police departments in the US that did not teach a version of the continuum of force. However, the continuum of force was a relatively new concept for the constabularies of England and Wales. Thus: “... a request made to British police officers to define such a hierarchy would, until quite recently, commonly have produced a look of incomprehension. In some places it may continue so to do” (McKenzie, 2000: p181). It is important to remember that until the early 1990s there was no officer safety training. Long serving

officers made the following statements about training before the officer safety programme.

Officer 12: “When I joined you just got issued with your wooden stick and you were just kicked out on the street, basically.”

Officer 21: “... we’ve only had the equipment that we’ve got since 1995. So that’s what? Five years! ... Any police officers that were around before that, had a piece of wood and an old pair of handcuffs.”

It stands to reason that a largely unarmed police force that lacked an ongoing programme of officer safety training would be ignorant of the continuum of force. When the majority of officers had a hierarchy of options limited to verbal, physical and baton strikes all that was needed was the instruction to use the baton as a last resort. Furthermore, the lack of officer safety training would mean there was no opportunity to teach police officers the continuum of force.

McKenzie (2000) indicated that something like the continuum of force was taught to firearms officers. Midgley (1995) described a ten-stage set of guidelines that advised on steps that should be used before discharging a firearm such as verbal commands and threatening stances. The hierarchical nature of Midgley’s description indicated a more than passing resemblance to the continuum of force, a pseudo - continuum. McKenzie highlighted two important differences between those guidelines and the continuum of force as understood by US law enforcement. Firstly, this pseudo - continuum expressed by the guidelines was shrouded in secrecy. Unlike its US counterpart, the pseudo - continuum was not in the public domain and therefore did not offer citizens the promise of accountability against the use of excessive force. Secondly, these guidelines were supposedly only taught to firearms officers. If this was the case, the use of the pseudo - continuum was limited to those officers expected to be involved in shootings. There were still no rules of engagement taught to those officers without firearms training.

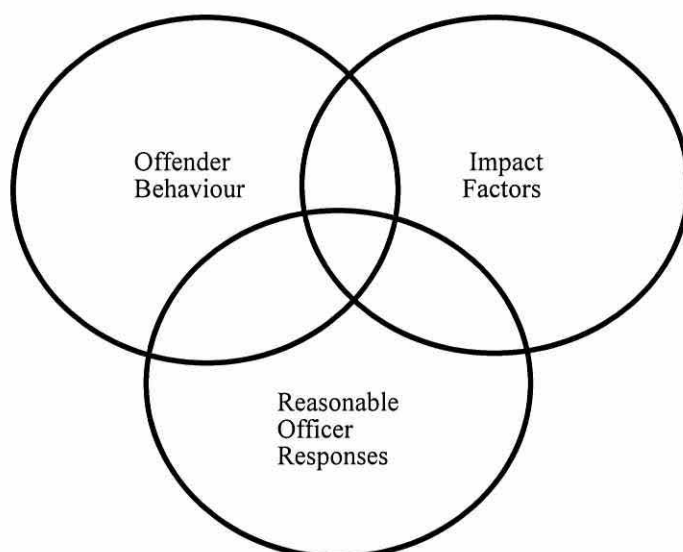
McKenzie (2000) acknowledged that several constabularies introduced a “truncated” version of the continuum of force to the officer safety programme when the side - handled baton was introduced (Appendix 11). He considered this continuum to be inferior to its US counterparts, because the descriptions of

the different levels of force were too brief. This could mean the instructions were not specific enough to be of any real use to the officers using it. Furthermore, many constabularies concentrated teaching efforts towards escalating up the continuum and neglected the importance of disengagement, the implication being that the hierarchical nature of the continuum caused officers to increase the level of force they used because they could only move up the scale. Teaching a unidirectional approach to the continuum could increase the probability of officers using excessive force (Nayroud and Beckley, 2001). According to Nayroud and Beckley (2001) it was concern regarding the presumption of escalation that led to the evolution of the continuum of force into what is presently described as the conflict resolution model.

(4.2): The Conflict Resolution Model.

Like the continuum of force the conflict resolution model was designed to help police officers make decisions about the appropriate level of force that should be used in any given situation. While the conflict resolution model bore some resemblance to the continuum, it also differed from it in a number of important ways. Unlike the continuum of force the hierarchy employed by the conflict resolution model was not linear. The conflict resolution model "... is based on three platforms which are most easily visualised as interlocking circles, each affecting the other to a greater or lesser extent, depending on which of the factors are present in the situation confronting the officer" (Keenan, 1997: p 26). These three platforms are offender behaviour, reasonable officer response, and impact factors (see Table 4). The first platform, offender behaviour, has six levels of conduct: compliance, passive resistance, active resistance, aggressive resistance, and serious or aggravated resistance (Keenan, 1997; NPT; Pagan, 1998). The second platform was concerned with reasonable officer response. This platform consisted of officer presence, tactical communications, primary

Table 4: The Conflict Resolution Model.



Offender Behaviour

- Compliance: The offender offered no resistance and complied with the officers' request.
- Verbal Resistance and Gestures: The offender refused to verbally comply and exhibited body language indicating non-compliance.
- Passive Resistance: Offender stood or sat still and refused to move.
- Active Resistance: The offender pushed or pulled the officer. There was no deliberate attempt to strike or injure the officer.
- Aggressive Resistance: The offender fought with the officer using punches, kicks, wrestling or biting etc.
- Serious or Aggravated Resistance: Any assault where there existed the possibility of great bodily harm or death. This included the use of a weapon by the offender.

Reasonable Officer Response

- Officer Presence: This included the method of approach and pronouncement of office. Tactical verbal communications could be used. Sometimes the presence of the uniformed officer was enough to resolve a situation.
- Primary Control Skills: The use of arm locks, wrist - locks, physically escorting the offender, and the use of handcuffs.
- Defensive Tactics: This involved the use of blocks, strikes, and takedowns. Furthermore, the use of batons and CS spray were allowed. Control tactics often followed defensive tactics.
- Deadly Force: This involved any action that may result in serious bodily injury or death from the use of empty hand techniques, batons or firearms.

Impact Factors

- The sex, age and size of the offender relative to the officer.
- The strength of the offender relative to the officer.
- The offender's skill level relative to the officer.
- Any special knowledge that the officer may possess regarding the offender.
- The presence of alcohol and drugs.
- Mental derangement.
- Being in a position of disadvantage.
- Injury and/or exhaustion.
- Imminent danger.
- Numbers.
- Weapons.
- Officers' perception of subject's willingness to resist.

(National Police Training)

control skills, secondary control skills, defensive tactics, and deadly force (Keenan, 1997; NPT; Pagan, 1998). When considering the platforms of offender behaviour and reasonable officer response they appeared similar to Berg's (1999) continuum of force (Chapter 3, Section 3.3: Table 2). What made the conflict resolution model different from the continuum of force was the utilisation of the third platform concerned with impact factors. Keenan (1997) suggested that impact factors were often unique, elements of a situation that would exacerbate or nullify the need to use force. Impact factors were not exhaustive or exclusive of any other elements present in a situation (Keenan, 1997). They interacted with the offender behaviour and reasonable officer response platforms, and officers chose the level of force they used based on consideration of all three (Keenan, 1997; NPT; Pagan, 1998).

The three-pronged approach to engagement with violent and potentially violent offenders used by the conflict resolution model allowed a more flexible approach to decision making than the continuum of force. The continuum of force relied on the violent interactions between the protagonists of a given conflict. Police officers using the continuum reacted to the behaviour of the offender with the appropriate strategy outlined by the hierarchy. In contrast, the conflict resolution model considered the perceptual and mental processes used to decide how to approach each situation. This was similar to gaming theory advocated by Maynard Smith (1982) as an explanation for aggressive interactions. Gaming theory^{vii} was concerned with the organism's assessment of a situation and its ability to adopt the appropriate strategy for survival. The human implications being that people in potentially dangerous situations perform a "cost/benefit analysis" regarding which strategy to adopt (McCarthy, 1994), and this assessment continued throughout the violent encounter (Enquist, Leimar, Ljungberg, Mallner, and Sergerdahl, 1990). This would mean that police officers determined which strategy to use in violent situations by considering the consequences of its use.

The continuum of force allows all officers a generic reaction to the physical actions of an offender. In contrast, the conflict resolution model allows individual officers the ability to deal with violent situations in a variety of ways. For example:

Officer 21: "Say we had 13 people all doing the same thing, using verbal resistance and gestures. And then put the same officer in each of those incidents and he uses a different amount of force. On one he may use a take down, on the second one he may just escort him to the car, on the third one he sprays him, on the fourth one he hits him with a baton. ... He has been verbally resistant with gestures but the impact factors that have made a difference are he's got a knife, he hasn't threatened you with a knife but he has got one. So you use more force to get that knife off him and gain control because that knife is a threat, or he's drunk, unpredictable, on drugs and a knife is available. He's not got it in his hand but it is available, so you have got to use force to try and get him away from that. ... The actual offender profile is the same but the impact factors have made that difference to the use of force."

Officer 21 explained how impact factors could influence a police officer to respond with different levels of force in situations where offenders exhibited similar behaviour profiles. It was also possible that police officers would not always respond to an impact factor in the same way.

Officer 21: "If ... you have got no back up. You may use a bit more force because you want to gain control. On the other hand you may decide I'm going to use tactical communications because I'm on my own and I'm going to wait for backup. So, actually, you use less force because of that impact factor. So impact factors work in varying ways."

Impact factors did not necessarily involve the escalation of force. There were times when what could be assumed as a dangerous situation required the application of a lesser level of coercion. This raised the question of how these decisions were made.

Officer 21: "You may have somebody who's using the same offender profile, same level of violence, same impact factors, drunk, got a knife, whatever. ... Then four different officers come up and they will deal with it differently. So why is that? The reason why, is because all the officers are different. Their decision is based on experience and what they are confident with. One may use a baton and that may be me because I train in it and I'm quite confident with the baton. The next person isn't confident with the baton so they use CS because they've used CS before and experienced how often it worked so they've got the idea that they didn't get hurt. The next one doesn't like any of them. So he uses

verbal skills, he talks to them and he gets their confidence and brings them over.”

The continuum of force prescribed the appropriate response to the offenders' behaviour but the conflict resolution model relied upon the experience of the officer as to which level of force was used. Rather than one set of responses for one set of behaviours the conflict resolution model was heavily influenced by each officer's personal preference for a given strategy. In violent situations, officers who were confident using CS spray would use it to gain compliance, while officers confident with their verbal skills would often talk the offender into complying. The conflict resolution model relied heavily on the perception and beliefs of the officers that used it. However, subjective reality could sometimes be erroneous, as the following statement from an officer safety instructor suggested.

Conversation: “There is a need for officers to be honest with themselves about their verbal and physical skills. For example if an officer is injured their physical ability to defend themselves may not be up to that task so they may have to consider using CS spray when normally they would just grab the person and restrain them. Verbal communication is normally the best way to calm a situation down but some officers may believe that their verbal skills are better than they actually are.”

The prescribed responses of the continuum of force ensured some measure of accountability for victims of police officers who used excessive force. Unfortunately, this is not the case with the conflict resolution model. In order to explain the previous statement further, it is first important to discuss the two main “doctrines of force”. These are the doctrine of minimum force and the doctrine of reasonable force. The words minimum and reasonable are often used in conjunction with each other where the use of force is concerned, under the assumption that they have identical meanings. However, they are not identical. While the doctrine of minimum force and reasonable force are not mutually exclusive, they are definitely not the same thing. Minimum force is where the officer used “...the least force necessary” (Nayroud and Beckley, 2001: p 138). However, reasonable force may not always be the least force

necessary when it remains possible for officers to apply force that exceeds the minimum standard but remains reasonable, at least in the judgement of the officers concerned. For an example of this see the two case studies in Table 4. The actions of the officer in Case 1 (Table 4) followed the doctrine of minimum force. The officer concerned indicated that he only used CS spray when someone attacked him or when other means of defence failed. The actions of this officer could also be considered reasonable because of the threat posed to his health. This was different where Case 2 (Table 5) was concerned. The officer in Case 2 used CS spray to pre-empt what he perceived could have escalated into a threat on his person, by spraying people to calm them down before their actions became a direct threat to his health. This action did not follow the doctrine of minimum force, because these people were not a direct threat to the officer at that time. Instead of using CS spray, the minimum use of force appropriate for that situation would be verbal skills or unarmed physical coercion. Despite this his actions could still be considered reasonable from his point of view. After all, if a person believed there was a chance they would be injured it would be reasonable to take action to prevent such an occurrence. Having considered Berg's (1999) continuum of force (Chapter 3, Section 3.3: Table 1), the officer in Case 2 (Table 5) used CS spray at a level of force considered appropriate for stage three. However, the offender used physical force that was not directed at the officer so his appropriate response should have been at the level of stage two. According to Berg's continuum of force model, the officer used a level of force that did not correspond with the offender's behaviour. He used CS spray where the continuum only allowed for the use of hand – to - hand skills at the most. Therefore, the use of CS spray would have been considered excessive. By allowing the offender's actions to dictate the level of force used, a "ceiling" was placed on the level of force appropriate for any given situation. This indicated that the continuum of force was formulated with the doctrine of minimum force in mind. This befitted their origin in the US where the desirability of reducing police shootings of citizens, and the reduction of the use of force in general, led to the restriction of police discretion when using force (Binder, Scharf, and Galvin, 1982; Binder and Fridell, 1984; Blumberg, 1989; Fyfe, 1979; Fyfe, 1988; Geller and Scott, 1992; Meyer, 1980; Sherman and Cohn, 1986; Walker, 1993).

Table 5: Response Vs Pre-emption.

Case 1: "Another time I used it, I was on my own and some bloke came at me with a bottle. His face was red with rage, and he was coming for me so I sprayed him. The next time I used CS I was on my own again, struggling with a chap and he was overpowering me. It had got to the stage where I was punching and striking him but nothing seemed to work because he was drunk so I broke away and sprayed him."

Case 2: "The first time I used it was at a domestic. This lad was being drunk and disorderly, and was having a domestic with his girlfriend when her father came up. There were two of us at the time ... and when we were arresting him the father joined in and started hitting the boyfriend ... they wouldn't listen to verbal commands so we sprayed the two of them with CS spray. The last time I used it was during the summer, again at a domestic, where I had to move the boyfriend from the house to prevent a breach of the peace. I had made arrangements for his father to pick him up. I had taken him to the pre - arranged meeting point where the father was to pick him up. I left him in the back of the car for a matter of seconds to go and speak to the father and he went berserk. He damaged the door of the car and smashed the window... Again, he wouldn't listen to verbal commands, and the baton wasn't appropriate, so I sprayed him with CS spray... He wasn't using force, he wasn't actually using any violence towards me but if he had got towards me then he would of used violence. So I used the CS, to really, calm him down ... before he got to the further stage where he was going to be hit with the baton. At the time I was out in the middle of nowhere in a fairly isolated and desolate place to be."

In contrast, the conflict resolution model has much in common with the doctrine of reasonable force.

Officer 20: "At the end of the day it's all down to justifying the use of force, it used to be reasonable force, it's now force justified in the circumstances, which is just a variation on phraseology. At the end of the day we have to tell everybody you are the individual. We're not there. It's up to you. You're the one who has to stand up and justify why you used that amount of force on the subject, then and after, and if you can justify it then fine."

The conflict resolution model was concerned with the justification of force. Unlike the continuum of force, where reasonable was defined in a hierarchy of discrete categories that acted as instructions, the conflict resolution model allowed the officer to define the appropriate level of force used in any given situation. The conflict resolution model could be used to justify the use of force by both of the officers Case 1 and 2 (Table 5). Furthermore, the conflict resolution model is used to justify the officer's behaviour in a court of law. It had been used to ensure that IRFs were written up in a way that could be utilised to justify the use of force by the officer if it was called into question.

Like the continuum of force, the conflict resolution model offers justification when the force used was appropriate but unlike the continuum offered no promise of accountability when the use of force was excessive. The conflict resolution model allowed the officer to use force without a strict definition of what was reasonable. This was demonstrated by the following statement.

Officer 21: "I get to make statements in court but I never make a decision: I never say that was reasonable or that was unreasonable."

The problem with leaving the definition of reasonable force to the subjective experience of individual officers is the potential for the justification of inappropriate force. Hunt (1985) suggested that police officers perceived many forms of illegal force as normal, and the police often construct accounts to justify their actions (Cancino, 2001; Manning, 1999). With the conflict resolution model leaving no operational definition of reasonable force there can be no definition of excessive force. The boundaries between reasonable and excessive force remain "fuzzy" to the police officers of England and Wales.

(4.3): Discussion.

Waddington (2000) suggested that it was the control over police discretion that ensured the safety of the public against the misuse of force during paramilitary operations. During crowd control situations this was to be achieved by the use of a strict chain of command, but such a chain of command was impractical for everyday policing. However, clear and explicit guidelines, as well as rules of engagement that defined reasonable force in a practical manner, offered distinct possibilities for the regulation of officer discretion.

The 1996 "guidelines for CS spray" were prescriptive but they were replaced by the 1999 "guidance for CS spray" that are, by comparison, ambiguous. In the UK the proscriptive continuum of force was used for a short time by some constabularies before being replaced by the ambiguous conflict resolution model. The conflict resolution model is not reliant on a hierarchy of discrete levels of force like the continuum. Instead, it considers the responses available to the officer, the behaviour of offenders and the differing factors present in each situation. It describes the thought processes involved in deciding the

strategy to be used during an arrest rather than prescribing a coherent operational definition of reasonable force. Therefore, this was not an attempt to regulate the officer's discretion by defining reasonable force, but to provide the opportunity for justification of his or her perception of reasonable force. The conflict resolution model could even be used to justify the use of excessive force and provide a means of protection for officers against complaints.

The conflict resolution model allows police officers to rely on their own subjective perception of events when deciding which strategy to use. Therefore, the officer's previous experience of encounters with the public, violent or otherwise, becomes an important part of the decision - making process. The officer's beliefs about what they considered to be dangerous and their perception of the most effective way of gaining compliance become of paramount importance in police encounters with citizens. In short, the safety of all concerned rests on the perceptions and beliefs of the unregulated frontline police officer.

CHAPTER 5

THE PUBLIC PERCEPTION OF CS SPRAY

From Beetham's (1991) perspective the legitimacy of the police is dependent on a consensus shared between the police and those being policed. From this perspective it would not be enough that the police believed they upheld the law and protected the public, this view would also have to be reciprocated by the public. In short, the authority of the police depends on the consent of the public. The public must trust the police.

“...it is vital to have regular confirmation from all sections of the community that the traditional trust in the police is sustained. Trust depends on the strength of mutual understanding and respect between the police and the community they serve, and every time an individual behaves badly, public trust and confidence in the whole service is affected.”

(HMIC, 1999: p 9)

From Beetham's perspective it was the goodwill of the public that was the foundation upon which the legitimacy of police authority was built and sustained.

Paradoxically, the police protection of the public is often achieved by the use of coercive force. Philips and Smith (2000) used the term “police violence” instead of coercive force, which outlined the paradox with more clarity. The police used violence on the public in order to protect the public. Therefore, “... levels of force, whether real or perceived, ‘reasonable’ or ‘excessive’, are a vital determinant of the quality of police/community relations” (Philips and Smith, 2000). They considered police violence to be a social problem that had ramifications throughout society. If the police use of force alienates those that they are policing, then its use could have a serious negative effect on police legitimacy (MacDonald, Manz, Alpert and Dunham, 2003). Furthermore, the introduction of new levels of force associated with officer safety equipment could also pose a threat to police legitimacy, especially in the case of the controversial adoption of CS spray.

If these changes in policing have eroded the public's trust in police officers, then their ability to police in England and Wales could be made more difficult. With this being the case, the new officer safety equipment could have made policing more dangerous for those involved. This was demonstrated by the Jamaican experience of policing, where a lack of police legitimacy existed alongside elevated levels of danger for both the police and citizens (Chapter 3: 3.0). Considering the importance placed on the consent of those being policed this chapter will concentrate on the public perception of the police and how they use force. Furthermore, consideration is given to how the public perceive the new officer safety equipment and especially the controversial adoption of CS spray.

(5.0): How the public perceived the police.

In 1990, the NWP were one of the first constabularies to conduct a public opinion survey regarding how the public perceived the police; this was repeated in 1996 (Baker and Waddon, 1990; Baker and Waddon, 1996). It was found that between 1990 and 1996, there had been little change in the public's opinion of the police. The public demonstrated high rates of satisfaction with the NWP. Furthermore, there has been a considerable amount of research conducted on how the police were perceived by the public in the US. Flanagan and Vaughn (1995) comprehensively reviewed the research conducted on public attitudes to the police. They found that the public were generally supportive of the police. Furthermore, surveys of public attitudes towards the police in England and Wales have also produced similar results (Crisp, 1990; Sims and Myhill, 2001; Yeo and Budd, 2000). While the British Crime Survey (BCS) indicated that the majority of the public supported the police, this majority has decreased over time. In the 1982 BCS, 92 % of respondents indicated their support for the police compared to 85 % in 1988 (Crisp, 1990). Levels of confidence in the police remained fairly constant throughout the 1990s with 84 % of respondents having indicated their support for the police in 1998 (Yeo and Budd, 2000). However, the 2000 BCS indicated that 78 % of respondents supported the police. Since 1998 there had been a further decrease in public support for the police. While there were certainly numerous reasons for this erosion in public confidence in the police, which could itself be a topic for

further study, it was notable that by 1998 nearly all forces had adopted CS spray and the other officer safety equipment. However, while public support for the police had dropped by 14 % between 1982 and 2000, the drop between 1998 and 2000 was only 6 %. If the adoption of CS spray or any of the other officer safety options had negatively impacted on the public's faith in the police it could only be in a very small way. Undoubtedly, much of this 6 % decrease could be accounted for by other factors that negatively affect the popularity of the police with the public. For example, well publicised cases of police corruption may also have caused the levels of public trust in the police to drop.

There are many variables that affected how members of the public perceive the police. Ethnic minorities often indicate lower levels of confidence in the police (Bradley, 1998; Correia, Reisig, and Lovrich, 1996; Crisp, 1990; Davis, 1990; Decker, 1985; Kaminski, 1993; Morgan and Newburn, 1997; Murty, Roabuck and Smith, 1990; Perrott and Taylor, 1994; Scaglione and Condon, 1980; Sims and Myhill, 2001; Waddington and Braddock, 1991; Yeo and Budd, 2000). There is evidence to suggest that younger people perceived the police in a less favourable way than older people (Bradley, 1998; Brillion, Guerin, and Lamarche, 1984; Decker, 1981; Hadar and Snortum, 1975; Lee, 1998; Loader, 1996; Skogan, 1994; Smith and Gray, 1983; Walker, Richardson, Williams, Denyer and McGaughey, 1972; Wilson, 1985). However, Morgan and Newburn (1997) used the 1994 BCS to challenge the view that young people held a less positive outlook of the police than older people. They suggested that the views held by young people about the police generally corresponded with those held by their parents. While public opinion of the police remained largely supportive, it was the economically marginal such as the unemployed who viewed the police in a more negative way (Bucke, 1996; Lee, 1998; Loader, 1996; Skogan, 1994). Those least supportive of the police appeared to be the most vulnerable groups; the groups that were most likely to be policed. Furthermore, there was considerable evidence to support the assertion that contact with the police did not necessarily enhance the police/public relationship. Those members of the public who had contact with the police often perceived them in a less positive manner than those who had not (Carter, 1985; Correia, et al, 1996; Sims and Myhill, 2001; Yeo and Budd, 2000),

especially when that contact was considered unfavourable to the person concerned (Crisp, 1990; Dean, 1980; Jacob 1971; Scaglione and Condon, 1980; Winfree and Griffiths, 1977).

Those people who indicated their general satisfaction with the police were also the people that supported the police use of force. In the US, the General Social Survey (GSS), conducted annually, asked questions about when it was appropriate for police officers to strike a citizen (Arthur and Case, 1994). According to Jefferis, Kaminski, Holmes and Hanley (1997) support for the police use of force by the public has remained constant from 1972 to 1993. Generally public support for the police use of force was high. Affluent, middle class Caucasians indicated greater support for the use of force by police officers than ethnic minorities (Flanagan and Vaughn, 1995; Gamson and McEvoy, 1972; Maguire, Pastore and Flanagan, 1993; Williams, Thomas and Singh, 1983). Again, it was the less privileged who indicated less support for the police use of force (Arthur and Case, 1994). Unfortunately, public opinion surveys in England and Wales did not ask questions about the use of force by the police. However, there were some studies that explored public perception of police weaponry.

Loader and Mulcahy (2003) used the concept of “defenders of the faith” to describe members of the public who considered the police to be authoritative guardians central to social order. These people believe that the police should return to the idealised traditional style of policing; that the traditional style of policing made the British “Bobby” the “best in the world”. Loader and Mulcahy suggested that “defenders of the faith” consider the police today as distant and unresponsive to the needs of the public who rely on the police for protection. Furthermore, this new style of distant and unresponsive policing was blamed, somewhat ambiguously, on police technology.

“On this view, certain forms of police technology – ‘old bikes, helmets, truncheons – do not properly count as technology at all...Rather, technology is that which clashes with, and has contributed towards the demise of, ‘traditional’ English policing. Such a ‘clash’ is most evident in the reaction of defenders of the faith to the various ‘paramilitary’ technologies adopted by the police over recent decades, especially such things as pepper sprays, public – order vans and protective equipment. On the one hand, such technology holds out the promise that officers, and by

extension 'the public', are being adequately protected. Yet it simultaneously speaks of a violent disorderly other that 'we', and the police, need such protection from – something that undermines the belief that English policing is a benign, intimate, family activity.”

(Loader and Mulcahy, 2003: P 109)

According to Loader and Mulcahy, those considered “defenders of the faith” believe it unacceptable for the police to be routinely armed. For them, the routine use of firearms would signify the abandonment of that which made the police of England and Wales special and unique. However, not everybody shared this view.

Waddington and Hamilton (1997) suggested that while unarmed police officers emphasised the benign nature of policing, considered central to the rhetoric of policing by consent, much of the public would be prepared to abandon this traditional style for an armed police service. One public opinion poll indicated that 67 % of those asked, favoured the routine arming of police officers (Police Review, 1994). A similar public opinion survey conducted in 1995, which coincided with the Police Federation poll regarding routine arming police officers, indicated more enthusiasm for a range of armed policing policies by the public than was expressed by police officers (The Guardian, 1995, cited Waddington and Hamilton, 1997). Waddington and Hamilton suggested the support for the police use of firearms was part of the public’s general bias towards tougher “law and order” measures. However, “[i]f public bias seems to favour ‘law and order’, it still might not welcome a departure from the traditional appearance of the unarmed British ‘bobby’ (Waddington and Hamilton, 1997: p 101). While much of the public supported the idea of routinely arming the police, there was still the possibility that, if this occurred, public opinion would change when faced with the reality of armed police officers patrolling the streets.

There was considerable public support for the new non – lethal officer safety equipment adopted by the police. Kock et al (1993) found that from a survey of 327 members of the public 70 % favoured the change from the traditional covertly worn truncheon to the new PR – 24. There were 22 % of respondents who expressed no view, and only 5 % against. Kock and Rix (1996) conducted a telephone survey of 960 members of the public and a further 300 members of

the public took part in a street survey. Their telephone survey found 67 % of the respondents favoured the introduction of CS sprays and 20 % did not, while the street survey indicated the 78 % of respondents were in favour of CS spray with 11 % not in favour. Many of those against the issue of CS spray to officers were concerned about its effect on public health.

Cooke et al (2001) conducted an independent survey of 604 young people in order to explore the underlying dimensions in their attitudes towards police weaponry. These young people were asked questions about firearms, CS spray and truncheons. Cooke et al found that there was:

“...little support for the view that current police weaponry was excessive, and indeed it was generally considered to be insufficient. There was considerable disagreement within the sample about whether police weaponry was a deterrent to criminals, and considerable support for the view that increased weaponry would actually endanger police officers and increase their exposure to stressful situations. Attitudes were divided over whether arming the police would threaten amicable relations between police and public, but there was wide support for the increased use of non – violent techniques of persuasion and negotiation rather than increased resort to weaponry by the police.”

(Cooke, et al, 2001: p 160)

According to Cooke et al, members of the public with a generally favourable disposition towards the police held similar favourable attitudes to police weaponry and those with unfavourable dispositions toward the police likewise held unfavourable attitudes towards police weaponry. They concluded that the existing level of police weaponry met with the general approval of the public. The public perceived that without these weapons, the police would find it more difficult and dangerous to uphold the law. Therefore, policing without these weapons could in turn lead to an increase in lawlessness.

It appeared that the public were not as supportive of the traditional unarmed police officer as many police commentators and even the police themselves believed (Waddington and Hamilton, 1997). However, there still appeared to be tension between officer safety and public nostalgia for the traditional “bobby”. In fact an increase in new non-lethal officer safety equipment may be considered by the public as a compromise to avoid the routine arming of the police with guns. One of the reasons given by the public for support of the new

batons was to "... eliminate the need for the police to carry firearms" (Kock, et al, 1993: p 26). This was especially the case where the adoption of CS spray was concerned. "History may show that the introduction of CS postponed the routine arming of the British police for many years, if not indefinitely" (Police Review, 1998: p 4). This was a view shared by officer 14 who stated:

Officer 14: "CS spray is the most wonderful piece of equipment that we have. The issue of CS spray has knocked back the chance of officers being routinely armed with firearms. Prior to the issue of this equipment morale was low and assaults on officers were high and research from the US and other European countries seemed to suggest that the new equipment would go a long way to solving our problems. When the new equipment was adopted the debate regarding the routine arming of police officers died down. I see this as a good thing because if I was armed with a gun then I might have to use it."

Waddington and Hamilton (1997) described the reluctance by senior police officers to authorise the routine arming of the police with firearms, even when evidence from public opinion surveys indicated the general support by the public for such a move. They suggested that it was a "legitimacy trap", where the assumption that the public would not support the routine arming of the police with firearms outweighed evidence to the contrary. It was police concern about a negative public reaction that forestalled the routine arming of the police with firearms. However, this did not stop the routine arming of the police with CS spray. While the "front line" police officer was reluctant to carry a gun (Darbyshire, 1995), and still is (Burns, 2003), CS spray and other officer safety options could have been considered a compromise that afforded officers extra protection, while preserving public consent.

So far, the discussion has been mostly concerned with surveys of public opinion about the police, the use of force and police weapons. These surveys indicate substantial support, by the public, for the police use of force and for weapons that will afford them greater protection. However, public opinion surveys have considerable limitations. Morgan and Newburn (1997) suggested that even the best public opinion surveys are unsophisticated because they require respondents to answer discrete questions, which often fail to reflect the true complexity of people's beliefs. Surveys often identified beliefs, but fail to

distinguish between the different reasons for holding that belief and consequently fail to measure any interactions between these beliefs.

According to Morgan and Newburn, the most dramatic problem with surveying people about their perception of the police is their ignorance of the police. For example, the members of the public surveyed about their views on the truncheon being replaced by the PR – 24 were largely ignorant of the fact that the police had changed weapons. The majority of respondents (84 %) indicated that they had not seen a police officer wearing the PR – 24 (Kock et al, 1993).

Hence:

“People vary greatly in their knowledge and experience of the police. A minority of the population has a great deal of contact with them, and this contact is often adversarial. A minority of people are repeatedly victimised, may often have to seek assistance from the police, and are well qualified to judge whether help and information are forthcoming. By contrast a sizable proportion of the public, between two fifths and one half, report having had no contact with the police of any sort...It follows that many respondents’ views are based less on first - hand experience than on second - hand accounts or media images, which may ... accord poorly with the reality of policing.”

(Morgan and Newburn, 1997: p 92)

According to Reiner (1992), much of what the public understood about policing was gained from media representations. This was supported by the work of Baker and Waddon (1996). Residents of North Wales were asked to indicate how they were informed about the police. It appears that the residents of North Wales gained their information from numerous sources. They reported that 90 % of their respondents indicated that they were informed about the NWP by local newspapers. That 86 % gained information about the NWP from Television News, and 46 % from conversations with others. None of these categories are mutually exclusive.

With the bulk of public knowledge about the police being gained from the media, it was the media that informed the public about controversial uses of force by the police; to that extent it was the media that shaped public opinion about the misuse of force. The influence of the media was most noticeable in the case of the now infamous videotape of the Rodney King beating (see chapter, 1: 1.4). Lawrence (1996) found that stories about police brutality in

the Los Angeles Times rose steadily from 1987 until 1990, and increased dramatically when the incident occurred in 1991. Lasley (1994) had the good fortune to be conducting a longitudinal study in South Central Los Angeles that covered the period before and after the beating of Rodney King. Lasley's survey did not inquire about the use of force, but it did contain questions about community attitudes towards the police. The results of the survey indicated that attitudes towards the police were substantially lower than they had been previous to the Rodney King beating, with African American attitudes being more negative than those of Caucasians. Furthermore, polls conducted after the Rodney King incident indicated that a substantial number of people believed police brutality to be common - place (Flanagan and Vaughn, 1994). This was supported by the work of Jefferis et al (1997) who studied the effect that widely broadcasted videotapes of controversial arrests had upon the beliefs held about the police by the citizens of Cincinnati. Again, it was found that controversial arrests that were well publicised had a negative impact on the public's perception of the police, especially where ethnic minorities were concerned.

With both direct experience and media coverage having significant influence on how the public perceived the police, the rest of this chapter will be taken up with discussions of two case studies. The first case study considered a well publicised incident where a person was sprayed with CS and the second case study considered the opinions of a small community where a person tragically died after being sprayed by the police.

(5.1): The “big man” against the “little can”.

For the purpose of this study the “big man” is referred to as Jim.^{viii} Jim is a Caucasian in his early thirties and he is indeed a large man. He stands six foot three with a broad chest and weighs fifteen stone. By his own admission, he sometimes appeared rather “scruffy”, an image that was accentuated by an unkempt beard and long hair with dreadlocks. Many would have considered him to be a striking even imposing figure, although he would probably not see himself that way. Jim was no angel. He had been in trouble with the law on numerous occasions. Jim had been incarcerated for approximately 3 years during an 8 year period that spanned 1984 to 1992 for offences such as theft,

fraud, and assault. The reason Jim became embroiled with the criminal justice system was due to a problem with substance abuse. However, that was in the past and Jim had just got to the stage where he perceived the police in a more favourable manner.

Jim: "I'd been out of trouble; not been arrested for five and a half years after eight years of being arrested lots. I was just getting to the state, where they were only doing a job. Everybody's got to do a job and the police were just doing theirs."

Jim was attempting to move beyond his criminal past by forgiving what he considered as past transgressions by the police in his many encounters with

Table 6: The Story of Jim.

The day in question was November the 18th 1997: it was Jim's birthday. Jim, with his partner and their two daughters were at the benefits agency office. They had been involved in a long - running dispute since having taken the DHSS to a tribunal. While the tribunal had found in their favour, the DHSS had been reluctant to pay them the money they were owed without details of Jim's earnings as a performance poet. Jim answered their questions to the best of his ability. According to Jim this took about an hour, but the subsequent wait for the decision as to whether or not they would receive the money they believed to be owed to them took six hours. After this long wait they were informed by the DHSS that their case would be dealt with the following day. Finally at their wits' end, Jim and his partner announced that they intended to stage a sit - in protest until such a time that they were informed as to whether or not they would be paid.

While Jim and his partner considered this a peaceful protest, the DHSS were of a different mind; they considered Jim's actions to be threatening. They called the police because they thought Jim was getting aggressive and abusive towards them. On arrival, the officers asked Jim to leave, which he refused to do. The officers explained that if he did not leave then he would be arrested and if she did not leave of her own accord, so would his partner. According to the police, they also explained that if both of them were arrested then social services would be called to look after the children. From Jim's perspective the police threatened to use force to remove him and his partner. And more importantly they had implied that unless Jim left of his own accord his children would be taken from him by the state.

According to Jim, that was a threat that could not be ignored so he leapt from the counter he was sitting on and, carrying his infant daughter, went to address the police officer who had made the comment. The police officers perceived his rapid approach (the officer claimed Jim ran at him) as a threat to his safety and using a double handed push, knocked Jim to the floor. The police suggest that while on the floor, Jim lashed out at the officer connecting with his feet. However, Jim maintained that while he was on the floor his feet were thrashing about because he was trying to regain his balance in order to stand up, which was difficult because he only had one arm to accomplish this with. The other was holding his child. He suggested that he did not kick the officer and that if he did it must have been by accident while trying to regain balance.

It was at this point that the officer first used CS spray on Jim. He also received a second dose before the officers closed in and handcuffed him. He was arrested and taken to the police station, which was just across the road from the DHSS office. There he was charged with disorderly conduct and assaulting a police officer.

them. Furthermore, he had developed a social conscience regarding the rights people had and should have in a civilised society. To this end, he had often attended demonstrations such as “reclaim the streets” and was an advocate of numerous “alternative” political views.

Jim had made efforts to establish his credentials as a performance poet but it was not poetry that drew the attention of the media, instead it was his use of civil disobedience as an attempt to resolve a long - running dispute with the Department of Health and Social Security (DHSS). It was during this dispute that the police were called and he was sprayed with CS. Table 6 describes what happened during the incident. However, much of what occurred was a matter of perception. Jim’s view of events often differed from those of the police. The explanation of the incident was contested and the description in Table 6 attempts to account for this^{ix}.

This incident had a significant effect on how Jim perceived himself. To use the popular vernacular, this was an incident that “rocked his world”. Jim was still angry about this turn of events even when interviewed for this study, some three years after the incident occurred. He was angry enough to lose sleep prior to the interview, because as Jim stated “... ever since you phoned me it’s been running through my mind.” For Jim being sprayed with CS was a very traumatic event. He explained what it felt like:

Jim: “As soon as I saw it, I shouted to my wife. I didn’t get to finish the word because I had a squirt in my mouth of this vile gas. I didn’t really have a lot of chance to be concerned about that, because the next one went either up my nose or in my eyes. So the effect was pretty instantaneous. I’ve never felt anything like that. But it’s the sudden shock, the pain, the disorientation, and I couldn’t breathe. The world was spinning. I was lying prone on the floor and I wasn’t sure if I was conscious or not. Everything is just very blurred from the second that it lands in your eyes and it hurts. It hurts a lot. The pain ... it’s all consuming, when you get a shot of it. It’s all consuming ... I panicked, because you do.”

To add to the initial trauma of being exposed to CS spray, Jim was also concerned about his daughter, who he was carrying at the time of being sprayed. Furthermore, the physical effects of being sprayed produced a rash that irritated his skin for the following two weeks. Such rashes had been

reported from people using this mixture of CS spray in France (Parneix-Spake, Theisen, Roujeau, and Revuz, 1993).

While the initial exposure to CS spray may have been traumatic, it was the effect that exposure had on Jim's perception of himself that was, perhaps, more telling. While Jim considered himself to be a sensitive male, he was still a male. In short, he exhibited the masculinities associated with being male. Goody (1997) considers part of the masculine personality to be the ability to use bravado to cover fear. Hence, fearlessness is used as a denial of vulnerability (Goody, 1997), and an expression of invulnerability. This sense of invulnerability is perpetuated by the individual's assessment of having a better than average chance, abilities or personal qualities for avoiding or overcoming risks (Ross and Sicoly, 1979; Snyder, 1997; Weinstein, 1980). According to Janoff-Bulman (1998) it is the "assumption of meaningfulness and a non – random world that enables us to feel safe and secure" (p 99). Therefore, the idea that someone is invulnerable, or less vulnerable than others, offers a meaningful sense of certainty that harm will not befall them.

It was Jim's belief in his ability to effectively protect himself and his family in any situation, regardless of the circumstances, that was challenged by this incident. He was incapacitated so quickly that he could not help but reconsider his vulnerability under such circumstances.

Jim: "My perception of me. I don't like to use the word how much of a man I am, but we do walk around and think that a mature man can deal with stuff. The point I'm trying to make is I didn't realise that I was that weak in a situation. Where I could be put down that quickly, that just with one little, or one lot, squirt I could be totally incapacitated, and useless. That shocked me. I didn't realise that I wasn't the person that I thought I was, really. It makes me angry to talk about what happened and to feel this powerless."

Jim's new sense of vulnerability made him see the world as being far more dangerous than he had previously believed. This was especially the case where environmental cues were concerned. Jim indicated that some time after the incident he became anxious when alone in the presence of police officers or when he had to enter buildings associated with the incident.

Jim: "When I see a policeman they make me nervous, and that's just the sight of them. For a good month afterwards, I found it hard to walk into the DHSS. Twice I found myself alone in there and thought it was all going to happen again."

According to Jim his aversion to police officers was what caused him to move away from the town where the incident occurred to what he considered to be a safer village environment. Although he was shocked by the death of an old age pensioner after being sprayed which had occurred in the neighbouring village of Tregarth.

Before the incident Jim had regained a certain amount of trust in the authority of the police through the realisation that he was at fault for his previous arrests, which had occurred while he was under the influence of drugs. Any newfound faith in the police disappeared when they intervened in what he considered to be his right to a peaceful protest. However, it was not only the intervention that he considered wrong, but the way he was treated. He refuted the notion forwarded by the police that he had committed assault and considered himself to be the victim of assault. The only thing Jim believed he was guilty of was what Waddington (1999b) considers "contempt of cop". This is where a person is arrested because they fail to show the correct deference to the authority of the police officer. In situations such as this, arrest can be used by the police as a means of maintaining respect. This is especially the case where there is an audience of onlookers (Maguire and Corbett, 1991; Worden, 1996), which there happened to be when Jim was arrested.

Jim: "I've still been wronged. Well I don't forgive the man that assaulted me and I don't for a minute think that he was doing his job. I think that we got off on the wrong foot and he took it upon himself to teach this hippie a lesson - right - and it's a lesson that I've learnt well. I didn't know that it was an 'us and them' situation. I do now."

The incident where Jim was sprayed fundamentally altered his perception of the police and their role in society. In the early 1970's, his father was a policeman and much of what he believed about the police may have been learned at that time. While being aware of the increasing powers of the police, at a fundamental level he still considered them to be more akin to idealised

image of “George Dixon”. They were the unarmed benevolent protectors of society. Furthermore, being arrested on numerous occasions during the 1980s had not altered this perception, at a fundamental level, because this was the view that he embraced after accepting his part in previous encounters with the police. Even the experience of going on protests had not fundamentally altered this perception. However, being sprayed with CS did change this perception of the police at a fundamental level. He now believes them to be aggressive with a tendency to favour violence over what he considers to be the traditional method of persuasion. They had trampled on his human rights and for Jim this is not easily forgotten or forgiven.

Jim perceives CS spray (and the rest of the new officer safety equipment) as evidence of heavy handed policing practices. For Jim, virtually any use of force by the police that goes beyond verbal persuasion is unacceptable. Therefore, like Jefferson (1990), Jim believes any new weaponry is indicative of a paramilitary style of policing that relies on more aggressive tactics that are, for the most part, unnecessary. Furthermore, he believes that the police of England and Wales have adopted the use of officer safety equipment out of envy for the policing practices of the US. Melossi (1994) asserted that the style of law enforcement in the US is militaristic with a tendency to use violence as a means of resolving conflict. Jim stated:

Jim: “I don’t think they should have any weapons. I know they’ve got to deal with a violent element, but they do go in mob - handed. They don’t need to go in mob - handed with American style weapons. I think the British police are just trying to compete; are just trying to be like the American police. Ideally, they should not be tooled up: they should be approachable. They should have their martial arts training to be able to defend themselves because that’s what they’re after doing; defending themselves. But with all these tools they have got, and dressed in black, how can they encourage respect from anyone? All you’re going to get is fear, because they look like some kind of paramilitary, they are that well - armed now. You just have to look at Bangor police wandering around on the beat. Are they the friendly officer with the tit on their head and the push bike? They’re not. They’re like armour plated and they got weapons of war around their waist. They’ve got their gas and they’ve got their cuffs and they’ve got their big sticks and they’ve got their bullet proof vests. I find that threatening. It’s like do you really need that armoury. So I don’t believe they should have any weapons.”

Consideration also had to be given to the views of family and friends. How did the use of CS spray on Jim affect how those who knew him perceived the police? Of most concern to Jim were his immediate family, who were present during the incident and therefore witnessed everything that occurred. He described his wife as being in a state of shock when the incident occurred, which later, on reflection, turned into disbelief. Like Jim, her faith in the police had been severely shaken. Jim indicated that his youngest daughter, who at the time he was carrying in his arms, was affected by the initial symptoms, but because she was so young (7 months old) she could not remember the incident in any great detail. However the same cannot be said for the elder daughter (3 years old). Jim indicated that she was old enough to understand, at some level, what was happening to her father and this affected her perception of the police. He explained:

Jim: "The little one had just seen her daddy thrown around. Had seen her daddy abused by the police, and the only way that she could deal with that was, they must be bad men. Because, there was no way that my daddy's a bad man and she's just seen this happen in front of her face. Which must have been horrific for her and we know for over a month, six weeks maybe, she had recurring nightmares. It messed with her sleep and she couldn't see a policeman without being very frightened. Without gripping to the hand and becoming very quiet, getting as close to you as she possibly could, with just the sight of them. We wondered if my daughter was in trouble, or if she was lost, that she wouldn't feel able to turn to a policeman for help because of this experience. Hopefully, that isn't the case."

Jim also indicated that many of his friends were shocked and appalled at his treatment at the hands of the police. However, he did say that some were not surprised, because while attending demonstrations they had witnessed similar actions on the part of the police. Unlike many members of the public, the majority of Jim's friends had some experience with the police. This was likely to lead to a more negative outlook on the police (Carter, 1985; Correia, et al, 1996; Crisp, 1990; Dean, 1980; Jacob 1971; Scaglione and Condon, 1980; Sims and Myhill, 2001; Winfree and Griffiths, 1977; Yeo and Budd, 2000). Being

sprayed with CS had either tarnished the view that Jim, his family and friends, had of the police, or reinforced what was already an unfavourable attitude.

While Jim's experience of being sprayed made him averse to the police, much of his fear was balanced with anger. All strategies for coping with his new found fear of the police revolved around providing a safe environment for himself and his family. He did not want to be sprayed again.

Jim: "I tend to keep out of their way these days. I don't invite trouble to my door step. I would never invite the police into my house even if they turned up on my door step. Unless they have a warrant they're not coming into my house. I don't have a lot of rights, but that's one of them."

While Jim considered his home and the immediate environment as a police free zone offering him and his family safety, this did not mean that he was unwilling to face his fear of the police. However, he did so on his own terms. Being a performance poet he wrote anti - police poetry about the incident and contacted the media. Before long he had been interviewed by reporters from the Big Issue and the Guardian. Furthermore, he also appeared on current event television shows such as West Eye View, Here and Now and Week in Week Out. All of which highlighted the controversial aspects of CS spray use. And he regularly performed his anti - CS spray poetry whenever the opportunity arose. However, this was not achieved without a certain amount of fear for his safety. Jim believed that the media attention made him vulnerable.

Jim: "I was aware that I was drawing attention to myself. I don't know if it's all in my head; my own paranoia. When the two newspaper bits came out I expected the door to come through. I knew that I was taking a risk by trying to go public with it, but I felt very righteous about it. I felt wronged that this had happened to me, that I'd been attacked in the first place. I was on a crusade at the time. My main concern was to educate people that didn't know about it. To highlight this to the average person in the street, that for no reason you can be attacked with the stuff."

It would be reasonable to assume that Jim's fear of the police would mean that he avoided public demonstrations. He did not. In many ways his anger over the incident overwhelmed his concerns about safety. Participating in protests,

while spreading the word about CS spray, became a way of overcoming his fear. This was Jim's way of rebuilding his self-esteem by taking control of his life and re-establishing certainty in an uncertain world; replacing vulnerability with the invulnerable self image essential to psychological wellbeing. For Jim this was therapy by protest.

Jim: Before the CS gas thing, I'd become a little slack in my participation. Like the armchair anarchist. I let everybody else get on with it. But within the year afterwards I went to more demo's in that year than I'd ever done before, because I was that angry, that powerless. It's a weird one being angry and powerless at the same time, but you've got to take the power back. When I find myself on demonstrations it gives me a feeling of worthiness. I get self-esteem from being there, but it's not without fear because at these things there are large police presences. But I try not to feel too intimidated by this, and as long as people don't know about CS gas I'll carry on talking about it. I go to demonstrations for my own personal freedom really.

Whether Jim felt more secure at the time of writing than he did when interviewed was unknown and whether his, and his family's, negative attitude towards the police would change in the future was also beyond the scope of this study.

(5.2): Fear and fatality in Tregarth.

A person who has been sprayed with CS has understandable cause to dislike the police, along with his family who were present at the incident. This dislike could even transfer to friends and possibly acquaintances. However, how would a small village community react to the police using CS spray, especially when the person sprayed allegedly died because of it?

The initial media interest over the use of CS spray arose from the death of the Ghanaian asylum seeker Ibrahima Sey, in Ilford, after he was exposed (chapter 1, 1.3). After this incident occurred, community leaders organised a demonstration of between 200 and 450 people to protest at Ilford police station (Servis, 1996). Furthermore, the Newham Monitoring Project (NMP), an anti-racist group, set up the National Campaign Against CS Spray. In Newham there was an active and organised resistance against the police use of CS spray. The NWP collected newspaper clippings of CS spray incidents as a way of

gathering information on its use and misuse in order to push for a nation - wide ban on its deployment. They also used the media to comment on the problems involved with CS spray use (conversation with Kevin Blowe, NMP). The population of Newham consists mostly of ethnic minorities whom research has indicated possess lower opinions of the police than Caucasians (Bradley, 1998; Correia, et al, 1996; Crisp, 1990; Davis, 1990; Decker, 1985; Kaminski, 1993; Morgan and Newburn, 1997; Murty, et al, 1990; Perrott and Taylor, 1994; Scaglione and Condon, 1980; Sims and Myhill, 2001; Waddington and Braddock, 1991 Yeo and Budd, 2000). It stands to reason that the political intent and ability to be vocal in protest against the deployment of CS spray in the Newham area may have been louder and stronger than other areas where fatalities had occurred. Even so the popularity of CS spray with the police ensured that protests calling for its withdrawal were ignored by ACPO and the Home Office.

This case study of the incident that occurred in the village of Tregarth was different in many ways. Unlike Newham, which is a suburb of a much larger city, the village of Tregarth can be considered a small close - knit community. What was different between the two communities was the degree of ethnic diversity. While Newham is ethnically diverse, Tregarth is not. To the best of the researcher's knowledge, Tregarth was populated entirely by Caucasians. As citizen C stated:

Citizen C "Tregarth is full of old people that have lived here for years, well - off incomers who can afford to live here and young people on a council estate who can't afford to live anywhere "... You've got loads of people with plenty of time on their hands. They all talk, they all moan and they all know each other's business. Yeah, word travels fast around here, surprisingly fast."

In short, this was a small community populated by people who would be more likely to exhibit positive attitudes towards the police. This was supported by a survey conducted by Baker and Waddon (1996), which indicated favourable attitudes towards the NWP from the public in North Wales.

It was in Tregarth that police officers used CS spray to incapacitate Frank Roberts who later died in hospital. However, how did this use, or misuse, of force affect the residents of this close knit community when the reality of

police violence was brought home to them with the death of a fellow resident? This incident is described in greater detail in Table 7^x.

Table 7: The Story of Frank Roberts.

Frank Roberts was a 76 year old pensioner who had formerly been employed as a quarryman in the Penrhyn Quarry at nearby Bethesda. He was also a war veteran who served as an officer in the army during the North African campaign of the Second World War.

To outward appearances, Mr Roberts was physically robust and healthy for his age. Those who knew him explained that he would take long walks during the mornings, on a daily basis. However, Mr Roberts was known to have suffered from psychiatric problems and to have been diagnosed as schizophrenic. Schizophrenia is a psychiatric illness often associated with symptoms such as delusions and obsessive behaviour. Living with a schizophrenic can be problematic. Any challenge to the schizophrenic's odd behaviour can lead to arguments and possible violence.

Mr Roberts lived in a bungalow with his sister Elinor Edwards. They both had part ownership of the property. However, Elinor Edwards found it hard to live with the peculiarities of her brother's behaviour. He was not a violent man but he was obsessive. He had to have things just right. The TV had to be at a certain angle, the windows were covered in paper, and he went to collect his pension regularly at the same time and same day, no matter what. He even went for a walk at the same time every day. Elinor Edwards moved to a council flat for old people, which was situated on the council estate just over the road. This led to a dispute between brother and sister over the ownership of the bungalow.

Elinor Edwards wanted her brother to pay her back for her share of the bungalow. When he failed to do so the matter went to court. The court decided that he should vacate the premises after failing to pay his sister. This was something that he was extremely reluctant to do. The nature of Mr Roberts illness meant that he was not a man who could deal with change and leaving his home would be considered a threat to his whole being. Therefore, evicting him was never going to be easy.

The police indicated that Mr Roberts had a history of unreasonable behaviour and it was for that reason the police accompanied the bailiffs to evict Mr Roberts on the 14th September 1998. Having already boarded up the windows and changed the locks, both the police and the bailiffs were leaving, when Mr Roberts approached them. He approached the police in a highly agitated state of mind carrying a tree branch (there was no indication of how big the branch was), which he was swinging from side to side in a threatening manner. There were four police officers present: an inspector and three constables. As Mr Roberts closed in on them, the two constables nearest to him sprayed him with CS. However, he did not stop until the third officer had sprayed him. Approximately 45 minutes after being sprayed, Mr Roberts had calmed down, but later complained of a pain in his abdomen. He was taken to the intensive care unit at Ysbyty Gwynedd (Gwynedd hospital) where he later collapsed. Mr Roberts had suffered from an aneurysm (a ruptured artery) and was operated on, but he later died.

The NWP were one of the first constabularies to deploy CS Spray and before doing so they called media representatives to report on the launching of this new officer safety initiative. One reporter who covered this story indicated that it was normal to launch new equipment and especially weapons with some considerable publicity as a way of assessing the public's reaction to these initiatives.

Citizen A: “I was at the launching of CS spray and the taser trials in North Wales. The police generally launch these things in a blaze of publicity with all the media there like a grand opening. I think they do this in order to test the water with the public to see how far they can take things.”

The launch of CS spray by the NWP appeared to go unnoticed by the North Wales community until it was actually used, and the police could not have picked a more controversial place to use CS spray for the first time. It was first used on a patient in the ward of Ysbyty Gwynedd’s psychiatric unit (Hergest Unit).

“Police were alerted by a doctor on the Hergest Unit after a male in – patient became violent...Police officers attended the scene and were confronted by the patient who could not be reasoned with...The CS spray was used and quickly subdued the patient.”
(Jones, 1996: p 1)

While the media represented this incident as a reasonable use of force it was still controversial where mental health advocacies such as The National Association for Mental Health (Mind) were concerned. There was a meeting arranged at the local offices of Bangor Mind where the police sergeant in charge of officer safety gave a talk about CS spray and the rest of the new equipment used by the police. The aim of this talk was to explain openly the benefits of using CS spray to the safety of the police and the public, especially those working for the health service (Crowe, 1999). While at a national level the media coverage regarding CS spray continued, after the incident in the Hergest unit, media coverage of CS spray incidents at a local level died down. Evidence suggested that people living in North Wales were more likely to believe that the police were portrayed in an unbiased manner by local newspapers (Baker and Waddon, 1990; Baker and Waddon, 1996). Therefore, it was possible that the public of North Wales would pay more attention to local media coverage of such matters than they would to national coverage. With little media coverage, the local outcry over CS spray use had died down. However, this was the calm before the storm. At this time Mr Roberts was still alive. As one journalist suggested:

Citizen D: “At the time CS spray was a new thing. It was hitting the national headlines but here it had died down a lot. There was a great outcry here when it was first introduced because the North Wales Police were one of the first to use it, but it had died down until Tregarth when it all started up again.”

The incident in Tregarth in which Mr Roberts died after being sprayed fuelled the ongoing national debate regarding CS spray use and reignited local concerns. After reporting the incident, the Bangor Chronicle received letters expressing outrage from all over North Wales. Family and friends in the village community of Tregarth also expressed their outrage about how Mr Roberts was treated by the police. Citizen D, a journalist who reported on the incident stated:

Citizen D: “There was a lot of outrage at the time especially from those that knew him in the village. We also received a lot of letters from people outside of the village from Caernarfon, Anglesey and Bangor. There was a lot of sympathy for him. The local MP, Betty Williams, also jumped on the band wagon and there was a lot of attention from the national press as well. There was almost a, dare I say it, press feeding frenzy at the inquest into his death. Everyone wanted a piece of the action. I mean there was even a Welsh language documentary made about CS after that. Yeah, it was really large.”

It was Mr Robert’s age that appeared to have garnered sympathy from the public and reignited the debate about the safety of CS spray and its appropriate use. It seemed improbable that an old man surrounded by police officers could not be subdued without resort to CS spray. After all there were four officers present, which gave them the advantage. Furthermore, the only logical reason for using CS on an old man was that they were frightened of him. As this journalist suggested:

Citizen D: “The big factor behind this story seemed to be his age. People had a hard time understanding how fit young coppers couldn’t restrain a frail old man without resorting to CS spray. It seemed stupid. I mean old people are more likely to die from that stuff than some yob scrapping on a Saturday night on the piss. It seemed so unfair and of course so unfortunate because he died. I think it gave people the impression that the cops were scared. They are frightened these days because they used to be able to just talk people out of these situations.”

For a long - time friend of Mr Roberts, the police were not just frightened, but had acted in a cowardly fashion towards a man who had bravely served his country during World War Two.

Citizen C: “It was a cowardly, terrible thing to do. These people are too frightened to act like human beings. There were five or six of them, so there was no need to spray him. I’m sure if they could have been brave enough, they could have grabbed his arms or pulled him to the ground. They’re just too scared. They’re cowards. I’m not impressed with the police. They are like all youngsters today. That was a cowardly thing they did to an old man who served this country during the war and they got away with it.”

There were expressions of public sympathy for what happened to Mr Roberts from all over North Wales, as well as from his family and from close friends. Other people offering their support were those involved with the council, local government, the church and psychiatric services. Basically, the people that expressed the most outrage over the police spraying of Mr Roberts with CS were those who knew him or had some personal stake in his wellbeing.

Citizen K: “I myself was extremely disturbed because I could not believe that they had used CS spray on a person with a psychiatric illness who needed to be cared for.”

However, not everybody shared the same view of the incident. Even those who had believed that what happened to Mr Roberts was outrageous, also admitted that the majority of the village were ambivalent or supported the police use of CS spray in that instance. This was, at least in part, due to Mr Robert’s personality. At best he was perceived as an awkward loner and at worst a nasty and violent person. Neither of these images portrayed a man who was likely to have received a sympathetic response from his neighbours.

Citizen K: “To be honest with you, he was a bit of a loner so most of the village were not really concerned about what happened. Although, there was the family and one or two friends that were extremely upset.

Citizen A: “The general impression I got was that everyone in the village considered him to be a miserable old git. He had a background of violent behaviour and people probably thought he had it coming, especially his neighbours. He certainly wasn’t the weak old man that you would associate with someone of his age.”

Citizen E: “I didn’t know him personally. I understood that he was an innocuous little man who made life difficult for himself and the police. It’s never nice when someone dies, but I think he got what he deserved. I’m afraid I support the police in this matter.”

Mr Roberts was not considered, by many of the villagers, to be likable. This, along with the public’s general ignorance (Morgan and Newburn, 1997) and ambivalence towards policing matters (Loader and Mulcahy, 2003), ensured that his death affected village life for the shortest of times.

Citizen H: “There was a lot of talk about it at the time but in this village it’s all a flash in the pan. It was only a big topic of conversation until the next bit of juicy gossip came along and then it was quickly forgotten about.”

It appeared that Mr Roberts’s death had only a minimal impact on the village community of Tregarth.

The public perceives police officers in either a positive or negative way; as the citizens’ friend, crime-fighting heroes or brutal monster’s (Flanagan and Vaughn, 1996; Bonifacio, 1991). According to Westley (1970), police contacts with the public are characterised by superficial friendliness disguising underlying mutual distrust. This suggests that the public’s supportive view of police officers is not necessarily mutually exclusive from negative views of the police. These feelings of respect and distrust can exist within the citizen at the same time. The police are loved and respected when the law-abiding citizen is in need of their aid, but if this aid is not forthcoming, then the police are considered incompetent and often despicable. This is also the case where the villagers of Tregarth are concerned.

While Mr Robert’s death after exposure to CS spray may have had little impact on village life in general, this did not mean that villagers held a positive opinion of the police. One of the villagers explained that the biggest problem in the village was crime. What she meant by this was petty crime committed by

children and teenagers, crimes that impacted on the quality of life experience by residents in the village.

Citizen I: “There are loads of kids vandalising people’s property and places like the community centre. There are also lots of youngsters racing cars around the place. My friend was almost knocked over the other day. Why aren’t they doing anything about that? These people should be caught before they kill someone.”

This was an attitude reflected in consultation meetings that the NWP held throughout the division, with the intention of soliciting the public’s view of the problem of crime in their communities (North Wales Police Authority, 2001). People were mostly concerned about youth crime and antisocial behaviour. To the majority of villagers it was not CS spray that was the problem, but a lack of available police officers to control the village youngsters.

Citizen H: “The problem we’ve got here is not that the police use CS gas, but that there is never one around when he’s needed. We’re supposed to have a local bobby, but you never see him and it’s pretty hard to get him on the phone, which is pretty annoying when you consider that he is based in Bethesda. There are times when I’ve phoned for the police only to find myself being put through to Caernarfon or even Wrexham.”

This was substantiated by the police officers who were interviewed during the study. They indicated that while the police station in Bethesda should be continually occupied by four police officers there was, in fact, only one resident officer there and he was often called to assist other sections of the community. Therefore, this lack of human resources made the police inaccessible to the villagers. This was supported by Baker and Waddon (1996) who indicated that in North Wales 88% the public believed that there were few police officers available, 78% believed there were few officers who lived in the local community and 77% indicated that there were few officers who knew local people. However, in the case of Citizen J, it was not the shortage of human resources that was the problem. She believed the police were frightened of local teenagers because the police were rarely seen in the village and when they were seen they were driving around in the safety of a car.

Citizen J: "I've had kids screaming and shouting abuse at me when I've been on my way home from work. The police seem to be afraid of these kids. They seem to be afraid to do anything about them. They just drive around in their cars or sit in them. It's nice and safe in a car isn't it?"

Even when the police attended incidents, they did so in a manner that often failed to find favour with the residents of Tregarth. Citizen E indicated that the police often overreacted to what, basically, were children being mischievous. He also suggested that the officer safety equipment did not look as good as the old uniform. This assertion was not based on knowledge of the equipment but rather a dislike for all things American and nostalgia for the traditional image of the "bobby".

Citizen E: "People still call the police when there is a problem and sometimes when there isn't. The other day my neighbour called the police because some kiddies were ripping up the flowers in the garden. They all turned up about six of them just to deal with two eight or nine year olds. That's a bit of overkill for two little kids, both of whom wrote me a letter to apologise ... The police these days seem to go for all this kit. I don't know what it's for but it doesn't look nice. It's a shame that they are taking a lead from Hollywood. I mean it looks more like a film now than real life."

It appeared that the villagers of Tregarth would be more interested in the police taking on the role of parent by disciplining errant youngsters, than worrying about the implications of new police weaponry. As Waddington and Hamilton (1997) suggested, the public are more concerned about the police's ability to protect them by upholding the law, than about human rights issues surrounding the deployment of new weapons. This appears to be the case even when upholding the law means disciplining children for trivial infringements of village peace.

(5.3): How the police viewed the public's perception of CS spray.

The police defended their deployment of CS spray at a national level throughout the moral panic caused by fatalities that occurred under similar circumstances (see chapter 1, 1.3). The NWP remained quiet about the Tregarth incident while it was being investigated, but after the verdict of death

by natural causes was returned by the Coroner's inquest, they made the following statement to the press:

"The inspector said he didn't want to use physical force against Mr Roberts but felt he should be arrested because of his threatening manner. He was obviously intent on going back into his home. We all felt sorry for him. It was a sad case."

(Bellis, 1999: p 3)

The death of Mr Roberts did not reduce the general enthusiasm that the NWP had for CS spray. Even the officers involved with the incident still supported its use. Officer 17 was dismissive of the investigations that arose because of the incident and indicated that he would still use CS spray when the need arose. With this officer it was a matter of putting his safety first.

Officer 17: "There was one year where I didn't use it at all. Myself and other officers were involved in an incident where we sprayed a 70 odd year old man who subsequently died. Not as a result of the actual spray but he suffered an aneurysm that was a long standing aneurysm which had been present in his body for a few years. There was an inquest, there was an internal investigation and all the usual crap, but to be honest with you I've got no qualms about using it at all, and I will use it again and again."

Another officer involved in the incident in which Mr Roberts died, held a different view. He was made aware that this was an incident that had some potential for violence, but he believed that he would be the last to use force on that day. As such he was the last officer to use CS spray during that incident. For him it was a last resort. Furthermore, all the investigations that were dismissed as part of the job by his colleagues came as quite a shock to him.

Officer 14: "The incident in Tregarth with Mr Roberts, well I was involved in that. After which there was talk of us being brought up on charges of firstly murder and then manslaughter, but nothing came of it. We were briefed about the situation before we got there so we were fully aware of the potential for it to get out of hand. Three of my colleagues were there. The last thing that was on my mind when I went to that incident was that I'd be using CS that day. So while my colleagues had their CS spray already drawn mine was still in its case. My colleagues sprayed twice but the wind blew it back in their faces cross - contaminating them and because of this it

had little effect on the target. So when I finally drew CS and sprayed him it was as a last resort.”

Officer 14 considered CS spray to be a remarkable asset to officer safety but he now favoured the CASCO. The reason he was not using CS spray was because he believed he was being monitored. The implication being that any use of CS spray by this officer would damage his career. Furthermore, he indicated that this monitoring made his colleagues afraid to use CS spray.

Officer 14: “When CS was introduced it boosted the morale of the officers and we were told that there was no more need to engage in hand – to – hand conflicts that this should cut them down to a minimum. However, when complaints started to come in the brass began to monitor its use and officers’ names were taken down. At that time the officers did not know that they were being monitored, but it was leaked out so that everyone became aware of the situation. When this happened, everyone became too afraid to use CS in case there were any disciplinary repercussions.”

While fears of being monitored may be a sign that officer 14 became unduly concerned after he was involved in the Tregarth incident, these feelings were not without some validity. After every use of force, an incident report form (IRF) should be completed by the officers involved. This takes the format of a questionnaire that inquires about the demographics of the incident, such as how many people are involved and which officer safety equipment was used. The IRF also has qualitative aspects that require a written description of the officer’s perception of what happened during the incident. In general the IRF provides feedback for the officer safety programme, but according to the sergeant in charge of officer safety, it can also be used to identify those officers who are prone to using force. However, this is usually achieved by monitoring the number of complaints made against officers. This monitoring process will need to be the topic of future studies.

The incident in Tregarth that resulted in the death of Mr Roberts did little to change the opinions of the police officers involved. Despite allegations that CS spray caused the death of Mr Roberts, these officers still considered CS spray

to be their best means of resolving physical conflicts with the public. In short, the attitude of the police officers involved in this incident reflected that of the public; that CS spray afforded police officers better protection, enabling them to better protect the public.

As for the officers that were not involved in the Tregarth incident, they also held opinions about what the public thought of their officer safety equipment. Many of the officers interviewed for this study indicated that initially “[t]he possession of new equipment and tactics made the police “... appear unfamiliar and discomfoting: less a part of society, more apart from it” (Brewer, et al, 1996: p 6). This was the same criticism of the introduction of new “riot gear” in the 1980s, a criticism that could also be levelled at the introduction of officer safety equipment during the 1990s. In fact, more so because police officers only wear “riot gear” during crowd control situations, while officer safety equipment was routinely used by the police officer and had greater exposure to the public. When following this line of reasoning Reiner’s (2000) assertion that riot police looked like “Darth Vader” can now be transferred to the majority of police officers. This means that “Darth Vader” may now be seen regularly on the streets of England and Wales.

It was the overt body armour and the equipment belt, which were most visible change to the police uniform and therefore the most noticeable by the public. Supposedly, the body armour and belt made the police more imposing to the public. However, the police uniform has always been considered as a way of making the officer wearing it more imposing. Traditionally police officers were chosen for their height and given a uniform with a large “Stove Pipe” hat that made them appear even bigger, in order to intimidate people into doing what they were told. Furthermore, they were given a uniform that made them look like a gentleman, which in times when class distinctions were rigid would appear intimidating to the working classes (conversation with Dave Cross the curator of the West Midlands Police Museum). Police uniforms were supposed to elicit an imposing image that gave the impression of authority, which was needed to resolve situations with a persuasive and tactful manner. It was the familiarity with the old uniform, worn by what was perceived as a benign police force, which made it popular with the public. Therefore, after a time,

any police uniform would become familiar with the public. In this case familiarity may breed acceptability.

This assumption was supported by many of the officers who were interviewed. It was suggested that initially the public were wary of overt body armour and officer safety equipment, but their concerns diminished over time. The use of overt body armour may have created a barrier between the public and the police, but familiarity quickly eroded this barrier and the normal relationship between the police and the public quickly resumed. It was perceived that this was especially the case with the majority of the public who were believed to support the police.

Officer 16: “At least 99% of the public are very pro - police and they believe it’s great. No problems at all. You’ll get questions about your bullet - proof jacket. It’s not quite bullet proof but that’s obviously what it looks like. I think that the majority of the public that have got nothing to fear from the police don’t worry about it. I think that most people realise that it’s for our own personal protection.”

Officer 13: “I think it’s generally been accepted now. I was in a little village and I know they were sort of horrified there. It was just that they weren’t used to that. They used to have a go, saying that ‘it was too like America’. People phoned in complaining that they looked like something out of a paramilitary thing. They just weren’t used to it. I think now they have been in three, four or five years and people have just got used to it now. It’s far better for us to be honest with you.”

Most of these police officers believed that the public were now used to them wearing overt body armour and that they had their support.

These police officers had a realistic view of the support that the public would give for the new equipment. They were aware that the majority of what they considered to be the law - abiding people would support any means that promised to make policing safer. Furthermore, they were aware the public held a deep mistrust of the unfamiliarity brought about by change, but that after only a short period of time the unfamiliar becomes familiar.

(5.4): Discussion.

Most of the public sampled supported the routine deployment of CS spray by the police. Furthermore, they would most probably support the deployment of any weapon for police use as long as they thought it would aid the police in their fight against crime. While there was certainly some nostalgia for traditional policing methods, this centred on the availability and visibility of the police. For the majority of people, it was not the adoption of new equipment that threatened police legitimacy, but the perception that the police were never available when they were needed. And when they were available they were perceived, at least by the villagers of Tregarth, as being too frightened to do their job. The support for the police by the public mostly came from a position of ignorance, ambivalence or both. Most of the public had few, if any, contacts with the police and were unaware of policing matters in general. Their over-riding belief was that the police should act upon the crimes that were most salient to them. In the case of Tregarth this would be transgressions, illegal or otherwise, that affected the quality of life in the community.

There was a small proportion of the public who did not support the routine deployment of CS spray. These were often people that were knowledgeable about the police because they had, at some time and for some reason, come into contact with the police. Considering how traumatic exposure to CS spray can be, it was not surprising that those who have been sprayed did not support its use. This also extended to family and close friends. However, there were those who came into contact with the victims of CS spray, and often the police, through their profession. People such as social workers, the clergy and mental health workers having a duty of care to many of those who had been sprayed, often held negative attitudes about the safety of CS spray. Furthermore, many politicians and groups such as the Newham Monitoring Project considered the routine deployment of CS spray to be unwise.

For Beethem (1991), legitimacy is dependent on a shared consensus between the dominant and the subordinate, but this is not the case where the legitimacy of the police being routinely armed with CS spray is concerned. While the most of the public support the police use of CS spray, there is a minority that does

not. So a true consensus can not be arrived at. However, Reiner (2000) suggested that the legitimacy of the police is not dependent on total consensus:

“If there was universal consensus about norms, values and appropriate modes of social behaviour there would be no need for a police force. In most situations there is somebody being policed against, whose assent to policing, at any rate there and then, is bound to be brittle...But those who are frequently at the receiving end of police authority are unlikely to give it much consent other than a sullen acceptance of *de facto* power. Realistically, the most that ‘policing by consent’ can mean is not universal love of the police, but that those at the sharp end of police practices do not extend their resentment at specific actions into a generalised withdrawal of legitimacy from the institution of policing.”

(Reiner, 2000: p 49)

Taking this into consideration, police legitimacy can be considered from Weber’s (1978) perspective. Police legitimacy is dependent on the willingness of the subordinate to obey the rules of the dominant, because it is desirable or at least bearable to do so. Therefore, public support for the routine deployment of CS spray has little effect on police legitimacy because the public see it as desirable or at least bearable when it is not pointed in their direction or in the direction of someone important to them. Furthermore, the majority of people who do not support the police use of CS spray can still support the police in other matters. In this case, any damage to police legitimacy cannot be viewed solely as a matter of police weaponry. It has to be considered alongside the public’s perception of the police’s ability to uphold the law.

Interestingly, the police officers who were interviewed were also aware that the bulk of what they considered the law abiding public supported them, at least when it came to the new officer safety equipment. Furthermore, even controversial incidents such as the death of Mr Roberts in Tregarth and considerable negative media coverage at a local and national level, failed to shake the faith of these officers in the perceived ability of CS spray to afford them protection. This raises questions about what made a weapon legitimate in the eyes of police officers. After all, this is a police force, which had already indicated that they would not consider being routinely armed with firearms, but that their level of protection was inadequate (Derbyshire, 1995). This suggested that the police were concerned for their safety. The police were afraid of being

hurt and wanted new equipment for protection. Ironically, this new equipment left many of the villagers of Tregarth with the impression that the police were cowards, that even with all the officer safety equipment they were afraid. The next chapter explores the role of danger, risk and fear play in the occupational life of the frontline police officer.

CHAPTER 6

POLICE OFFICERS' PERCEPTION OF DANGER

The previous chapters indicated that there were no effective mechanisms for the regulation of police discretion where the use of force is concerned. There is no operational definition of reasonable force that can be used to inform officers about the appropriate levels to use in any given situation. Instead, each individual officer is considered responsible for his or her actions. The use of force is supposed to be reasonable and within the law. Yet these officers received no explanation about what is considered reasonable force. The level of force to be used in any given situation is something that they decided on themselves. Therefore, it is personal experience that informs the decision-making process of police officers regarding the level and type of force they employ in order to gain compliance. These decisions are informed, in part, by each individual officer's experience of violence. Furthermore, it is the experience of violence that, in turn, shapes how the officer perceives danger. As the villagers of Tregarth had surmised, officers often perceive danger through the narrowing lens of fear.

The concept of danger or dangerousness is complex and may be defined in the following way.

“A dangerous situation, action, or activity is one which makes some kind of harm more likely than usual. Nor are we thinking of any kind of harm when we use the word ‘danger’. We usually have in mind serious and not trivial harm... A dangerous situation, action, or activity is one which raises the probability of serious harm above a certain level... It is the level which causes a person...to become so apprehensive that he explores the possibility of avoiding the situation, action, or activity.”

(Walker, 1983; p 23)

This definition takes into consideration the police officer's ability to perceive danger before encountering it. It allows for the apprehension arising from the belief that serious physical harm awaits the police officer in the future. The subjectivity of the individual is also considered by this definition. Adams (2001) suggests that fear is a personal matter. Each officer may have different

perceptions of how dangerous an incident could be. For example, where one officer considers having to deal with incidents involving “drunks” as dangerous, another considers such incidents to be of little concern; just part of a normal day’s work. This definition also covers the dangerous elements of law enforcement that Eisenberg (1975) described as provoking fear in police officers. These elements are fear of serious injury, disability and death.

Research conducted by Scharf and Binder (1983), in the US, emphasised the role played by human emotions in situations that call for the use of deadly force. They considered it important to understand that police officers were usually terrified when they drew their gun, and that fear was an emotion that could cloud the officer’s judgement, making it difficult to decide on an appropriate course of action. Bayley and Garfalo (1989) acknowledged that fear of violence was part of police work, when they stated that routine encounters between officers and citizens had the “American police running scared” (p 1). The British Crime Survey (1998) indicated that exposure to crime was linked to people’s beliefs about becoming a victim. Those who had already been a victim, or had known a victim, often feared crime more than those who had no experience of victimisation (Mirrlees-Black and Allan, 1998). Considering that police officers are frequently exposed to crime and its consequences, it is not surprising that like their fellow citizens they also suffer from fear of crime (Jermier, Gaines and McIntosh, 1989).

Baker and Waddon (1998) conducted a survey of police officers’ attitudes for the North Wales Police. They asked if fear of injury inhibited the officer’s effectiveness in the job. The respondents replied never (51.3 %), rarely (34.2 %), sometimes (12.7 %), often (1.6 %), and always (0.2 %). Baker and Waddon also asked if fear of violence inhibited the officer’s effectiveness in the job. The respondents replied never (48.1 %), rarely (34.3 %), sometimes (15.2 %), often (2.1 %), and always (0.3 %). It appeared that injury and violence were of little concern to police officers. However, many officers could have been reluctant truthfully to answer questions that reminded them of their vulnerability. Skolnick (1962) stated: “Policemen themselves do not necessarily emphasise the peril associated with their work when questioned directly, and may even have well - developed strategies of denial. The element of danger is so integral to the policemen’s work that explicit recognition might

induce emotional barriers to work performance” (p 6). In this study it was decided to avoid the use of the emotive language used by Baker and Waddon. Words that evoked a sense of “danger” and “fear” were stated in a neutral manner. Instead, officers were asked about situations where they felt the need to be “wary”, or about situations that were of “great concern” to them. The qualitative nature of the study enabled the researcher to ask sensitive questions such as these near the end of the interview, when a certain rapport had been built with those interviewed. This rapport made it easier for police officers to talk about such an emotive topic. Many officers made comments about their fear of being assaulted when they discussed other aspects of officer safety. The focus on the safety aspects of policing may have freed the officer of the constraints against talking about dangerous situations. This chapter will discuss how police officers live with fear and how they experience danger.

(6.0): Is policing a dangerous occupation?

Ingleton (1996) suggested that the number of police officers killed in the UK was remarkably low. From 1961 - 1970, fourteen police officers were killed by criminal acts; 1971 - 1980, fifteen officers were killed and 1981 - 1990, twenty-five officers were killed. During the last decade, from 1991 - 2000 thirteen police officers have been killed in the line of duty^{xi}. This is in line with the decrease in assaults on police officers that occurred after 1991, which many considered to be the result of CS spray and other officer safety initiatives (see chapter 1, 1.7). Ingleton took this a stage further by using data obtained from the Health and Safety at Work Executive. He compared police fatalities with those from other occupations. During 1993, 63 construction workers, 16 agricultural workers and 7 miners lost their lives at work. In comparison only 2 police officers lost their lives during the same period. It can be asserted that there was little risk of police officers being killed, and in comparison to many occupations policing cannot be considered dangerous (Robin, 1963; Stark, 1972; Thaler and Rosen, 1974). Policing was at least as safe as many working-class occupations (Guralnick, 1963; Terry, 1981).

The measurement of fatalities suffered by police officers is not the only way of assessing the dangerousness of policing. In a predominantly unarmed society such as England and Wales, unarmed assaults on police officers may be a more

appropriate measure of danger. According to HMIC (2001), the number of assaults on police officers of the North Wales Police constabulary per incident was low. Between 1996 and 2000 there were 672,989 incidents recorded and 518 assaults on officers reported. The number of assaults on police officers compared with the number of incidents that arose during those four years, amounted to 76 assaults per 100,000 incidents attended. Of these assaults, 1.5 % were classed as serious. In this case, serious assault were defined as those that led to a charge under sections 18-20 of the Offences Against the Person Act 1861. The officers of the North Wales Police were rarely assaulted and almost never seriously assaulted.

HMIC also indicated that the number of days lost because of sick leave over the period between 1996 and 2000 was 58,175 and the number of assaults on police officers that led to sick leave amounted to 180. Only 0.3% of days taken as sick leave could be attributed to assault. However, over the same period the average number of days off sick per officer was 10.5 and the average number of days off sick due to being assaulted per officer was 18.6. Only a small percentage of working days were lost because of sick leave taken by officers who were victims of assault. However, officers who had been assaulted remained off work for longer periods. Overall, it appeared that the officers serving in the North Wales Police were in very little danger from assailants.

This pattern was not restricted to the North Wales Police. HMIC (1997) published a thematic report entitled "Lost Time" based on data collected from officers who had taken time off work. During 1996, the percentage of sick leave taken by officers who had been assaulted ranged from less than 1% in the police forces of Kent, Essex, and North Yorkshire, to 6% in Northumbria and Bedfordshire. Coming down with the common cold or influenza was the most common reason given by police officers for short-term absences from work. It could be argued that police officers were more at risk from common illness than from assault. However, it could be possible that some officers used common illness to excuse time off work, due to stress and anxiety triggered by an assault.

Ingleton (1996) also compared injuries per 100,000 at work during 1993; coal mining had the highest recorded injuries at 3,933 with postal workers, vehicle manufacturers and builders reporting injuries above 1,500 per 100,000. All of

these occupations indicated a higher risk of injury than policing at 1,333 per 100,000. Again, it appeared that policing could be considered a low risk job compared with many occupations (Guralnick, 1963). Reiner (2000) supported this view. He indicated that those in occupations such as deep-sea diving, miners, steeple-jacks and people working with asbestos, could all be at greater risk of being harmed than police officers.

Where harm to police officers was used to estimate dangerousness, then there were many occupations that could be considered more dangerous than policing. This is not the case when the estimate of danger is based on the number of occasions police officers faced violence. Budd (1999) used the BCS to study violence at work. She found that in comparison with other occupations, police officers "... faced by far the highest risk of assault while working, at 11.4 % - almost ten times the national average risk" (Budd, 1999: p 16). Furthermore, a survey conducted by the "Police Review" indicated that one in seven police officers was assaulted in 1988 (Levi and Maguire, 2002; Mayhew, Elliott and Dowds, 1989). This was supported by Mayhew (2002) who indicated that, in both the US and the UK, policing was one of the most risky occupations where client initiated assault was concerned. Police officers were more at risk from assaults than members of other occupations because they had routine contact with suspected criminals, a group of people who are considered prone to violence (Budd, 1999; Chappell and Di Martino 2000). It appeared that despite policing being a relatively safe job, when it comes to physical injury, police officers are members of the occupation that is the most prone to physical assaults.

Furthermore, it is unlikely that officers served out their career without being assaulted at some point. Sixteen out of twenty one police officers interviewed for this study admitted to being assaulted during their career as a police officer, and eleven officers admitted to experiencing more than one assault during their career.

Officer 5: "Not that many actually, about six or seven times in fifteen years."

Officer 13: "No not very often about three times in about 13 years. I think."

Officer 18: “How many times, well I dread to think to be honest, it has to be five or six now over the 9 years that I’ve been here.”

This was confirmed by the observations of Budd (1999) who indicated that a quarter of the police officers who responded to the BCS had been assaulted during their career.

While it is more probable that police officers will become victims of assault than those working in any other occupation, assaults on officers are still an infrequent occurrence. Furthermore, assaults causing serious harm to officers are even rarer (HMIC, 1997). While assaults on police officers may be infrequent, this does not mean that officers are never assaulted. In the short term, the risk of being assaulted is small, but in the long term it becomes almost inevitable. It is probable that police officers will be assaulted at some stage during their career, and probably more than once. Police officers believe they will be assaulted at some stage in their career but are unable to predict when it will occur. This uncertainty about when they will be assaulted coupled with the idea that being assaulted is inevitable, leads to an underlying sense of concern (Christopher and Noaks, 1990; Skolnick, 1962).

Reiner (2000) suggested that the danger faced by police officers “... is not adequately represented by quantitative estimates of the risk of physical injury” (p 88), and that the relationship between the police and danger is far more complex. Tauber (1962) explained that “[r]isk follows from the perception and cognitive interpretation of a dangerous situation.” (p 99). It is probable that the majority of officers remain unaware of the statistical measures of risk involved in policing. Instead, their perception of danger is influenced by their subjective beliefs about the role that police officers have in society. At times, the coercive nature of police authority compels officers to use force in order to gain compliance from a person who does not feel the need to be compliant (Reiner, 2000; Waddington, 1999b). Waddington (1999b) starkly explained that in situations like this, the word coercion actually meant to “fight” and that fighting was generally considered to be a dangerous activity. Therefore, if police officers believed it their duty to uphold the law they would also be aware that they would have to knowingly put themselves at risk. Workers in most occupations are killed by accidents but injuries and death can often be

deliberately inflicted on police officers (Ingleton, 1996; Reiner, 2000; Waddington, 1999c). At some level, officers must be afraid of violent attacks on their person but the level of awareness differs from one officer to the next.

(6.1): Experiencing assault.

Threatening situations can cause fear, which in turn may lead to extreme actions. These can take the form of violent behaviours which appear to have little basis in morality. Often the immediacy of an obvious threat leaves only time for the expedient actions needed to ensure survival (Cohen, 2001). Fyfe (1992) described this as the “split second syndrome”, where the individual was said to act on instinct. And the very use of the word instinct implied that the conscious mind became subordinate to more basic physical survival needs. The connection between fear and the body often manifested itself in people’s conversations. These well - known phrases are a good example: “I was so frightened that it chilled me to the bone”, “I was trembling with fear” or “my stomach tied itself into knots”. These statements describe some of the uncomfortable physical feelings that accompany the sensation of fear.

These uncomfortable feelings occur because someone exposed to danger will undergo a number of quick and radical physiological changes designed to enhance their chances of survival. These physiological changes leave the body in a state of preparedness for what Cannon (1929) termed the fight - or - flight response. This response is a normal reaction to situations that are perceived as a personal threat (Anderson, Litzenberger and Plecas, 2002). “The fight – or - flight response prepares the body for action. From an evolutionary perspective, this allows individuals to have the energy to stand their ground and defend themselves [fight] or to remove themselves from danger [flight]” (Anderson, et al, 2002: p 400). Sapolsky (1994) offered a description of the physiological changes that occurred when people were exposed to violent situations. He indicated that when a person’s survival is called into question, their body mobilised all the instantly accessible energy sources such as glucose. Adrenaline is released into the body so that respiration, heart rate, and blood pressure increase, to allow energy to be quickly delivered to the muscles via blood cells (Anderson et al, 2002; Sapolsky 1994). While this occurs, all non-essential functions are inhibited. Functions such as digestion, growth,

reproduction, sexual drive, and the immune system are all reduced to a minimum. (Anderson et al, 2002; Sapolsky, 1994). Only energy needed for survival is utilised in a dangerous encounter. The body's natural opiates^{xii} are released to blunt the response to pain and optimise the ability to function even with an injury. According to Sapolsky (1994), it is not just changes in physiology that occur during dangerous situations but cognitive skills and sensory acuity also increase. This enhances the ability to perceive sensations, focus attention, and recall memories. At this level the emotion of fear can be considered an extreme physiological reaction to danger.

For Officer 2, the physiological arousal experienced when he was assaulted was perceived as not just physically unpleasant, but also confusing. He described the state of physiological arousal experienced in terms of the adrenaline pumping through his body causing him to shake. As the assailant was closing on him, he described an altered state of awareness similar to the cognitive changes described by Sapolsky. The officer's recollection of the event appeared both clear and complex. He emphasised that there was little time to consider his emotional state, but that training and previous experiences with violence had taught him to be calm. While the world outside was moving fast and the assault was imminent, his inside mental world had slowed to a crawl. His attention was fixed on the situation as he considered his options in slow motion. He was deciding which weapon to use first and what to do if it failed to stop the assault. Consideration was also given to when his colleagues would arrive on the scene to back him up. Officer 2 described a state of physiological preparedness to face the attacker where his physical and cognitive abilities operated at an optimal level.

Officer 2: "Um, your adrenaline is pumping. I don't think you have time to consider your emotions, but you know your adrenaline is going because you get, not a buzz, but a shake as the adrenaline is going through you. You don't have time really, but it happens in slow motion when you think about it. This guy is coming towards me and - you know - your element of training takes over. So I was feeling quite calm - I think - because I'd been in other situations with firearms and stuff. So I was quite calm. And your thought processes are going through it. I might have to spray this guy in a minute or I might have to CASCO him if that doesn't work. You're

thinking of things like that. You're thinking of where your other colleagues are. It's all pretty slow motion for me anyway."

Adams (2001) expressed the belief that a physiological reaction is not necessary for a police officer to feel fear. This was not a view shared by Ainsworth (2002) who suggested that this type of physiological and psychological arousal is experienced by police officers when they dealt with potentially violent situations. Anderson, et al (2002) measured the heart rate of police officers throughout the course of a general working day. They found that the highest levels of stress occurred just prior to and during critical incidents. A note of caution: the increase in heart rate during these incidents could not be exclusively attributed to emotional responses such as fear, because the physical exertion of fighting would also increase the heart rate. However, it would not be such a leap of faith to suggest that fear is an integral part of fighting.

The state of physiological and psychological arousal that Officer 2 described implied that he had at least some control over his emotions during this dangerous situation. He perceived that this control was due to experience and training. However, there is an alternative explanation. The physiological response to stressful situations is always the same, while the emotional response can vary widely (Anderson, et al, 2002). Officer 2 may therefore have simply failed to label his physiological state of arousal with the appropriate emotion in what little time was available to him during the attack. This would be consistent with Schachters (1964) cognitive labelling theory, which stated that physiological arousal was emotionally neutral until the person experiencing it applied an emotional label, such as fear, to the physical sensation. The following statement by Officer 21 supported the cognitive labelling explanation.

Officer 21: "I only really feel nervous about aspects of the job that involve waiting for raids to commence. Because this allows me time to think about what could go wrong and the possibility of being injured."

Officer 21 only felt nervous when he had time to think about the consequences of the dangerous situations that he may have found himself in. It is possible that the time constraints involved may not have allowed Officer 2 to feel the

full effects of fear at the time of the incident. With this being the case, it is probable that fear was more likely to be expressed after a violent incident had occurred.

(6.2): The impact of assault on police officers.

For a better understanding of how police officers experience fear, it is important to examine the aftermath of an assault. After the attack had taken place, there was plenty of time for the officer who was assaulted to reflect on how frightening the experience had been. Officer 21 was one of the officer safety trainers involved in the provision of training for the North Wales Police. Part of this responsibility involved the collection of feedback about incidents where force was used from the officers involved. His views on this matter are important because police officers may be more comfortable providing a colleague with feedback about an assault than they would a researcher.

Officer 21 considered colleagues who were young in service to be at greater risk from assaults than their older colleagues and previous studies of assaults on police officers have indicated that he was correct to do so (Brown, 1994; Christopher and Noaks, 1990; Phillips and Cochrane, 1991). Phillips and Cochrane (1991) suggested that constables young in service, were more likely to be assaulted because they lacked the “street knowledge” of the more experienced constables. However, Brown (1994) suggested this could also be due to the way that younger and older officers were deployed. While Brown did not elaborate further, it can be assumed that the more dangerous frontline policing was overstaffed by young officers and that their older colleagues were often promoted away from front line policing. Christopher and Noaks (1990) acknowledged that officers on probation were over - represented in the assault statistics, in South Wales, but that the risk of probationers being assaulted was dependent on which division they were from. Christopher and Noaks suggested that the reasons for this should be explored further.

Police officers who are young in service could be more at risk of becoming victims of violence than their older colleagues, but what effect does the experience of being assaulted have on them? Officer 21 believed they could serve on the force for quite a considerable time before they experienced a truly dangerous situation and until they did, they would be unprepared for the

violence that may eventually come their way. He was concerned that the pressure of facing this violence could leave the inexperienced officer so panic-stricken that they would become immobilised with fear; they would “freeze”. Many violent incidents are sudden and are perceived in a way that leads to the police officer being overwhelmed, causing the officer a considerable amount of distress (Evens and Coman, 1993; Kureczka, 1996). This is a serious problem because an officer frozen in panic cannot act in his or her own defence. Furthermore, a frozen officer cannot act in defence of his or her colleagues.

Officer 21: “I know a lot of people who came in and the first fight they got into really shook them up because they weren’t experienced in it. They weren’t used to being under pressure. They weren’t used to wrestling with somebody. They were not used to the amount of violence that people could show them and they had never experienced it before they had come into the police service... I’m refreshing [training] people who have got perhaps twelve months service and they still haven’t really come across a violent person. And they haven’t in their last job because they were a bank clerk. I’m not saying that makes them a bad officer but at the end of the day when it happens they freeze. They panic.”

Officer 21 suggested that freezing in panic did not necessarily make for bad officers. He implied that it was inevitable for many of the inexperienced officers. However, a police officer who showed signs of being afraid during a violent encounter could be labelled a coward who could not be trusted to protect fellow officers (Holdaway, 1983; Kroes and Hurrell, 1975; Young, 1991). This would make life in the police service very hard for anyone who did not show courage. Not only would such an officer be mistrusted but there would also be the possibility of open and constant ridicule from colleagues (Kroes and Hurrell, 1975).

It is not only officers who are young in service who are victims of violence. Being assaulted is also a problem for more experienced officers. Officer 13 suggested that when experienced police officers become victims of assault they, like their inexperienced colleagues, are affected in a negative manner. Officer 13 believed that the behaviour of assaulted officers would change the way they handled future potentially violent situations.

Officer 13: "I'm sure that if you were, sort of, badly assaulted it would make you, sort of, reluctant and a bit wary; to hang back, sort of thing."

While their greater experience with violent situations made it less probable that they would freeze in panic, there was still the possibility that they would hesitate or be over - cautious when next faced with violence.

The trauma of being assaulted impacts on the police officer's confidence in the ability to function during violent encounters. Officer 11 explained the role that doubt played in this process. This police officer primarily blamed himself for being assaulted. He critically reflected on his own actions by questioning how he tackled that particular person. The assault came as a surprise to him, from an unexpected quarter. This challenged the belief in his ability to control the situation. To Officer 11, the most prized tool of the policing trade, local knowledge and verbal skill, had become associated with complacency. It was his belief that familiarity with the person who assaulted him had made him complacent. Furthermore, it was his close proximity while conversing with the assailant that made him vulnerable to the assault. This officer became doubtful of the way he handled himself during his encounter with the person who had assaulted him.

Officer 11: "I was a bit annoyed with myself really. I mean you do sort of go over the incident in your mind and start thinking, well perhaps I was a little bit close to him and because I was talking to him I wasn't wary of him because he may be violent. But then I knew the family anyway and I knew him and I knew the whole situation. I was talking to him for about five minutes, at the time, trying to persuade him to get in the car so I could take him home and I think there was probably an air of complacency came into it and I just dropped my guard and that's all."

That is not the only way that doubt can affect police officers who have been assaulted.

Police officers may also question the role that discretion plays in the encounter that led up to the assault. Officer 21 described how he felt about being assaulted during an incident that involved littering. Whether he acted because of perceived public pressure or a deeply held conviction that littering was

wrong, as a result of this assault he ended up questioning his decision to enforce that particular law in light of the consequences.

Officer 21: "...if you do get assaulted it takes a long time to get over it, to get back on that horse, because you ask yourself lots of questions. You know, why did I do this? I remember being assaulted once, over a pizza box. Somebody had thrown a pizza box down on the floor, which to me was littering. You're going to have a lot of people who say 'Can you just pick that up and put it in the bin', which is right next door to them. Then you end up in a confrontation over a pizza box and you get assaulted. You think, well was it worth it for a pizza box? Some people say 'haven't you got better things to do' and you think, 'well - hang on, - where is a pizza box on the scale of crime? Where is it?' But perhaps it's fundamental to what you believe or whatever. You're out there for lots of reasons aren't you? You just sort of say 'can you pick that up and put that in the bin' because it happened in front of you and people are looking at me and saying 'well, why didn't he do anything about it?' And then you end up being strangled and punched and you think - hang on - this was all over a pizza box and if I'd ignored the pizza box I would not have been assaulted. I would not have had to have time off work etc."

It is possible that assaults suffered by officers in the past can influence their decisions when similar situations arose in the future. In the future, Officer 11 may be quicker to use force rather than relying on his verbal skills and local knowledge. And Officer 21 may not consider littering to be a problem worthy of the risk to his health.

(6.3): The invulnerable police officer.

Police officers are often in the unenviable position of having to put themselves in danger even when they may not want to. While the two options of fight or flight are available for the majority of citizens, the police officer often has only one option. The role of the police officer is often that of protector, a task that can not be achieved while running away. Simeons (1961) suggested that it was not appropriate for police officers to flee from antagonistic suspects. The role of the police officer rarely affords them the luxury of escape. No matter how frightening the incident police officers are expected to stand their ground until the situation is resolved. Officer 21 explained:

Officer 21: "Members of the public: their ultimate goal for the use of force may be to get away, where as ours is normally to end up arresting somebody. So we have got to gain control."

Bonifacio (1991) suggested that, in order to be able to put themselves in danger without running away, police officers invest a considerable amount of effort in maintaining a belief in their physical abilities. To be more specific, they invest a considerable amount in the belief that they can cope with any violence that is used against them. This is reinforced by the working environment. "Danger and authority are interdependent elements in the police world, to cope with those pressures cop culture develops as a set of adaptive rules, recipes, rhetoric and rites" (Reiner, 2000; p 88). This is what Smith and Gray (1983) termed the "cult of masculinity". There is an expectation among police officers that they must be physically and emotionally tough as well as aggressive (Waddington, 1999b). Furthermore, they seek excitement and adventure from policing (Holdaway, 1983). Fielding (1994) suggested that even female officers take on the predominant masculine values of police culture rather than substituting their own. This raised "... the question whether qualities associated with 'masculinity' and 'femininity' are rooted in gender or are responses to demands made by the occupation" (Fielding, 1994: p 52). Goody (1997) linked masculinity with the concept of fearlessness, or to be more precise the denial of vulnerability. According to Bonifacio, it is the belief in their invulnerability that allows officers to control their fear. By perceiving themselves to be invulnerable, they can be certain of their survival. It is the belief in their certain survival that allows them to master the dangers of policing. This sense of invulnerability is reinforced every time the police officer successfully controls a dangerous incident and with this comes the strengthening of the officer's belief in his/her own survival abilities.

Any admission of weakness or sensitivity by the police officer not only challenged the norms of police culture, but also serves to break down the ideas that preserve the police officer's sense of invulnerability. According to Bonifacio (1991), if an officer is seriously assaulted then there is a possibility that this officer would doubt his or her belief in invulnerability. Therefore, with all things being equal, doubt of invulnerability would highlight the officer's vulnerability. Any officer perceiving him/herself to be vulnerable to

harm in violent situations would be uncertain that no harm would come to them in a violent situation. They would be frightened and the confidence in their ability to handle violent situations would be diminished. When police officers 11 and 21 started to question their ability to make decisions and defend themselves, they challenged their belief in their own invulnerability as well as their ability to control their own environment. It seems that doubt is the killer of confidence. There is also the possibility that it takes considerable time to recover from each assault and during that time the ability of the police officer to function effectively would be diminished. Furthermore, consecutive assaults on a police officer could also heighten awareness of vulnerability until fear renders him or her unable to function as a police officer. This emphasises the importance for officers to maintain their invulnerable self – image. They must not perceive themselves as vulnerable, because if they did, they could be overwhelmed by fear. Therefore, it is in the officer's best interest to avoid styles of thinking that highlight the negative consequences of danger. For the police officer: "there is nothing to fear but fear itself."

(6.4): Coping with danger.

In order to cope, police officers have to maintain the perception that they can be exposed to violence without being harmed, and a number of strategies are employed to maintain this perception of invulnerability. According to Anderson et al (2002), there is a paucity of literature examining coping strategies employed by police officers. In order to address this dearth, it is important to understand the meaning of coping. Lazarus and Folkman (1991) defined coping as the conscious use of cognitive or behavioural strategies that reduced the perception of stress. In the case of this study, stress would be considered to be the fear of assault. Behavioural coping strategies for police officers who are frightened of being assaulted involve the avoidance of situations where this is likely to occur. Cognitive coping strategies are concerned with the police officer's mental world. This involves the maintenance by the police officer of beliefs and attitudes used to reinforce their perception that they are invulnerable to harm.

There are generally two types of coping strategy available to achieve this. Lazarus and Folkman (1984) used the terms "problem focused" and "emotion

focused” coping strategies, while more recently Anshel (2000) used “approach” and “avoidance” to describe the same coping strategies. For the sake of simplicity, Anshel’s terminology will be used for the purpose of this study. The avoidance coping strategy employs cognitive efforts to avoid unpleasant thoughts by reinterpreting information about the dangers of policing in a more positive way or by the person distancing themselves from thoughts about dangerous situations^{xiii} (Anderson, et al, 2002; Anshel, 2000; Lazarus and Folkman, 1984). Anderson, et al indicated that avoidance coping strategies are often used when a situation arises that is perceived as beyond the individual’s ability to control. By the avoidance of the problem, the officer’s attention could be focused elsewhere so that the next task could be achieved. The approach coping strategies often involve information gathering, in an attempt to better understand the danger and by doing so gain better control of similar situations. This is a strategy employed when it is perceived that the situation is amenable to change (Anshal, 2000; Dewe, 1993). In short, this is a coping strategy that confronts the source of the danger in an attempt to gain control of the situation by using rationalisation to empower the individual (Anshal, 2000; Dewe, 1993).

The following avoidance coping strategies were typical of those expressed by the police officers who were interviewed: Officer 9 described a coping strategy that relied on denial. His attitude was that it would not happen to him and that it was best to avoid thinking about the potential dangers of policing. In order to maintain the illusion of invulnerability this officer was reluctant to acknowledge danger.

Officer 9: “Well if I thought about it while I was at home with the wife and kids, you know when you’re coming to work on Friday and Saturday night. You wouldn’t come in to work if you were in your right mind... I wouldn’t say I feel frightened because ... you go in there with this attitude that it’s not going to happen to me.”

However, outright denial was not the only avoidance coping strategy employed by police officers. Officer 3 chose to play down the role that danger had in his policing career by reducing his perception of the severity of the dangers he had encountered. Trying to coerce a person whose ability to fight far exceeded that

of the arresting officer is seriously dangerous, yet Officer 3 suggested it was no big deal to be assaulted by a boxer and made light of the fact that the boxer was quicker than he was.

Officer 3: “Touch wood I’ve been very lucky throughout my service. I’ve been assaulted once when I was very young in service, once in the middle area of my service and both of those were extremely violent. Really the early one was partially my own fault for not being careful enough around drunks. The second one you could understand because I was just trying to affect an arrest and the guy was a boxer and consequently he was a little bit quicker than I was, ha ha. But saying that there was no big issue, and in the end he didn’t even get charged with it because it wasn’t something that warranted it”.

Officer 3 and Officer 9 used avoidance coping strategies that allowed them to focus attention on other matters and carry on with their job. Basically, they avoided or reinterpreted any information that suggested they were vulnerable to harm.

However, Officer 7 believed that there was some level of control to be had over violent situations and adopted an approach coping strategy. She accepted the possibility of being assaulted as “part of the job” and by doing so rationalised the effects of violent encounters, rather than seeking to avoid them. She adopted a coping strategy based on the understanding that while assaults could be unpleasant and painful they were, for the most part, survivable. Officer 7 emphasised the need to be mentally prepared for violence; to be prepared for the inevitable assault. Furthermore, she believed that preparation for violence would make her ready for the inevitable pain of assault so that she would not be overwhelmed and freeze when it occurred. By using an approach coping strategy it was possible for Officer 7 to understand the assault within the context of her continued existence. The perception that the officer would probably survive future assaults, along with the belief that being prepared also reduced the danger involved allowed the officer to feel certain of her safety, and therefore restored her sense of invulnerability.

Officer 7: “It’s like when you get into a fight you’ve got to say ‘I’m going to get punched I’m going to get hit’. Then if you have and it wasn’t a serious kicking by any means but it was a shock... I think I’ve been kicked, I’ve been hit it’s not that bad. You have just got

to know that in situations you will get hurt and if you expect it coming it doesn't hurt half as much. It doesn't take you by shock, which is when people can hurt you more. You've just got to expect it and if you come out without getting hurt then its 'oh bonus I didn't get hit'. Otherwise the first time you get hit will be such a shock that mentally you might not be ready to do anything about it and they might hurt you even more so you need to prepare yourself for it."

It is probable that this approach coping strategy is only useful to police officers who have been assaulted. If the police officer has no experience of being assaulted then there is no experience of its survivability. This may inhibit the officer's ability to prepare for such an occasion, and could explain the perception that officers young in their careers freeze during assaults. However, these coping strategies are not necessarily mutually exclusive: it was unlikely that any one officer relied on any one strategy. Instead, it is possible that they are used in combination, but it is beyond the scope of this study to determine how they interacted.

(6.5): What do police officers consider dangerous?

There is a need to be more explicit about what exactly police officers consider to be dangerous. Every incident attended by police officers has the potential for violence. As indicated by Tauber (1962), trouble can come from anywhere. So, police officers are fearful of danger in every encounter. This requires officers to be constantly wary of potential violence during encounters with the public (global wariness). Skolnick (1962) indicated that police officers' continued preoccupation with potential violence meant they developed a stereotyping "... perceptual shorthand to identify certain kinds of peoples as symbolic assailants, that is, as persons who use gesture, language and attire that the policeman has come to recognise as a prelude to violence."(p 5). Therefore, the fear of violence can also be elicited from specific people or situations. Under such circumstances the officers' level of fear may be elevated and their state of wariness becomes concentrated in a narrower fashion (specific wariness). In short, it becomes focused on certain groups of people or certain types of situation.

Global wariness was described by Officer 16 who indicated the need to take precautions against being assaulted while attending all incidents. He believed these precautionary measures were important because of the inherent uncertainty of every encounter with the public. Officer 16 stated:

Officer 16: “Oh there’s apprehension in every job you go to because you don’t know what’s there until you get there. There's lots of occasions that the police will turn up, three or four policemen to a nothing incident. People will say ‘this is a bit of overkill isn’t it’, but until you get there and assess the situation you don’t know.”

Officer 16 considered every incident to be potentially dangerous because he was unable to predict the outcome. If this was the case, then prior information about the situation and the people involved could reduce this uncertainty and therefore reduce the officer’s apprehension. However, this was not always the case. Officer 14 suggested that even when prior knowledge of violent individuals was available, there was a considerable amount of uncertainty present during the encounter.

Officer 14: “One individual is often as bad as another. Sometimes people who you know to be dangerous don’t hit you and other times people that seem harmless can suddenly turn on you.”

With this being the case, it is important to examine why police officers considered it necessary to be globally aware. These officers considered the risk of assault to be high when it was least expected and that an unexpected assault was more likely to result in injury. There is some evidence to support this perception. Brown (1994) indicated that while only 4% of assaults on police officers resulted from unexpected attacks, these incidents had a higher proportion of serious injuries than other types of assault. It appears that global wariness was employed by police officers because of the perception of uncertainty; “... the unexpectedness of such incidents creates a hazardous environment within which to work” (Eisenberg, 1975: p 32). These officers perceived that the inability to predict the outcome of encounters with the public left them unprepared for an assault, which increased their risk of serious injury. While unexpected assaults were a rare occurrence, when they happened the

consequences for the officer was often severe. It is the perception of increased risk of injury that makes unexpected attacks something to be feared by police officers, and ensures the need for global wariness. Both Officers 10 and 20 described the importance of being globally aware.

Officer 20: "You will find that you get more assaults when you are not expecting it. The most docile situation that you will be dealing with... The situations where you will get injured, as I say, are more likely to be in situations where you are not expecting it. And that comes naturally in any environment."

Officer 10: When someone is calm and calculating they can be more of a risk... And it's an unknown risk. When someone is aggressive you know they are a risk but if someone is not aggressive you might become careless and think this person's O.K. He's calm. I'll have a chat with him. Then suddenly he will just flip and lose his temper very quickly and do whatever he wants to do. So just because you arrive there and everything seems O.K. you can't always take everything at face value. You have got to be prepared in case.

Being globally aware implies that police officers consider assaults on their person to be a pervasive threat. While there is a certain amount of truth to this, it is far too simplistic an explanation. Police officers may try to be constantly wary of all encounters with the public, but to be on guard all of the time is an exhausting prospect and a practical impossibility. So the police officers' state of global wariness could not be pervasive in the strictest sense. Instead, it is an expression of the intention to be constantly aware. The use of global wariness also implies that police officers perceive every incident to be as dangerous as the next. However, it is probable that these officers considered some situations to have more potential for danger than others. While police officers may employ a certain amount of global wariness in encounters with the public, their experience of policing also ensured a certain amount of specific wariness was needed. Officer 8 described the need to be constantly aware of all situations (global wariness) but to also be aware that certain factors increase the state of wariness (specific wariness).

Officer 8: "...every situation is an unknown situation really. A fella might look like quite a normal bloke, no aggressive tendencies at all, but he could be carrying a knife. You don't know. So you

should treat every situation the same but you don't obviously because there are certain factors that add to your anticipation of what might be happening."

Specific wariness could involve the perception of certain types of people being considered more dangerous than others. Therefore, more care should be taken when interacting with or arresting these people. This was especially the case when these officers encountered drug users. Officer 16 explained the difference in his perception of drug users and alcohol drinkers. He indicated that the loss of motor co-ordination in alcohol drinkers made them noticeable to the approaching police officer. It was possible for the officer to identify the increased risk of assault that alcohol drinkers presented. Even though interactions between police officers and alcohol drinkers were perceived as dangerous, the ability to predict this danger allowed officers the illusion of control, at least. The belief in their ability to control the situation reduced the perception of uncertainty, which reduced the level of perceived fear experienced. In contrast, there were often no visual cues to warn officers that they were approaching a drug user. It was this that made dealing with drug users more unpredictable for officers. Therefore, drug users were perceived as being more dangerous than alcohol drinkers. Officer 15 explained:

Officer 15: "...you can see that a person is drunk when you approach them their motor co-ordination is shot and they are usually staggering or swaying. With this being the case it is easy for you to prepare for the situation and take measures to avoid being assaulted. Unfortunately this is not the case with people who are on drugs. It is often the case that from a distance people that are high do not appear any different to people that are not. So the officer has no way of knowing if the people that he is approaching are on drugs until he is actually very close to them and can see the state of their eyes [dilated pupils]. By this time the officer will be almost right on top of them and will not have the benefit of the preparation that comes from being forewarned. Where a drunk may be violent but physically easy to control because of the loss of physical coordination, people who are high on some types of drug such as speed may suffer no physical deficits at all. They may in fact be more physically robust than they were before in that they feel no pain and are stronger than normal. People that are high on drugs are far more unpredictable than drunks, far more dangerous and very hard to restrain."

Officer 15 considered people under the influence of drugs such as Methamphetamine to pose more of a threat than people under the influence of alcohol. However, as Skolnick (1962) indicated, police officers respond to vague indications of danger that are not predictable. It appeared that those people considered to be the most dangerous by these officers were often the least dangerous. During 1999, the North Wales Police reported 440 incidents where force was used: 73 % were alcohol related and only 14 % drug related (Avery, 2000). Moxey and McKenzie (1993) indicated that police officers believed their assailants to be drunk more often than on drugs. This followed the work of Christopher and Noaks (1990) who found that 83.3 % of assaults on the police, in South Wales were perceived by officers as being perpetrated by people who had been drinking before the incident. In contrast, drugs were identified as being present in only 9 % of assaults on police officers. The evidence suggests that police officers are more at risk of being assaulted by alcohol drinkers than they are of being assaulted by drug users. Despite this, these officers perceived drug users to be more dangerous than alcohol drinkers. Officer 15 indicated that alcohol drinkers may be violent but their ability to cause harm was greatly reduced by the loss of physical co-ordination associated with alcohol intoxication, making it easier for the officer to control them. The drunken assailant's lack of co-ordination may also reduce their ability to harm police officers. Christopher and Noaks (1990) found that "[o]fficers who suffered moderate or severe injury were less likely to have been assaulted by someone who had been drinking than were those who had minor or no injuries at all" (p 37). This implied that alcohol drinkers were perceived as violent but manageable and that their lack of co-ordination limited their ability to cause harm, even when they struck the officer. However, the police officers' perception of drug users was exactly the opposite to their perception of alcohol users. The perception was that the co-ordination of many drug users was at best not affected and at worst enhanced by the drug. Drug users were said to feel no pain and were believed to be stronger than other people. In the eyes of these police officers, drug users were very unpredictable, possessing enhanced strength and endurance. They were considered very dangerous and were to be feared.

There was further reason for these police officers to be concerned about possible physical contact with drug users. Infectious diseases such as the acquired immunodeficiency syndrome virus (HIV/AIDS) and hepatitis, often associated with intravenous drug users, were also considered a danger by these police officers. Officer 4 linked the unpredictable nature of the drug user's behaviour with contracting a disease after being accidentally or deliberately stabbed with a syringe. Whether this has ever happened to a police officer in the UK is a matter for further study. However, contracting an infectious disease from an assault by a drug user was a great concern for these officers.

Officer 4: "I suppose that dealing with drug addicts is really quite difficult. Although we know quite a few of them and they will talk to you. You can have quite a chat with some of them. If they have had a bad deal or a bit too much then they can be really unpredictable and a lot of these people carry hypodermics in their pockets as well; not necessarily with lids on. There is always the associated danger of disease that goes with that. I think that is my biggest worry. I've have been injured in the past and I can put that down to well, it goes with the job, but to get hepatitis or something like that from some one's needle, with the implication it has got of going back to your family and how it will affect your life. I think that is probably the most worrying."

Keenan (1997) suggested that knowledge of suspects who were known carriers of blood - borne infectious diseases should be considered as an impact factor that influenced officers' decisions to use a particular type of force. He stressed the importance of police officers using their officer safety equipment to maintain distance and avoid engaging suspects at close quarters where they may receive a puncture wound. According to Mayfield (1987), studies of hospital workers who were "stuck" by infected needles, indicated that the risk of infection was very low. Blumberg (1989) suggested that even if risks of infection were low, there was always the constant worry about having been exposed to a potentially fatal illness. Blumberg indicated that medical tests for HIV took a considerable time to complete. So officers who have been exposed faced many months of uncertainty before finding out if they have been infected. Officer 4 expressed concern about passing the illness on to other members of his family. This leaves the officer in a position where it is uncertain as to whether the partner should be informed about the incident.

There is another group of people considered to be dangerous by police officers: the mentally ill. In comparison with factors such as gender, age, socio-economic status and family breakdown, mental illness offers a very modest contribution to violent behaviour (Bowden, 1996; Link, Andrews, and Cullen, 1992). Of 440 incidents where the use of force was recorded for the North Wales Police, during 1999, only 8 % of incidents were related to people with mental health problems (Avery, 2000). Despite the low level of incidents involving the mentally ill, many police officers considered them to be extremely dangerous. Like drug users, the mentally ill are considered dangerous by police officers because they are perceived as unpredictable (Nash, 1999). They are perceived to become violent unexpectedly and without warning (Graef, 1990). Officer 3 was particularly cautious around the mentally ill, because he was a victim of a particularly vicious assault by a patient at the local psychiatric unit. In this case, the officer's caution was a product of past experience regarding how unpredictable the mentally ill could be.

Officer 3: "I think the most problematic situations are when the people you are facing are ... mentally unstable because generally speaking you don't know what they are going to do. You can have somebody who is reasonably calm, reasonably passive. You can be talking to them without much problem then suddenly they will change. Suddenly they will go from that state to being violent, aggressive and needing to be controlled. Those tend to be the most difficult ones because you never know where the change is coming from. Especially with the mentally disturbed people, you never quite know, with those, when they are going to change and how they are going to change. They can go from being perfectly placid to being absolutely mad within a split second and it's difficult to know how to keep them calm because you don't know what will trigger them."

The public's fear of crime has been linked to past experience as a victim (Mirrieis-Black and Allen, 1998) and the same can be said of police officers' fear of assault. Officer 3 had previously been assaulted by a psychiatric patient. As with drug users, the mentally ill were perceived by police officers as having greater strength than normal people (Graef, 1990). The perception of enhanced strength was linked to the perception of rationality. Officer 6 perceived mental illness as an impairment of rational thought, while drug use was considered as

altering the rational capability of the user. Rational people were considered to be only as physically strong as their common sense allowed them to be. When the rational person's muscles hurt they would cease their activity. In the case of irrational people, they ignored their physical limitations and were therefore considered stronger than the rational person. These officers also perceived irrational people as being unaware of the unspoken rules of physical combat. Officer 6 suggested that during an assault, rational people would know that it was appropriate to stop fighting when they perceived that they could cause their victim too much physical harm or when the victim used the appropriate appeasement rituals. Lorenz (1966) and Morris (1994) considered appeasement rituals to be gestures such as cowering, cringing, smiling or even begging for mercy, which signified surrender to an aggressor. In contrast, irrational people, such as the mentally ill and drug users, were perceived by police officers as being unaware of, or ignoring, the unspoken rules of physical combat. The irrational person would not stop fighting when the probability of causing serious harm to their victim became apparent to them. It was perceived that they could be uncaring or unaware of attempts to surrender and the harm they caused. Officer 6 explained:

Officer 6: "You don't know what they are thinking. Rational thought in comparison with Joe public: is it rational thought to them? I mean do they have rational thought? A lot of them are a lot stronger than yourself, even though they look relatively sad or small, but they just go berserk. Whereas, if you were street fighting, like in the old days, where if you hit someone they fell to the ground: that was the game over. Nowadays they punch them to the ground, they kick them in the face and they jump on the head. All of a sudden someone's going to think 'oh Christ I'm going to cause him a lot of damage' and stop, but someone with a mental health problem is just going to carry on jumping".

Similar findings arose from the work of Gabe, Denney, Elston, Lee and O'Beirne (2001), who studied community professionals such as general practitioners (GP), probation officers and the clergy. They found that the perception of rationality was central to the GP's perception of violence.

"GPs in particular tended to distinguish between 'rational' and 'irrational' violent incidents... In 'rational' violence, the

transgressive behaviour was generally verbal abuse, seen as situationally caused, for example, as arising from ... refusal of a prescription. Such incidents were seen as relatively predictable and manageable through good organisation and attendance to interactional cues. In contrast, the much rarer incidents of 'irrational' violence more often took the form of physical assaults, and were seen as unpredictable and therefore hard to prevent or manage."

(Gabe, et al, 2001: p 3)

It is the perception of rationality being manageable, and irrationality being too unpredictable for management, that is at the core of the police officers fear of violence. "Unpredictability may be a component of dangerousness in people. They may not obey the rules of normal behaviour, even if that normality is based in violence" (Nash, 1999: p 17).

Specific wariness is not just about being careful of certain types of people but also certain types of situation. Therefore, it was not just certain groups of people who were considered to be more dangerous by these police officers, there were also situations perceived to warrant the extra care implied by the application of specific wariness. Foremost of these situations were domestic disputes.

Officer 11: "Domestics are a huge potential problem for personal violence... Domestics are the big one, which I think most people are aware that it's where people get assaulted seriously".

Many police officers consider domestic disputes as dangerous (Garner and Clemmer, 1989), although the actual risk of being assaulted under that circumstance is not particularly high. The North Wales Police reported that during 1999, police officers used force in dwellings 90 times and in the roadway 238 times (Avery, 2000). In South Wales, Christopher and Noaks (1990) found that only 11% of assaults on police officers occurred in a private dwelling in comparison to the 58% that occurred in a public street or place. Brown (1994) indicated that 8% of assaults on officers occurred on residential property while 60% occurred on the street. While this is not conclusive proof that there is less opportunity for assaults on police officers during domestic disputes compared to street incidents, this assertion is supported by North American studies that suggest attending incidents of domestic violence are less

dangerous for police officers than attending many other types of incident (Ellis, Choi and Blaus, 1993; Garner and Clemmer, 1989). There appears to be little reason for police officers to fear being assaulted while attending domestic disputes, although it may be that their heightened state of vigilance ensured their safety, due to officers being prepared to defend themselves at an earlier stage (Ellis, et al, 1993).

What actually makes attending a domestic disturbance so dangerous in the eyes of police officers is, yet again, the perception of uncertainty. In the case of domestic disputes, the perception of uncertainty is linked to the officer's ignorance of the space that they are working in. The people in dispute live in the residence. It is their territory, and they have a better working knowledge of their home than the visiting police officers. They know where potential weapons are kept. They know what is just around the corner. This information is unavailable to the police officers attending the incident. The attending police officers are fully aware that the advantage lies with the occupants and they are uncertain about when, where and how an attack could take place within the confines of the house. In comparison, police officers perceive their ability to control street situations as more favourable. There are fewer potential weapons to hand and there is more room to manoeuvre. Furthermore, when outside, the officers' knowledge of the area is often comparable with the knowledge of whomever they are dealing with. This was explained by Officer 7:

Officer 7: "You don't know. Just because you don't need to keep knives in your front room at home, doesn't mean that they are not going to be sat there perfectly passive with a knife down the back of the settee or something like that. In public you're quite happy, you can protect yourself. You've got space to move. You know what things are likely to be at hand, but in people's houses it's different. You don't know if they have got a door that locks automatically or have they got a dog. Maybe they've got ten mates in a bedroom or something?"

There was also uncertainty in this sample as to whether the officers' intervention in any domestic dispute was totally welcome, even when one of the partners was the complainant.

Officer 15: “More often than not the male is the aggressor in this situation and if you have to arrest him then the girlfriend or the wife may often turn on you and you then have two people to fight off. This should not be that surprising really because... they may be fighting each other when you arrive but it is you that is the outsider. They may have been married ten years or so, and see you as a threat to their family when you attempt to remove one or the other of them.”

Ellis, et al (1993) indicated that police officers are more likely to be injured if they try to arrest one or both of the disputants because this would focus the anger of the couple, in what was already a highly charged situation, against the police. These officers perceived domestic disputes to be dangerous because they were intervening in an emotionally charged situation, which they believed to be unpredictable. It was the unpredictability of domestic disputes than made them dangerous and fear - provoking in the eyes of police officers.

These police officers also appeared to be apprehensive of situations where they perceived themselves to be at a distinct and overwhelming disadvantage. Violent situations, in which there were crowds of people involved as participants or bystanders, were considered to be dangerous for the attending officers. They perceived there would be little that they could do to prevent themselves from being harmed if the crowd attacked, because they were vastly outnumbered.

Officer 9: “There is the odd occasion where you see a little bit of a scuffle outside a night club and you’re driving there and you know that if the crowd turned on you, you wouldn’t stand a cat in hell’s chance.”

These police officers were very apprehensive about the possibility of encounters with armed assailants, especially where knives were concerned. Many officers considered knives to be a problem linked to attending domestic disputes, but there was also great concern about their use in general.

Officer 20: “It’s practical common sense at the end of the day to be careful of situations where there is potential for weapons such as knives to be involved and the ideal example of that is the domestic situation, which we all tend to every day.”

There is evidence to suggest that police officers' fear of knives was, to some extent, well founded. During 1992, the majority of male homicide victims (41%) were killed by the use of a sharp instrument (Home Office, 1993). However, the risk of police officers being assaulted with a weapon was not great. During 1999 the number of assaults on officers reported to the North Wales Police where the assailant was carrying a bladed weapon was a mere 21 compared with 337 officers assaulted by unarmed assailants (Avery, 2000). Christopher and Noaks (1990) indicated that weapons were only used in 9 % of incidents in South Wales. This was supported by Brown (1994) who indicated that the number of incidents where police officers were injured by assaults with a weapon amounted to 8 %, and that the majority of injuries sustained during assaults on police officers were due to unarmed scuffles. Police officers feared the use of weapons such as knives because they perceived that they would be seriously injured by such an armed assault, putting them at a distinct disadvantage during the encounter.

When the police officers perceived themselves to be greatly disadvantaged they believed it probable that they would be injured during their encounter with the public. Under circumstances where injury was perceived as certain, the ability to maintain a belief in invulnerability would be challenged. As the police officers' sense of invulnerability was eroded by the perception of being at a great disadvantage, it was replaced by a sense of vulnerability and fear. It is not just the perception of uncertainty that underlies the police officers' fear of assaults; there are also situations where the perception of being at a distinct disadvantage could have a considerable effect on fear of harm.

(6.6): Teaching safety and fear.

It has been established that fear of crime is prevalent amongst those who know somebody who has been a victim of crime (Mirriees-Black and Allen, 1998), the implication being that police officers' fear of assault may be greatly affected when one of their colleagues has been badly injured during an encounter with the public. Officer 16 served in the same police station as a colleague injured in a well known incident, not only for officers serving out of that station but also for the rest of the North Wales Police.

Officer 16: "I can think of an incident where somebody went to a house to knock on a door. And the reason he went to knock on the door was to say the court had issued a non-payment warrant. I think it was along the lines of a matrimonial non-payment of maintenance. The officer said that 'I've got a warrant here but I'm sure if you go to the court you can sort it out yourself' and he ended up stabbed in the neck before the conversation got going. And that was just a routine job to him where you would not expect any problems what so ever. In fact he was trying to do the guy a favour."

The stabbing incident mentioned by Officer 16 had attained almost legendary status in the North Wales Police. Most officers spoken to had at least some knowledge of this incident. This knowledge had not just been spread through the channels of normal canteen culture, where it had been suggested that police officers' preoccupation with the telling of "war stories" that glorified violent encounters is the traditional venue for spreading and gathering information (Crank, 1998; Van Maanen, 1980; Smith and Gray, 1983; Fielding, 1994), but also through the officer safety training programme itself. During the observation of the officer safety training, the stabbing incident mentioned by Officer 16 was used as an example of how effective the protective vest was against a knife attack. This explained how the incident gained and sustained its legendary status despite the fact that assaults on police officers with knives are rare.

There was a need to be wary of such occurrences even when they were rare. The officer safety training programme, by its very nature, had to increase officers' awareness of danger and in this case awareness of dangers associated with knives.

Officer 17: "Yeah, I think it teaches you to be a lot more alert, to watch people, to watch what we are doing because there's no use thinking well its not going to happen to me because it is going to happen to somebody ... I think we would be stupid to ignore the fact that there are some people who would stick a knife in you given half the chance."

However, by increasing the awareness of danger there is always the possibility of increasing the fear of assault (Adams, 2001). Part of the annual officer safety training is dedicated to teaching police officers how to react to incidents

involving a person armed with a knife. Instructors explained: “[t]here is no injury free method that is guaranteed against a determined subject with edged weapons” (Pybus, 2001: p 26). Instructors demonstrated this with a “rubber knife” that was used to repeatedly and successfully stab an officer who was attempting to put up an adequate defence. It was observed that some officers were visibly uncomfortable as they watched their colleagues taking it in turns to be overwhelmed. The realisation of how difficult it is to defend against a sustained knife attack is a very important safety lesson, which taught officers the importance of avoiding confrontations with potential knife - wielding assailants, but it was also a rather frightening lesson to learn. Geller and Scott (1992) described a videotape that was shown to US law enforcement officers in San Diego used to train officers to survive knife attacks. This videotape was supposedly so graphic that it frightened officers into a state of paranoia that resulted in a surge of unnecessary shootings. It appears that some aspects of officer safety training can be akin to a “double edged blade” because lessons taught to increase officer safety can also inadvertently increase their fear of assault (Adams, 2001). Furthermore, this can lead to mistakes that put the safety of the public at stake.

(6.7): Discussion.

One of the most noticeable facets of fear of crime is the tendency to overestimate the frequency of its occurrence and this is especially the case with violent crime (Skogan, 1981; Stephenson, 1992). The same claim could be made about police officers’ fear of assault. Not only did they overestimate the overall threat posed to them by assault on their person, but the groups of people and situations that they perceived as being the most dangerous were often the least dangerous. This indicated that there is more to the fear of being assaulted than the actual risk. The answer to the question of why police officers fear assault can be found in how they perceive the actual danger itself.

Police officers in this study believed danger to be an inherent part of their occupational world and to survive in this world they adopted psychological strategies to ease the passage through their career, in the most comfortable manner available to them. To protect themselves from fear, a considerable amount of time and effort was used, employing coping strategies to maintain

the illusion that they were invulnerable to harm. The invulnerable police officer believes that he/she can survive any violent encounter with little or no injury. In fact, invulnerability makes it certain that they would survive. It removes fear by bringing certainty to the uncertain world of the police officer. It creates the illusion of predictability.

When these police officers were apprehensive about situations where they perceived themselves to be at a distinct disadvantage, it was the perception of uncertainty that was at the root of their fear. The police officers were apprehensive about the uncertainties they faced in every encounter with the public. There were even encounters with specific situations and groups of people that police officers considered to be more dangerous than others, which were also characterised by uncertainty. It was hard, if not impossible, to predict the outcome of uncertain events. That made it difficult for the officer to take steps to ensure his or her safety. It was this perceived lack of control of uncertain variables that was at the core of the police officers' fear: the more uncertain, the less predictable; the less controllable, the more frightening the event was.

In many ways police culture could be considered a culture of fear, or to be more precise, a culture to suppress fear; a fear spread by the officer's own experience or that of his or her colleagues. Ironically, even training designed to promote safety often only increased the fear of assaults. Fear is an emotion that could cloud the officer's judgement making it difficult to decide on an appropriate course of action in a dangerous situation (Sharf and Binder, 1983). A frightened police officer might have decided not to use enough force to ensure safety or have decided to use too much force, a very fine line to tread in extreme circumstances. This is why it is important for police officers to control their fear of assault. The officer safety programme should consider fear of assault while teaching defence against assaults. There is a need to teach officer safety with the reduction of fear in mind.

Finally, if uncertainty is at the root of how police officers perceived fear, then with all things being equal, certainty must be at the heart of police officers' perception of safety. The following chapters will discuss the different tactics and officer safety equipment with a view to uncovering what police officers believe brings certainty and the perception of safety to their lives.

CHAPTER 7

THE SAFETY OF CONVERSATION

Chapter 4 discussed the guidelines for using CS spray and batons, as well as the role of the conflict resolution model used by these police officers when employing forceful measures. It was found that the guidelines and the conflict resolution model failed to adequately explain to police officers which level of force was appropriate in any given situation. With no real guidance about the use of force, police officers rely on their perception of events in order to make the appropriate decision. Furthermore, these police officers' perceptions of events will almost certainly be informed by historical experience. In this case, the historical experience could be the officer's own, or past experiences communicated by colleagues. In which ever context, past assaults affected the perception of fear and to some extent governed future decisions made by police officers regarding the strategies they perceived as an effective means of resolving encounters with the public. Chapter 6 discussed how uncertainty was at the core of the police officers' fear of violence and proposed that certainty must be linked to their perception of safety. Therefore, past experiences provided these police officers with certainty regarding the safety of a given method. If these police officers had succeeded with a particular method of dealing with the public, then this method would become the officer's favoured strategy in future encounters.

The previous chapter discussed how these police officers used "global wariness" during all encounters with the public. They were always wary because they perceived that there was always the potential for violence in any encounter. This chapter explores the strategies preferred by these police officers when dealing with potentially violent encounters. If they perceived danger in every encounter with the public then a potentially violent encounter may be defined as any encounter between the police and public that was not currently violent.

In order to gain an understanding of how these police officers perceived potentially violent situations, the researcher started the interview process by asking questions about a hypothetical scenario. The problem with asking

interviewees hypothetical questions is that they elicit hypothetical answers, but in the case of these police officers the hypothetical answer would be based on previous experience of real life situations. It was the application of these real experiences, regarding potentially dangerous situations, to the hypothetical scenario that validated its use as a methodological tool. The police officers interviewed were asked the following question: “How would you handle a situation where there were two adult males arguing in the street?” Often the interviewees required the interviewer to provide more detailed information about the incident and by doing so allowed the interviewer to vary each scenario slightly. This gave a rather rigid question considerably more flexibility than it was designed for, which allowed for a greater depth of data collection regarding the strategies that officers perceived as offering the safest means of dealing with potentially violent situations. This particular question was concerned with two males arguing in order to emphasise the potential danger of the scenario.

Shapland and Vagg (1988) indicated that many incidents involving the police and the public were “fluid like” in nature. They suggested that it was often, initially, unclear whether the police were dealing with a criminal matter. This only became apparent over the course of the encounter after there had been time for the police and other parties to construct meaning from the incident. Shapland and Vagg were primarily concerned about how the police constructed criminality from an incident that by its very nature is fluid. The fluidity of incidents could also be problematic where the use of force was concerned.

Officer 3 explained that there was need to consider the circumstances as they unfolded and constantly to assess the situation, because each incident is different. He emphasised the need to approach all situations at a low level and change the strategy used only when it was perceived to have failed. This approach resembles the continuum of force (Chapter 3, 3.3) because each change of strategy involves the incremental use of a higher level of force. Officer 3 stated:

Officer 3: “There is never a set scenario... You look at the circumstances as they unfold in front of you and deal with them accordingly... Whatever the situation is you will come in at a low level. You try and justify it, separate it or whatever needs to be

done at that level. It is only when that level fails that you take it up to the next stage. When that fails then you take it to the next stage again. You are constantly assessing how your actions are working.”

This chapter considers these officers favoured strategy, or strategies, in regard to what they perceived as potentially dangerous encounters. Shapland and Vagg’s (1988) assertion that police officers construct the meaning of each incident, and the similarity of Officer 3’s description of an incident with the continuum of force, made it appropriate to consider this topic in a sequential manner. In this case the sequence starts with the preparations that these officers make before they arrive at the scene of the incident. Consideration is given to the effect of the police presence when they arrive at the incident and their use of verbal communication as well as physically separating antagonists. Some consideration is also given to the ability of these officers to recognise when a situation is about to become violent.

(7.0): Preparing for the incident.

These police officers were especially concerned with the idea of being taken by surprise in an unpredictable situation. During any confrontation police officers may find themselves in situations where split - second decisions need to be made about the use of force. The very speed with which these decisions are made can mean that they are prone to error (Greenwood, 1975; Waddington, 1991). Fyfe (1989) called this the “split - second syndrome”, a term based on the assumption that the use of force is influenced by the officer’s perception of the situation at the moment when the decision was made. Fyfe’s main concern was that split - second decision making leads to the use of excessive force. However, it is reasonable to assume that it could also lead to harm if the chosen strategy fails to employ enough force to protect the officer. Fyfe indicated that split second decisions may be partly avoided with the appropriate preparation. Police officers are rarely on the spot at the time of the incident and more often than not are guided by their radio to scenes of potential violence (Reiss, 1971). Fyfe suggested that during these journeys there is ample time to request more information about the incident and utilise the officer’s own local knowledge

when formulating plans about how to handle the situation. Officer 2 described the importance of being informed about the incident before arrival.

Officer 2: “It depends on what kind of information that you have got before you go to an incident because that will pretty much determine how you are going to respond really. I’m also an authorised firearms officer so if the job needs it I’ll be going armed so it depends on what you know before you go.”

This suggests that the information available to these officers before they arrived at the incident affected their perception of which strategies should be used to deal with the situation.

Morgan and Newburn (1998) indicated that the police often have to respond to calls made by the public that offered inadequate information about the incident. They suggested that calls from the public involved the recording of the barest details such as the name of the caller and the location of the incident. While it was possible to gain some idea of the urgency of the call, it was often impossible to know what a particular call could lead to. In a situation where there was little information regarding the incident that officers were about to attend, it was possible to prepare to use the wrong strategy. Officer 3 described how easy it was for a predicted strategy to be wrong especially when the information provided was flawed. In this case it was the erroneous report regarding the presence of a knife that led to these officers preparing a strategy that involved the use of batons. Fortunately, the officers involved realised that the situation was not as dire as they were led to believe and changed their strategy after their arrival at the incident. Officer 3 stated:

Officer 3: “I initially took the baton out with a view of maybe having to use it, because there was a report of a fight between two people where knives were involved. So, we took it out going into the situation because there was a potential of violence. When we got into the situation we realised that there was no apparent use of knives. It was two drunken people fighting who really didn’t warrant the use of batons and with usual physical force we were able to restrain them reasonably comfortably without the use of batons.”

While the caller may have only provided a small amount of information that the attending officers could use to prepare a strategy, it is often possible to fill in the gaps using local knowledge. In the observation stages of this study it was possible to engage in a number of conversations during the dinner and lunch breaks in officer safety training. During such an occasion three officers expressed that their local knowledge often informed the way that they dealt with individuals and incidents. They indicated that knowledge of the people on their patch gave them an understanding of who was violent and who was not, and their expectation of how an incident would turn out was influenced by this knowledge.

Many of these officers perceived that preparing a strategy before arrival at the incident had more to do with arranging support from their fellow officers, by requesting backup up, than with decisions about what level of force they were going to use. These police officers perceived that the back up support from their colleagues offered them a considerable amount of extra protection. With the right amount of backup came the comfort gained from the certainty of knowing others were there to protect them. This was why it was important to these officers to ensure that their backup was in place or on its way before their arrival at the incident.

Officer 16: “Initially if I knew I was going to an incident like that I would hope I would be doubly manned. If I weren’t doubly manned or at least doubly manned en route I would be calling to ask to be and I would hope the control room would have already instigated something. So I would be on the radio saying ‘you have just told me I’m going to an incident involving two people shouting in the street. I don’t now what I’m going to so can I have some backup.’ So I’d make sure that I got there and hopefully there would be other people either en route or arriving around about the same time.”

During the time of these interviews some safety concerns were raised about “radio black spots”. There were areas in the Snowdonia National Park where it was impossible to use a radio or a cellular phone to call for backup. There was talk of a new communications system, to replace the old one, which would work in “radio black spots”. This involved the use of mobile phones and vans equipped with laptop computers (Bangor and Anglesey Mail, 2001), but

whether this works any better than the old system will be a matter for further study.

While these police officers felt that backup offered them a great deal of safety, they had serious concerns about the ability of their fellow officers to provide this safety. Officer 5 had recently been transferred from London to the North Wales Police and described the difference between the two regarding expectations about backup. Officer 5 described how he would have to adjust his expectations regarding when backup would arrive in a rural constabulary such as this. He indicated that he would need to account for the longer times that it took for backup to arrive.

Officer 5: "... people who worked in the centre of London were within 30 seconds of backup. You could have 20 or 30 people there literally in that short space of time. Then coming to the outskirts divisions where we were more stretched, albeit by the standards here we were quite flush. They would act in the same way as they would in the centre of town and they would have problems because they would expect the backup to arrive in seconds. It would still get there but it would take just that little bit longer. It's putting that idea into practice here as well, from my point of view, and so far I've had no problems, so hopefully it will stay that way."

This could mean a change in the way that this officer interacted with citizens.

While North Wales is predominantly a rural area, there are a number of largely urban areas that come under the remit of the North Wales Police so the time that officers had to wait for backup was perceived, by many, as variable. Officer 20 suggested that backup was often quicker to arrive in urban areas than in the many isolated rural areas, since in the rural hinterland of the western division the topographical area is large and inaccessible. Officer 20 believed that the delay in the arrival of supporting officers increased the danger of policing these areas.

Officer 20: "The only difference I think you would find is that there's always the reassurance that backup is always likely to be nearer to you in ... an urban area than it is in a rural area. There are very isolated rural areas where you might find that you are the only ... police officer. And the nearest police officer that can support you, if necessary, might be twenty odd miles away from you. So you have to have your wits about you and just be confident of any

situation you are going into. Potentially the risk of injury to a police officer increases in that respect.”

However, due to shortages in personnel, even urban areas find the number of officers available for backup stretched thinly. These officers indicated that there were often only three officers on Friday and Saturday night shifts in the town that they served. Officer 16 indicated that the town was often left with inadequate cover during the time it took to transport prisoners to the neighbouring town.

Officer 16: “Usually in Bangor you will have somebody available but because we have to take prisoners to Caernarfon there is a chance that anyone else on duty could be over there having already arrested someone else.”

Many of these officers believed that shortages in personnel were also problematic in some of the outlying villages.

Officer 9: “In this village there are four officers technically there on paper. One of those has been on the sick with stress for six months. Another one has left the police and they have done nothing to replace him. You can understand it if it was short term, a couple of weeks, but when somebody is off long term for six months there are no excuses.”

This indicated that these officers believed that the number of officers serving in the North Wales Police was not adequate to offer sufficient backup when officers were ill or about to leave the force.

These police officers believed that the rural nature of the constabulary, along with shortages in personnel influenced the response times of requested backup. They considered that the length of time they have to wait before their colleagues arrived to support them was itself a safety issue.

Officer 10: “You should probably ask for backup before you go there, asking for backup once you are there and things become violent is a bit late really. So you ask before you arrive who the nearest person is and where they are and how long they are likely to be, and that will determine how much time you spend dealing with the incident, trying to calm people down before you go for arrest. If

you know there are five vans around the corner then you will be a bit more confident than if they are ten miles away.”

This affected the way these officers dealt with potentially violent encounters between themselves and the public. These officers were reluctant to approach a potentially violent situation without what they considered the appropriate support being in place. The implication being that they perceived backup as being unlikely to arrive on time during violent interactions with the public.

According to Avery (2000), of the reported uses of force by the North Wales Police during 1999^{xiv} at least 175 of incidents were attended by two officers and in 229 incidents three or more officers were present at the scene. In only 27 reported incidents was there only one officer present. It would be easy to suggest that concerns about the availability of backup were unfounded, but that would be an oversimplified interpretation of these statistics. “The majority of the uses of force occur when officers are doubly crewed” (Avery, 2000; p 8), but being doubly crewed did not mean that there was any less need for backup. Many incidents could have needed more than two officers to ensure safety in a potentially violent situation. However, the strategy that a single officer employed to resolve a situation may be the one that reduces the need for force. Officer 10 indicated that his knowledge about the availability of backup dictated the time to be spent on the placation of the person who was to be arrested. This implied that when these officers were on their own they adopted a strategy that reduced the need for force even when backup finally arrived. The longer these officers spent calming the situation down, the less chance there was of violence occurring during the arrest. Furthermore, Decker and Wagner (1982) indicated that lone police officers often resolved disputes without resorting to arrest. They suggested that citizens were less likely to be injured during encounters with lone police officers, in comparison with encounters where two officers were present, with the implication that lone officers were more restrained during arrests.

Ironically, the fears expressed by these officers about dealing with potentially violent situations on their own may be unfounded. Their faith in the safety that was afforded them by the presence of their colleagues may also be unfounded. Decker and Wagner (1982) found that lone police officers suffered fewer

injuries during encounters with citizens than those suffered during doubly crewed encounters. However, this could be attributed to the higher arrest rates made by officers when doubly crewed (Decker and Wagner, 1982; Grant, Grant and Toch, 1982). The fear that accompanies the perception of vulnerability expressed by these police officers when they attend a potentially violent incident in an isolated rural area, could lead to avoidance behaviour. It is possible that lone police officers may avoid potentially violent incidents out of fear for their own safety; incidents that with the comfort of an accompanying colleague would have been dealt with.

(7.1): The arrival and presence of police officers

When some of these police officers arrived at the scene of a disturbance, they expressed a preference for pausing to observe the situation before deciding on a course of action.

Officer 8: “If I was alone I’d stand off from them both and assess the situation first.”

These police officers’ state of global wariness ensured that they were alert to the possibility of violence. Officer 8 described the need to observe and assess the situation in order to gain knowledge about what was occurring. As these officers approached a potentially violent situation, there is a need to be on their guard. Inattention is a serious concern (Bayley and Garofalo, 1989), especially when officers did not have a full understanding of the events that caused the situation. Officer 8 suggested that it was even more pertinent to assess the situation when attending an incident alone. According to Fyfe (1989) taking time to plan a response rather than just reacting to the situation helps officers avoid having to make split - second decisions that could lead to mistakes. Officer 14 explained that as he approached the situation, there would be a need to consider aspects of personal safety.

Officer 14: “I would approach to the middle of the two men and probably stand off about 3ft to 4ft away from them. Obviously because there is two I would be more mindful of my personal safety.”

Officer 7 suggested a rather novel way of ensuring her safety. This officer rightly pointed out the protection that could be offered by approaching the antagonists while still in the patrol car. Not only did the patrol car's metal exterior offer the officer a considerable amount of protection, it also enabled the officer to make a quick getaway if needed.

Officer 7: "OK, I would probably stay in the vehicle so that I could pull up beside them and ask them what's going on."

It was important for these officers to be cautious of their own safety but there were other factors that needed to be considered when approaching a potentially violent situation. Officer 1 indicated that police officers were not in a position to retreat from trouble and no matter how dangerous the situation, there were occasions when it must be dealt with even when there was no backup available. She perceived that confidence was very important as a means of ensuring safety in such a situation. For this officer, thoughts of her own safety remained on a practical level. If backup was not going to arrive on time, then it was not something that should be dwelt upon. She believed that confidence, or appearing to be confident, would create the impression that the officer could manage the situation and that, in itself, guaranteed officers a certain amount of safety. Officer 1 stated:

Officer 1: "You have just got to be very cautious you can't back off and not deal with it. You have got to go in there. So, again, it's just being mindful of your own safety, but at the same time trying to be confident. Giving the impression that you can handle the situation and not thinking at the back of your mind, well how far is my back up. You know."

There is evidence to suggest that this approach has merit. Holdaway (1983) suggested that police officers were expected to display certainty when they intervened in an incident. If the attending officer was perceived to be certain about the actions that were taken during the incident then it was likely that he or she would be perceived as having control of the situation. It makes intuitive sense that officers must have confidence in their ability to deal with the situation in order to project an image of certainty and control. In contrast, a

lessening of situational control could lead to the infliction of injury or even death on the attending officer (Boylen and Little, 1990). Therefore, a confident approach helps create the impression that the officer is in control of the situation, which deters would-be assailants.

These officers believed that the mere appearance of a confident uniformed police officer often had an immediate and telling effect on individuals involved in potentially violent quarrels. Officer 2 suggested that a low-key approach by a single police officer would often be sufficient to resolve potentially violent situations.

Officer 2: "I go in pretty much low-key and by me simply approaching I would say most of the time would sort it out. They will stop arguing. They will see me and say 'right we need to stop here or we will be arrested. That will sort the problem out.'"

According to Officer 11, the calming effect instilled on the participants of a potentially violent situation by the presence of a uniformed police officer is just as effective when two officers arrived at the scene of an incident.

Officer 11: "It's very rare that someone will have a go at two of you. It's happened once that I can remember. The very presence of the two of you, I would say 90% of the time, probably even 99% of the time, is enough to take the wind out of his sails. To bring him back down to a fairly reasonable level; a level where he is not going to kick off, so that you can say 'you're under arrest and we are going to handcuff you.'"

These officers suggested that the presence of police officers was sufficient to resolve the situation. There was supporting evidence to suggest that "[m]ost conflict stops as soon as the police arrive" (Bayley and Garofalo, 1989: p 20). The calming effect that the presence of police officers has on potentially violent situations may be considered a product of police authority to arrest. Waddington (1999b) indicated that the police remit allows officers the potential to use force in a general manner in order to coerce citizens into compliance when carrying out an arrest. These officers believed that people involved in potentially violent situations calmed down because the arrival of the police signified the potential for imminent arrest. They believed their

presence calmed people down enough so that when they did arrest someone it would be a rather peaceful affair. It has been suggested that police authority is such that encounters between the public and the police are marked by interactions that involve the police asking questions and the citizen replying (Waddington, 1999b). It is the police who control the questions and demand deference from citizens (Glauser and Tullar, 1985; Southgate and Ekblom, 1986; Sykes and Clark, 1975). Even minor challenges to police authority by members of the public can elicit a coercive response from police officers that result in a forceful arrest (Sykes and Brent, 1983; Waddington, 1999b; Worden, 1996). The calming effect described by Officer 11 remains in place even when the person is informed of their imminent arrest. It is possible that the person concerned wants to avoid making the situation any worse. The person being arrested may have little control over when they are to be arrested, but they can still affect how they are arrested. In what may be considered a no - win situation it may be better for the person being arrested if it is as painless as possible. Therefore, they may calm down in order to avoid the heavy physical violence that they perceive may be part of their arrest if they upset the attending officers. Even before the officer safety programme made a wider range of equipment available to police officers, there was still reason for those being arrested to act in a calm non - violent way. After all “[a] benign bobby ... still brings to the situation a uniform, a truncheon, and a battery of resource charges ... which can be employed when appeasement fails and fists start flying” (Punch, 1979: p 116).

(7.2): The power of persuasion.

Having approached the incident, nearly all of the police officers interviewed indicated that verbal communication was the next strategy employed by those attending. Officer 5 suggested that a verbal strategy, where a general introduction was employed by attending officers, followed by enquiries about the incident, allowed for a low level approach to the situation.

Officer 5: “It’s just standing on the periphery really. A general introduction and ask them what they are doing. It would be a fairly laid back approach in that respect.”

There was almost unanimous support for the use of verbal resolutions to incidents from the officers interviewed.

Officer 2: "I'd say my powers of persuasion, my oral equipment for want of a better word. That's the best piece of equipment anybody has as a police officer, being able to talk to people."

Officer 3: "You go into situations and you talk. You use that to fetch people down, so you don't need to use physical actions because your mouth's done it all. If you can get away with that, then you have cracked it."

These officers have considerable faith in the ability of low-level verbal strategies to resolve potentially dangerous situations. They believed that good policing was characterised by the ability to use verbal strategies to avoid the use of force (Bayley and Bittner, 1984; Kemp, Norris and Fielding, 1992; Muir, 1977; Norris, 1989; Reiner, 2000).

The perception that low-level verbal strategies are a sign of good policing is, in many ways, linked to the officer's fear of assault. Officers 6 and 11 indicated that the right kind of verbal communication could avoid a violent response from those about to be arrested. Verbal communication signified to the protagonists that the police had arrived, warning them it was time to consider their next course of action. They perceived verbal communication as a way of gaining compliance without being assaulted.

Officer 6: "Talk to them first. Make sure you've got your attention. If you go wading in you may get a clout yourself."

Officer 11: "If you've got two people arguing with each other the last thing you want to do is start getting them angry with you. So, if you can resolve the situation between them so that it's OK. I mean ultimately they're going to get arrested ... but the last thing you want to do is start antagonising them against you, because then you've got problems and the idea is to keep the problem between them."

Therefore, low-level verbal strategies were considered to be a safe way of dealing with potentially violent situations.

The belief in verbal communication as the most reliable way of gaining compliance in a potentially violent situation may be more salient to those officers who were concerned about their physical ability to defend themselves from assault. Officer 3 stated that his small size meant that he was not as imposing as some of his larger colleagues and he had to overcome a certain amount of shyness before learning how to talk his way out of potentially violent situations. This suggested the possibility that some police officers of slight frame may rely on verbal communication as their favoured means of defence especially when attending an incident on their own. Many female officers have slighter frames than most male officers and there is evidence to suggest that female officers often employed low-level verbal strategies to great effect (Price, 1989). In the case of Officer 3, his perception of his own personality and physical appearance made him believe that he was vulnerable in comparison to his larger and apparently more confident colleagues. While he could not change his physical size, it was possible to overcome his shyness and adopt a strategy that negated the use of physical force. Officer 3 explained:

Officer 3: “When I started I was nineteen, fairly quiet and very placid. I soon learned that you have got to be able to talk yourself out of things. You have got to talk to people. If you’re six foot eight and twenty-two stone then you are going to have a different presence than if you are five foot eight and twelve stone. This is why I always come back to communication. I’m five foot eight, when I joined I was the minimum height you could be to be a bobby. I’ve never been a big lad. I’ve never been heavy as such; I’m about twelve and a half stone. So consequently I’ve never had that sort of aura on the street where people look at me and say ‘bloody hell I’m not going near him’”.

Bayley and Garofalo (1989) suggested that police officers could identify colleagues who were skilled in dealing with potentially dangerous situations. What actually made a skilled police officer was the ability to use a low-level verbal strategy to resolve potentially violent situations without resorting to force unless it was absolutely necessary (Broderick, 1973; Brown, 1981; Muir, 1977; Reiner, 2000; Shearing, 1981). It stands to reason that with their own safety at stake, police officers strive to become skilled in the art of verbal coercion because it enables them to avoid being assaulted. Therefore, it is in their best interest to develop a “silver tongued” approach to policing.

These police officers believed that there was a number of rules underling the successful application of low-level verbal strategies. They perceived that the strategy alone was not enough to ensure the officer's safety. The "silver tongued" approach to policing is dependent on being able to say the right thing, in the right place, at the right time. Officer 3 indicated that verbal skill had to be practiced and took time to master. The implication here was that older officers would be far more advanced than the younger ones, because they had more time to practice. Certainly, from the perspective of this population of interviewees, many of the older officers appeared to place more faith in verbal strategies than their younger colleagues. However, even officers who had recently joined the police service acknowledged the importance of developing their communication skills.

Officer 3: "I think its something that you gain with practice. What I've found over the years is that, with the majority of cases, if you explain to people what you are doing and why you are doing it, they will understand that there is a reason behind it. Then very often they will listen to that reason. Yeah, you are going to get occasions where people are going to totally ignore it but the majority of times people will listen".

Officer 3 described the underlying principle that he believed to be important when it came to employing verbal strategies. He emphasised the importance of explaining to the people involved in the incident what was going to happen and why, so that they understood the reason for the officer's actions. He suggested that people usually reacted to this approach in a reasonable way because the officer had put forward a logical reason for the action that was taken.

Officer 14 also emphasised the need to reason in a logical manner with the people involved in an incident, but his perception about how this should be achieved slightly differed from that of Officer 3. This officer indicated the need to interact verbally in a manner that was familiar and non – threatening, with the idea of creating an empathic rapport with those he was addressing. He also created a similar empathic rapport between those involved in the incident and passers - by. This was to be achieved by explaining that their actions were upsetting the people around them and when they realised how upsetting the

incident was to passers - by they would see reason and comply with the officer's wishes. He explained:

Officer 14: "I try to talk to them at their level rather than going 'I'm the policeman ... listen to me', because, invariably, I'd imagine a situation like that can turn on you. If you're talking about the high street there are passers - by. There are families walking around. So really the idea is to get to them on their level and try to put to them other people's perception of what's going on. I try to rationalise with them especially if they are family orientated."

It was very important for Officer 14 swiftly to establish a rapport with the people involved with the incident. He indicated a preference for concentrating his efforts on the protagonist. Officer 14 believed it was important to tackle the more aggressive of the two people involved in the incident, because once the main protagonist has calmed down, then everyone else should follow.

Officer 14: "I basically talk to them in a reasonable manner and simply say 'what's going on lads.' ... In a situation like that you normally get the two turning to you both trying to tell you their side of the story. So with the more hostile one I'd say 'Hang on now let's calm it down ... You tell me what's going on'. So I'd get the story from him and I'd presume that he is having a dig at the other guy. I'd listen to his story and try to basically calm the situation."

These police officers favoured the use of low-level verbal strategies as a safe way of resolving potentially violent situations. Of course, verbal strategies were perceived by these officers as being even safer when used in conjunction with the support of fellow officers. Contact and cover is a strategy that allows police officers to engage in conversation with those involved in a potentially violent incident, in the full knowledge that a colleague standing a few feet away has a watchful eye on the situation. This colleague offers the comfort of instant support and protection if it is needed. Officer 6 explained:

Officer 6: "We train in contact and cover. Contact and cover involves two officers. One officer deals with the situation and the other officer is looking over the situation. Basically if there were two males arguing, the contact officer's attention would be on the one that was doing the talking and the other officers should be on the other side just watching the whole situation and if he needs to

get involved he can get involved. Obviously it doesn't always work because you're not always doubled up."

There are obviously going to be times when attempts to establish a rapport with the individuals involved in a potentially violent situation fail. Officer 3 indicated that if the people involved in an incident ignored instructions to move on then he would have to resort to raising his voice in the hope that this would shock them into complying with his instructions.

Officer 3: "You start off by saying 'come on boys separate and away you go' and if they continue then obviously you have to use more force in your voice."

If his instructions were still ignored then physical force would be needed to resolve the situation.

(7.3): Separating people at the scene of an incident.

Another strategy popular with these officers involved the separation of the individuals involved in potentially violent incidents. While most expressed the need to use some physical force to achieve this separation it was also perceived as possible using just verbal commands.

Officer 3 "If you can use communication to separate them and get them to leave the area peacefully then you have done your job."

It was also possible to use separation strategies to stop potentially violent situations from occurring. The following police officer was responsible for policing the local hospital and he described the possibility of using separation strategies to pre-empt trouble.

Officer 19: "Two males and a female came into casualty. The two males were badly injured from a fight. During my patrol I came into the reception area and stopped to speak to them just to see how they are and what they are doing. As I'm speaking to them one of them stands up and points to the main entrance of the casualty department and says 'that's the effing bee that done me over'. I then saw a group of Asian males looking in, showing signs of having been involved in a fight. I instantly told the chap to calm down. To control the situation I then ushered them away from the reception area. I called to the other group to stay where they were

and I ushered this group to another room separating the two parties. I then mentioned to the staff that I was going to stay there until both parties have been seen and discharged just to make sure there is no conflict if they went for X rays. It was just a common sense approach: they needed to be there because of their injuries, but they didn't need to be in the same place. So then I went back and I warned the other group that while they were at the hospital they were on neutral ground and both parties took that advice quite amicably.”

Officer 19 used a separation strategy to avoid conflict between two groups of people who already had a history of violence between them. By moving the antagonistic groups into separate rooms, it was possible to reason with each group separately and the officer managed to establish a truce at least for the duration of the hospital visit.

While it was possible to verbally separate antagonists, these officers believed that there was often a need to use physical force to separate them in a potentially violent situation. Officer 4 stated that it was often necessary to use physical force to separate people involved in an argument, by stepping in between them and using a verbal strategy to reason with them. Many of these officers indicated that separation strategies were employed in conjunction with verbal strategies. While using force to separate the antagonists they also used their verbal skills to reason with them. This made it possible to use force in a way that they perceived as safe, because while they were doing so they were also calming the situation down verbally.

Officer 4: “Basically you have got to separate the two if they are arguing so nothing could develop further. Obviously the easiest way that you can possibly do it is with physical intervention. That would be my preferred way. I would physically try to get between the two and talk to them if possible”.

Employing a separation strategy, whether combined with a verbal strategy, or not, was problematic when the officer concerned was on his or her own. Officer 5 indicated that it was easier to separate people involved in an argument when there were two officers present. He implied that solitary officers were in more danger because they had to turn their back on one of the

antagonists. While he may have control of one person the other has him at a distinct disadvantage.

Officer 5: “We would try to get them apart which is easier if there are two of you. Otherwise you would have one almost behind you and if they are arguing, wherever you take one the other is likely to follow. So that can be more difficult if you are on your own.”

Officer 15 suggested that it was important to avoid turning his back on either of the antagonists and that it was possible to verbally communicate while watching them both.

Officer 15: “If you are on your own at the time it is important that when you separate them ... you position yourself in such a way that while you are talking...you can still keep the other in sight.”

However, there were situations where even this could be inadequate for the lone police officer. Officer 17 described another problem with attempting to separate antagonists during potentially violent incidents in isolated rural areas. There was always the possibility that the lone officer would have to fend off the most aggressive of the pair until backup finally arrived.

Officer 17: “If you can appreciate working in a rural beat most of the time you are on your own. So really you are going to have to separate the two and try and find out what’s happened. You take one to one side and possibly you are going to have to hold the other one off until somebody comes to ... back you up.”

It is possible that under some circumstances the officer may have to resort to officer safety equipment in order to separate the people involved in the incident. Officer 4 indicated that there were times when the antagonists were too busy with their quarrel to be aware of the officer’s attempts to calm the situation. In situations like these, more forceful measures, such as handcuffing one of the people involved, may be needed.

Officer 4 “Each one is different... You can go to a situation where they are arguing and they will be so engrossed in their argument that they won’t take any notice of any outside interference. So you

have to sometimes step in and use handcuffs just to separate them. That would be how I would do it.”

It is part of the police job to use forceful means to gain compliance in situations such as these. “This allows police authoritatively to intervene in a wide range of situations, impose provisional solutions and ‘brook no opposition’: when they instruct troublesome individuals to ‘move on’ this is accompanied by the unspoken qualification ‘or else’ (Waddington, 1999b: p 16). So ignoring these police officers’ instructions ensured that a higher level of force was applied. Of course, it is in situations like this that a potentially violent situation can evolve into a violent one.

(7.4): Recognising the change.

The safety of police officers is in many ways dependent on their ability not just to calm a situation down, but also to recognise when this is not possible. Police officers need to be able to identify when a potentially violent situation changes to a violent one. Being able to detect these changes depends largely on the ability to interpret non-verbal cues from the body language of those involved in the incident. This makes it important for the police officers to be aware of the person’s actions while they interact with those involved in the situation. Inattention in potentially violent circumstances could have disastrous consequences for the officer’s safety if it were to turn violent (Bayley and Garofalo, 1989; Crawford and Burns, 2002).

Officers 12 and 16 were both confident in their ability to predict impending violence while attending incidents. While they admitted to the possibility of the occasional mistake, they did not discuss whether such mistakes arose from a momentary lapse in concentration or ignorance of the non-verbal cues obtained from observing the body language of potential aggressors.

Officer 12: “I think that there are signs that you can see but obviously I’ve been clouted and not seen it coming as well. So most of the time you can interpret the situation and you can tell when the situation is escalating. I rarely feel that I’m in danger of being clouted.”

Officer 16: “I would say that the majority of times if it was about to go pear - shaped I would know, or have an idea it was about to

happen. I can't remember many occasions where I've been in a situation where I've turned my back thinking everything is going swell and I've found myself in trouble. So, yeah, I would know or I hope I would know when it's all about to go pear - shaped."

It may be possible that an officer could be attentive and aware of the non-verbal cues and still be assaulted. Officer 9 indicated that some assaults occurred with few, if any, non-verbal cues to warn the officer of impending violence. If this was the case then many surprise attacks maybe characterised by a lack of indicators that are normally associated with an attack. Officer 9 explained:

Officer 9: "Going back to an incident in the cells three years ago. This girl was perfectly calm. I was escorting her to the cell. She didn't like the idea of going in the cell and just turned around and scratched me, and kicked out and broke my hand. So it can happen that easy."

Berger and Luckman (1966) suggest that during a face-to-face encounter, anger is expressed by the body in a variety of ways: through the general stance, facial expression, and the movement of the arms and feet.

Officer 4: "You can tell by the way that a person will stand and approach you for example. They may stand their shoving their chest out, having their fists clenched and they may start shouting at you, just being physically aggressive in challenging stances. They start to flush in the face as well ... with the build up of ... blood pressure. Things like that really."

Officer 18: "I'd say there are quite a few warning signs. Any movement towards you, there is a sudden look, which may sound stupid but they will suddenly dart away, flinching, clenching of the hands, clenching the fist all of a sudden. This happens discretely and it depends on your experience of movements there are give away signs but they may not always be picked up".

These officers (4 and 18) described some of the non-verbal cues that they perceived to be present prior to an assault. It has been suggested that the way a person stands indicates a belligerent attitude (Argyle, Salter, Nicolson, Williams and Burgess, 1970; Argyle, Alkema, and Gilmour, 1971). To these officers, people with clenched fists and inflated chests were considered

aggressive. Any flinching or sudden movement, especially towards the officer, was considered a sign of impending violence. Furthermore, it could be possible to predict impending violence from a change in the complexion of the individual. These officers believed that a face “flushed red” was a sign of anger and therefore indicative of forthcoming violent actions. Ekman, Friesen and Ellsworth (1982) indicated that anger is one of the universally identifiable emotions that may be recognised from facial expressions. Non-verbal cues such as these may be adequate warning of impending violence. However, non-verbal body language is often accompanied by verbal expression (Ainsworth, 2002; Argyle, 1992; Brown, 1986). These officers believed that a raised voice could also be considered a sign that an assault was about to take place. In support of this, Crawford and Burns (2002) indicated that one of the most powerful predictors of resistance to arrest is the suspect’s aggressive demeanour.

There were times when the non-verbal cues that could be observed by these officers from the suspect’s body language were different to those normally observed, making it harder to predict an impending attack. This was especially the case with members of the public who have considerable martial arts experience. Officer 21 described the difference in non-verbal cues between those who had been trained to fight and those who had not. He explained that the non-verbal cues of untrained people usually mimic the fighting stances observed in the animal kingdom (Archer, 1988; Enquist et al, 1990; Maynard Smith, 1982; Morris, 1994). Untrained people have a tendency to stand with their legs apart and their chests inflated in order to appear larger and more threatening. In contrast, individuals who have been trained to fight endeavour to make themselves smaller. The basic idea behind this is to offer less of a target for the opponent to hit (Dempsey, 1950). Officer 21 also suggested that trained fighters sought good balance and presented their weakest side to the opponent so that their strongest side was to the rear, a position where they could strike with full force (Dempsey, 1950). Officer 21 explained:

Officer 21: “I teach people to look at people on a daily basis and ninety percent of our arrests don’t involve any confrontation, but during that arrest you can start to test yourself by looking at their position and by looking at their hands, looking at their feet, and movements. If anybody has got a skill level where they trained for a

considerable amount of time, when you put them under pressure they will take up a stance, which is narrowing down the target area and making their balance correct. They are not actually going to go 'Hi Yah' like this because if they have got a skill level they are not going to let that be known are they? But there are little things that you can pick up on straight away that have become instinctive. The basic instinct of most drunk people is to stand there making themselves look big. Putting their hands out to the side and pulling their shoulders back. The drunken ... unskilled person does that because that is the natural technique. If you see any of the nature programs they make themselves bigger ... to fight off the prey and that is the natural instinct. But, if they have been trained ... for a while then the natural instinct is to turn to one side so the target area is smaller. They have got balance and they're aware of their strong side; if you're right handed your right side is to the rear so that you can strike with full force from that side".

Officer 21 suggested that the ability to read non-verbal cues, providing officers with warning of impending violence, came from a combination of training and experience. However, to have the type of experience that would allow an officer to tell the difference between a trained and untrained person would in itself need extensive experience of how trained fighters operated. Officer 21, as well as being in charge of officer safety training, had considerable martial arts experience. Therefore, it may be easier for him to distinguish between trained and untrained individuals than it is for colleagues without his martial arts experience.

(7.5): Discussion.

Most of these officers believed each potentially violent incident to be different and that the complex interactions between the players evolved as the incident ran its course. While the officers explained that they needed to be alert to the potential dangers of each incident because their safety relied on a flexible response to any given situation, there were few favoured strategies for them to use. While their mere presence often calmed things down, they indicated a preference for a combination of physically separating the antagonists and verbal communication. There were a number of different ways to combine these two strategies so that they could be used effectively. However, this was far from a flexible response, when considering the more forceful options that were also available to the police.

The preference for resolving potentially dangerous situations with low-level strategies was due to these officers' concerns about their safety. By separating those involved in the incident and using their communication skills, they believed that they would be able to calm the situation down enough to make an arrest without being assaulted. Therefore, these officers understood that their actions during an incident could have a positive effect on their safety. This ensured that they preferred the use of low-level strategies when dealing with violent situations. Basically, it was in their best interest to avoid using higher levels of physical force that could lead to officers being hurt.

These officers also felt considerably safer when their colleagues were there to support them. However, they were concerned about the ability of their colleagues adequately to provide support in a largely isolated rural area in a constabulary that they perceived to be lacking in human resources.

CHAPTER 8

HOW POLICE OFFICERS PERCEIVE THEIR TRAINING AND EQUIPMENT

The police officers interviewed in this study perceived it to be in their best interest to use low-level strategies to resolve potentially violent incidents. They believed that separating and reasoning with the antagonists allowed for a peaceful resolution to the majority of encounters between themselves and the public. This, in turn, ensured their safety. Therefore, the popularity of low-level strategies with these officers, as a way of resolving potentially violent encounters with the public, resulted from their fear of being assaulted. To avoid being assaulted these police officers tried to ensure that the potential for violence inherent in each encounter with the public was never expressed. While low - level strategies may be the favoured way of resolving potentially violent situations it was unlikely that they were the best way of gaining compliance during a violent incident. Brown (1994) indicated that almost a third of all actual assaults were perpetrated before the officer had a chance to speak with the assailant. This would rule out the use of low – level verbal strategies as a means of successfully gaining compliance during a violent incident. A violent incident is defined as a situation where physical violence is used in an attempt to inflict harm on those involved and also sometimes on the attending police officers. It could be ongoing when the police officers arrived on the scene, or a non - violent situation could escalate into violence while the officers were present. This is a fight not an argument.

This chapter focuses on the strategies that these police officers perceived to be the most effective means of defence and for gaining the compliance of people involved in violent incidents. During a violent situation, these police officers often thought it prudent to resort to higher levels of force involving the use of more physical tactics and officer safety equipment. These strategies involve the use of unarmed defence tactics (UDT), the friction lock baton (CASCO), the expandable side handled baton (PR - 24), rigid handcuffs, and CS spray. How police officers perceived CS spray will not be fully examined until the following chapter. Another consideration in regard to officer safety during a

violent encounter with the public is whether or not the officer concerned was wearing a protective vest. Therefore, it is also important to examine how these police officers perceive the effectiveness of the protective vest. This equipment is of little use to police officers without the appropriate training in its use. Therefore, this chapter is as much about how officer safety training was perceived by these officers as it is about their perception of the officer safety equipment.

(8.0): The officer safety training.

The officer safety programme was a direct result of the police services of England and Wales adopting a health and safety approach to policing.

“Civilian support staff and visitors to police premises have for many years benefited from the provisions of the Health and Safety at Work Act 1974 [HSWA] and forces have also informally applied the Act’s protection to police officers in a ‘spirit of voluntary co-operation’ with the Health and Safety Executive [HSE]. Recent legislation now requires the application of the HSWA to police officers on a formal basis.”

(HMIC, 1997: p 12)

Chief Constables received guidance from the ACPO Sub-committee on Self Defence, Arrest and Restraint regarding the use of officer safety equipment and on matters of officer safety training (HMIC, 1995). Nevertheless, there have been occasions where this advice has gone unheeded. The ACPO supported the use of CS spray and the majority of constabularies in England and Wales accepted their guidance in this matter by adopting it. However, the Nottingham, Northamptonshire and Sussex constabularies initially refused to adopt CS spray because of concerns for the health of their officers and the public (Buttle, 2003; Rappert, 2002). This indicated that Chief Constables did not necessarily heed the advice of the ACPO. In fact, it was not until the arrival of a new Chief Constable in 2000 that the Nottingham constabulary finally adopted CS spray (Rappert, 2000). Like any other employer, it was now the responsibility of the Chief Constable to provide the necessary training and equipment to ensure adequate protection for the officers serving in their constabulary (HMIC, 1997).

Before the officer safety programme was initiated in the early 1990s, the only self - defence training of any kind occurred during basic training and was not made available to officers later in their careers. Today, constabularies not only provide the initial officer safety training but are also committed to providing further refresher training, which in the case of the North Wales Police is an annual two day course.

Refresher training is heavily influenced by the contractual requirements of manufacturers who supplied the constabulary with officer safety equipment, and centres on the need to keep officers apprised of the changing tactics associated with the equipment (HMIC, 1997). Different constabularies purchase equipment from different manufacturers and their instructors' interpretations of what they are expected to teach varies. This led to concern that "... regional and national differences in standards may render the police service vulnerable to comparison, criticism and litigation" (HMIC, 1997: p 20). The HMIC responded by urging the use of national officer safety training manuals, prepared and distributed by National Police Training (NPT) after ACPO approval. The centralisation of officer safety training was also accomplished when NPT "...assumed responsibility for the training and accreditation of force trainers in officer safety techniques (HMIC, 1997: p 20). While the centralisation of officer safety training eliminated inconsistencies between constabularies, there was still enough room for innovative in-force training initiatives that were unique to each constabulary. For example, the North Wales Police devised a unique way to safely search people. In order to achieve this, the person's hands were held behind their back by the officer clasping the person's thumbs together in one hand, while using the other hand to search the body. This appeared to be an effective way to safely hold someone while conducting a search, because it allowed the officer the opportunity to break free and gain distance at the first sign of trouble. This was explained and demonstrated to the researcher during the part of the study that involved the observation of officer safety training.

Officer safety training was not something that had remained static; rather it evolved with the passing of time. The police officers in the study were initially trained to the nationally accepted standard but during subsequent annual refresher courses their training was modified. The subsequent officer safety

training was streamlined in a manner that ensured officers were being trained to use techniques that they were more likely to use in a street situation. The HMIC encouraged other constabularies to streamline their officer safety training in a similar manner and to co-ordinate these changes through the ACPO. This training strategy was informed by the street experience of serving officers gathered from the Incident Report Forms (IRF) completed after a violent incident had occurred. Feedback was also obtained informally by trainers, such as Officer 21, conversing with colleagues who had been involved in a violent encounter. Officer 21 stated:

Officer 21: “When they first join the job they get the whole package, but when they come to us for refresher training we teach them the techniques that we think are effective i.e. those being used most by people on the streets... We want to do our training based towards what police officers want ... as opposed to giving them ... thousands of techniques that they are never going to use... Basically it’s streamlining, making it more effective and making it more practical.”

While officer safety training was centrally regulated, top down, through the ACPO it was also influenced by feedback from officers on the street in a bottom up fashion. So the perspective of the “front line” police officer informed officer safety training. Police officers were trained to defend themselves and then their favoured techniques were fed back through the system so that they were emphasised in future officer safety courses. They were re-taught their favoured techniques to the exclusion of those that were not perceived as useful. When officer safety training could be influenced by the feedback of police officers in such a way, then considerable importance should be placed on why their favoured techniques and equipment were perceived as beneficial.

(8.1): Unarmed defence tactics.

Kaminski and Martin (2000) stated that there had been a lack of research conducted into the physical defence and control tactics used by law enforcement officers in the US. The same claim can be made about the UDT currently in use in the constabularies of England and Wales. Initially, much of

the officer safety programme was influenced by the US policing experience (Buttle, 2003) and there were many similarities between the two countries. In the US, the first training in unarmed defence and control tactics that law enforcement organisations used to train their officers were taught by martial artists and based on pre - existing systems such as Aikido and Ju-Jitsu (Kaminski and Martin, 2000). This was similar to the situation in the constabularies of England and Wales before the officer safety programme existed.

Officer 5: “It’s more professional than when I first joined. We used to do Aikido and it was totally impractical. It was all nice set moves and stuff, but in practice it was absolutely hopeless.”

Martial arts systems such as Aikido and Judo were considered to be impractical for use in “street situations”. In discussing his own training in self - defence as a police officer, Seabrook (2001) stated that it was “... so rudimentary as to be pretty well worthless” (p 84). The type of self - defence and control tactics taught before the present day UDT were limited. Martial arts systems such as Aikido, Judo and Ju-Jitsu relied on techniques such as wrist - locks, arm - locks and throws (Crompton, 1975; Elkin, 1975; Random, 1978; White, 1975). Again Seabrook considered arm - locks and wrist - locks to be relatively useless in a real fight unless the person using them had a considerable amount of training in their use. The present day UDT does not rely solely on wrist - locks and arm – locks. Many of these officers considered UDT to be superior to previous training because it included the use of strikes such as punching and kicking. As the conversation with the following officer indicated:

Conversation 4: “Officer safety is better than it used to be. At one time we were only really allowed to use a truncheon and punching and kicking were frowned upon, but now we can at least do that.”

The UDT could for the most part be split into three different types of tactic. There were controlling techniques used to gain compliance and escort people to a destination of the officers choosing, as well as striking techniques used to gain compliance and used as a means of defence. Along with the addition of “strikes” to the police officers’ arsenal of techniques, there was numerous

Karate “blocks”, which are used to intercept punches. It was possible that numerous UDT techniques could be employed during any single arrest and often in conjunction with other officer safety equipment (Terrill, 2001). For example, an officer may push an assailant away to avoid being hit, while delivering a kick to the assailant’s thigh to prevent further attacks. The officer could then close the distance between himself or herself and the assailant in order to apply an arm-lock to force the person down onto the floor before using handcuffs.

During this study there were relatively few control techniques such as arm-locks taught during officer safety training. This was in line with policy intended to reduce the number and complexity of the UDT techniques taught, in order to make them easier to learn and remember (HMIC, 1997).

During the observation of the officer safety training conducted by the North Wales Police, there were three basic techniques taught that involved the officers controlling the people by the manipulation of that person’s arm.

The General Escort Hold: This was used to escort a compliant person by manoeuvring them in the direction the officer wanted. It was simple in its application. The officer used one hand to hold the wrist while the other rested on the shoulder of the person being escorted. This allowed the officer to guide the person but if they started to resist the officer could, in theory, quickly apply an arm - lock.

The Transport Wrist Lock (gooseneck): This technique involved applying pressure to the wrist by bending the hand in towards the forearm, which causes a considerable amount of pain due to hyperextension of the joint. Ideally this pain and the fact that the wrist was not designed to bend at such an angle enabled the officer to manoeuvre people (Appendix 12).

The Arm Entanglement Lock (hammerlock): This technique involved the officer bending the person’s arm behind their back while interlocking their own arm with that of the person. Pain caused to the elbow due to hyperextension enabled the officer to manipulate the person being arrested (Appendix 13).

The officers in this study were also taught to use these same basic control holds as a means to force non – compliant people to the floor (takedowns) in order to subdue and handcuff them.

The general escort hold is a simple technique most officers found easy to apply during training. The same cannot be claimed of the gooseneck and hammerlock. Both of these are complex holds that require considerable practice. They are complex holds that many officers appeared to have trouble applying during training especially if the officer using the technique was small in stature and lacked the height or necessary strength for a successful application. These techniques proved to be even more difficult to apply in real life situations where the person being arrested was not placidly waiting for the gooseneck or hammerlock to be applied (Seabrook, 2001). Officer 8 explained:

Officer 8: “You don’t get to use the holds and things like that. We get shown all these very good holds like the gooseneck, which is an arm - lock that is very effective in a training situation, but the chances of you ever having to use or being able to use them in the street are very slim”.

The arm - locks and wrist - locks that currently form the basis of the control techniques that were taught to these officers, were as unpopular as those taken from martial arts systems taught during the late 1980s before the officer safety programme came into being, for mostly the same reasons:

“... self – defence training in Taiho Jutsu, based on 20 periods of 50 minutes, is ‘very technically based’ and a ‘limited system’, with too much emphasis on complicated holds and twists. It fails to prepare officers to defend themselves and is quickly forgotten because of lack of training.”

(Boothroyd, 1988: p 2233)

According to Boothroyd (1988), holds are appropriate as a means of restraint, but are ineffectual as a means of defence. However, many of the officers interviewed for this study considered the gooseneck and hammerlock to be ineffectual as a means of restraint during a violent encounter. Brown (1994) indicated that techniques like these were only effective in half the situations where they were used. Despite the reduction in the number of complex holds

that were included in officer safety training, the ones taught were still too complex to be used by police officers only trained for two days on an annual basis, as the following quote by Officer 5 indicated:

Officer 5: “They are trying to reduce the number of moves that we have to ... remember. It’s just trying to make it easier for us because at the end of the day you sit there ... thinking ‘well if his arms go that way then I can do a move on him’. It doesn’t work like that: you have got to just try and grab them and push them away or punch them or whatever it might be”

The UDT taught during officer safety training also utilised numerous different striking techniques that can be used by police officers to defend themselves against assaults, as well as gaining compliance during violent incidents. The following list of techniques formed the basis of the strikes taught to officers.

The Palm Heel Strike: This is where the officer strikes the person on the chest with the palm of the hand in a pushing motion. This can be achieved by using one hand or as was more often the case both hands, which enabled the officer to employ the full weight of the body (Appendix 14). The palm heel strike is used to fend off attacks by pushing assailants away and to create distance between violent individuals who are standing too close to the officer. Ideally, this would allow the officer to create enough distance to safely draw their baton or CS spray.

The Punch: This is a punch that is thrown with the hand furthest away from the target. It is aimed at the muscles on the chest and is used to fend off attacks as well as create distance between the officer and the violent person.

The Sweeping Kick: This kick comes from the leg furthest from the target. It is thrown in a low circular motion utilising the officer’s shinbone to strike the assailant’s thigh. The idea is to strike the thigh hard with the shin on the anterior femoral motor nerve to produce numbness in the leg (Appendix 15). This makes it hard for the person who has been kicked to stand or move. If delivered with sufficient force it will incapacitate the person. Often the kick itself sweeps away the opponent’s leg and they fall to the floor. It could also distract from further techniques that the officer intended to employ. In most cases the resulting numbness of the leg wore off rapidly. Kicks were also

employed as a method of defence when the officer was lying on the floor. It is possible for officers lying in a prone position to fend off attackers using kicks in a rapid stamping motion aimed at the attacker's legs (Appendix 15).

The Knee Strike: The knee strike is also aimed at the anterior femoral motor nerve on the thigh to produce numbness in the leg (Appendix 16). It deadens the nerves in the leg making it hard for the person being arrested to escape and the numbness wears off fairly quickly. This is a close quarter's technique that can be used to incapacitate or to coerce.

The police officers in this study demonstrated a preference for simpler UDT techniques the majority of which were strikes. Strikes were relatively simple techniques to master in comparison with arm - locks and wrist - locks. The palm heel strike was particularly popular with these officers because it was perceived as a natural movement that only needed to be refined by training. It was the simplicity of this technique that made it popular with the front line police officer. It was a technique that was easy to remember. This was in stark contrast to more complex techniques that had to be taught from scratch. It is a technique that allowed them to maintain distance from assailants but did not appear aggressive to on - looking members of the public.

Officer 10: "They teach you to push someone away with open palms and that's something that comes quite naturally anyway, but they teach you to do it properly. So yeah, the way they teach it is good ... if somebody is coming too close to you and you don't like it. If you think they are aggressive then you are justified in pushing them away. What happens quite often is you are trying to deal with a fight and all the friends are trying to get involved ... and we use the push to get them out of the way. It's not too aggressive. It's not a punch. So the open handed push is one of the best ones."

In comparison with the palm heel strike the punch was looked upon with a certain amount of suspicion by these police officers. There were extreme circumstances when a police officer may need to resort to punching. In fact, during a particularly vicious assault the officer may have little recourse but to resort to his or her fists. However, during extremely violent incidents many would consider pushing the attacker away in order to gain enough space to use CS spray. There was concern about using punches to defend against an

attacker. This concern was linked to the public perception of the police. As Officer 10 suggested:

Officer 10: “If they are trying to punch you then you can punch them back but you can’t start with a punch because it doesn’t look good. You have got to remember that with the public looking on an open handed push does not look aggressive.”

Officer 10 stated that punching appeared brutal to onlookers and therefore could be considered an inappropriate use of force, the implication being that the use of a punch could lead to complaints against the officer who used it.

The sweeping kick and the knee strike were also simple techniques to learn and relatively easy to apply. However, the sweeping kick and the knee strike differed from many of the previous techniques that have been considered. The previous techniques depend on the use of pain to stop an attack or achieve compliance. This would be problematic when dealing with people who could withstand that pain. People who could withstand the pain were unlikely to be compliant. In contrast, the sweeping kick and the knee strike depended not on the application of pain but on the inhibition of motor responses. The idea is to use either of these techniques to strike the motor nerves of the leg making it hard for the person to move or even stand because the leg has gone numb. Supposedly, strikes to the motor nerves are more effective against those resistant to pain because a numb leg is hard to move regardless of the pain involved. Officer 10 suggested that this was what was known as a “dead leg” during his school days and could be considered indicative of the simplicity involved in using this technique. A technique learned in the playground as a child should be relatively easy to learn and to apply in its present role. While the sweeping kick was often used as a means of distraction or as a means of defence the knee strike was often used as a way of coercing awkward people into compliance.

Officer 10: “Giving someone a dead leg. Yeah, sometimes they won’t get in the car and there’s no way you can get them in the car because they can wedge themselves against the door ... There is nothing you can do. You don’t want to grab hold of the foot and get kicked so you give them a dead leg. You’re not going to break a leg

or anything and it will wear off in an hour or so. Yeah, they teach them but most of them would come naturally to a lot of us.”

Many of these officers considered striking techniques to be of more value than the more complex arm – locks and wrist - locks. However, like the punch, the sweeping kick was considered too brutal for use in the presence of the on - looking public who may have felt compelled to make a formal complaint. This indicated that even techniques considered as natural, easy to learn and apply may be unpopular because of concerns about complaints of excessive force. Officer 4 explained:

Officer 4: “The Home Office has approved kicking and things like that, which to the general member of the public would look a bit aggressive. So I think that is probably at the back of an officer’s mind. While you have got the authority to use these particular strikes I think a lot of people would be reluctant to use them. If you saw a policeman strike someone with a foot strike to the leg, you’d turn around and think ‘he’s just kicked that man’. Before you know where you are you’re up in front of professional ethical standards. So I think they are useful, but I think we are reluctant to use them sometimes.”

That these police officers were worried about complaints of excessive force may be surprising in light of the findings of Maguire and Corbett (1991). They studied the annual substantiation rates of complaints against the police during the 1980s. It was found that of all the annual complaints (approximately 30,000), the substantiation rate never rose above 6 %. Furthermore, the substantiation rate of complaints regarding the police assaulting citizens, incivility and oppressive conduct were even lower. The substantiation rates of complaints in general and especially complaints about excessive force were low but police officers considered the threat of punishment for these acts to be very real and worried about the repercussions (Bayley and Bittner, 1985; Waddington, 1999b). They may be right to worry, because the majority of officers received a complaint at least once in their careers (Maguire and Corbett, 1991) and penalties faced by officers who were caught could be severe (Waddington, 1999b).

During the observation of officer safety training the researcher held protective pads for many of the officers to strike with their UDT techniques. It quickly

became apparent that many officers were unable to throw a hard punch or palm heel strike or even a hard push. They were unable to generate enough power in the striking techniques, especially officers who were small and slight of frame. Some of these officers were female but the same thing could be said of small male officers who had similar problems (Kaminski and Martin, 2000). According to Brown and Heidensohn (2000), there have been many claims made about female officers being physically unsuitable to cope with violence. However, small male officers had the same problems as small female officers in generating power with their techniques, which indicated that size could be the problem rather than gender. Officers 18 and 20 explained the problems involved with generating adequate power in UDT techniques.

Officer 21: “You know - people can’t punch. They just can’t punch. There are loads of them who have still got to get power in their hands”.

Officer 18: “I just think it’s because I’m ten stone and five foot four. I’m not going to cause a lot of impact. I’m certainly not a body builder or anything like that and I just don’t think I’ve got the power to do it. I just think that if I was to hit somebody that it wouldn’t have an effect.”

Kaminski and Martin (2000) suggested that the larger officer could rely on brute strength to overcome resistance. Even the body weight of a large officer allowed for the extra power needed to apply some of these techniques in a manner that would prove more effective than that of their lighter colleagues. The officers in this study were using strikes without moving the body in a manner that utilised the whole of the officer’s body weight. So, even the larger officers were unable to generate the full potential of power in their strikes. The reason why many of these officers could not generate the power needed to successfully use the UDT strikes was in most part a matter of balance. Regardless of which style of hand – to - hand defensive training is used, powerful strikes can only be achieved by utilising the whole of the person’s body weight (Dempsey, 1950), and balance is essential to achieve this. When fighting, it is important to remain balanced at all times (Suzuki, 1967) and to achieve this “... striking ... skills should be executed from a body base that

possesses enough strength to maintain adequate balance during the action” (Lee, 1975: p 45). Balance is dependent on the person’s ability to adopt a stance where the body weight remains over the feet and the ability to move in such a way that maintained this balanced position (James, 1987). The officer safety ready stance puts the weakest leg forward and is very narrow (Appendix 17). It is therefore unstable. This makes it difficult to apply many of the techniques that are taught without shifting to a wider stance and many of the observed officers lost their balance trying to do so. While lack of balance made the strikes that were practised weak, it also weakened the blocking techniques they were taught. On many occasions, these police officers would lose their balance when trying to execute a blocking movement. If these officers could not stay on their feet while blocking pseudo attacks during training, then it was probable that these techniques would be ineffective as a method of protection on the street. The time constraints placed on officer safety training meant that little time was spent on the basic technicalities of standing and moving while maintaining balance. Kaminski and Martin (2000) suggested that larger officers may get through relying on their size and strength, while smaller officers need to use more skilful means to defend themselves or to subdue violent people. The inability to strike with adequate power has eroded confidence even in the less complex striking techniques. Kaminski and Martin (2000) indicated that the officers who lacked confidence in the efficacy of these techniques in field conditions often abandon the UDT techniques that they were taught in favour of what they already know. This was especially the case where the officer was of slight frame. A conversation with a male officer of slight build during the break in officer safety training supported Kaminski and Martin’s statement.

Conversation 8: “As far as hand – to - hand techniques go, I find that when push comes to a shove, I will revert to the techniques that are more natural to me, such as punching to the jaw and kicking the bloke in the bollocks.”

Despite the policy to reduce the complexity of UDT taught in officer safety training by retaining simpler techniques perceived as more natural to the police officer, there were still problems with memory retention due to the limited time spent training. Many UDT techniques taught are too hard to remember in the

heat of a violent encounter because police officers rarely use force and are rarely assaulted (Bayley and Garofalo, 1989), so the opportunity to use these skills is often limited. There is little chance to practice in a street situation and when the opportunity presented itself, the majority of UDT techniques had long since disappeared from the mind of the officer.

Officer 13: "Say I was facing you in the high street. Well I wouldn't know what to do. They teach it to you but we do it once and it's gone. So if you came towards me, to be honest with you, I might remember one or two moves but I wouldn't really have a clue what to do".

Officer 7: "You come out thinking that you can handle yourself and look after your colleagues. But ... eight nine months down the line you forget a lot of the basic stuff because you don't use it every day. You don't even use it every week. So you do lose confidence a bit. It's twelve months between the training days anyway."

Given correct and frequent training police officers may become more confident in the UDT techniques that they are taught, but until such a time the general consensus among these officers appeared to be one of pessimism regarding effectiveness. In fact, the only police officers who were confident enough in their ability to use open hand techniques had considerable martial arts experience of their own. Officer 6 trained as a kick boxer for approximately eighteen months before joining the police service. He explained:

Officer 6: "Quite often I use open hand techniques just to fend people off [raising both hands to either side of his head in a position akin to a boxers guard]. Using open hand techniques is my favourite. Maybe it's because of the ... martial arts training that I had before I joined the police? Doing that, and obviously, my relative size I'm quite fortunate being six foot three. If I push someone away they stay away."

Officer 11 practised Judo for approximately nine years during his childhood. He explained how he preferred close quarter combat that was suitable to the moves he had learned in that discipline.

Officer 11: "I think my instinctive reaction would be to wrestle with them. I know training [officer safety training] says to gain

space and probably go for CS, but I would wrestle. I did Judo from about the age of five to ... about fourteen and that is what it is all about. With having a Judo background there are some ... things that immediately come natural to me. Once I'm on the floor I feel like I can take on a twenty stone man. I feel we're even and I feel confident that I can wrestle them and hold them down to gain control."

Unlike their colleagues, those officers who have undergone formal martial arts training were confident in their ability to use open hand techniques. Martial artists have a tendency to train weekly rather than annually. If a martial artist trains for approximately 2 hours per week, the number of hours spent training per year will be somewhere around 104. In comparison, a police officer trains in UDT during officer safety training for approximately 4 hours per year. It would take the police officer around 26 years of UDT training in order to match the hours that the martial artist trains in one year. A martial artist who had been training for a year would be able to deliver relatively powerful techniques but could by no means be considered an expert. It would take a police officer the length of his/her career to achieve this mediocre level of competence. Taking this into consideration, there appears to be a case for increasing the time spent on UDT training. This is supported by Kaminski and Martin (2000) who found that officers who trained in martial arts in their spare time consider the techniques to be useful when defending themselves or making arrests, which suggested "... that spending more time on defensive tactics training may increase effectiveness" (p 141).

On a superficial level the officers in this study support their UDT training, but when examined in more depth there was a general lack of enthusiasm for it. These officers acknowledged that UDT was better than it used to be before the officer safety program came into being. The UDT techniques of preference were those that involved "... gross motor skills, i.e. using large muscle groups, as fine motor skills are more difficult to learn, maintain and are the first to deteriorate under stress" (Kaminski and Martin, 2000: p 135). In short, because of their perceived simplicity, striking techniques were considered to be more effective than arm - locks and wrist - locks. When it came to concerns about safety, these officers favoured active techniques that could be used in an offensive manner; strikes over the more passive holds. They rarely expressed

an opinion about the purely defensive blocking techniques that they were taught. However, concern about how some of the strikes appeared to members of the public also mediated the popularity of certain techniques.

(8.2): Rigid handcuffs.

Kaminski and Martin (2000) considered the use of rigid handcuffs (Appendix 2) to be a part of open hand training. However, for the purpose of this study the use of rigid handcuffs was singled out as a topic worthy of consideration in its own right. There were two reasons for this. Firstly, rigid handcuffs are used to secure those arrested regardless of the method used by the officer to gain compliance. Whether the police officer uses open hand techniques, batons, or CS spray to gain compliance the arrest procedure often involves the use of rigid handcuffs to secure those being arrested. During 1999, the North Wales Police used their rigid handcuffs on 259 occasions out of a reported 440. Some 59 % of reported uses of force involved the application of rigid handcuffs at some point during the procedure (Avery, 2000). Officer 8 explained how he always used his rigid handcuffs when he had arrested someone.

Officer 8: “Because, when you are talking about someone being arrested - I mean - to me I always handcuff anybody I arrest. If I intend to restrain them for arrest handcuffs is what I’d use.”

Handcuffs are an integral part of the arrest process and should be considered as an important part of the officer safety programme. Secondly, Kaminski and Martin’s work was conducted in the US where rigid handcuffs have been used for some time, while to the police services of England and Wales they were relatively new. Therefore, it would be more appropriate to examine how police officers perceived rigid handcuffs in comparison with the old chain - linked handcuffs.

From a historical standpoint rigid handcuffs were not a new idea. In the early days some constabularies used a similar type of handcuff (Appendix 18).

“Many northern forces originally used a style of handcuff known as the figure of eight. One loop snapped on the prisoner’s wrist, the other being held by the escort. With no swivel, a quick twisting of

the escort's half was sufficient to bring the most recalcitrant prisoner to order."

(Clarke, 1991: p 29)

However, it was the chain - linked handcuffs that were traditionally used by the police of England and Wales.

The replacement of chain - linked handcuffs by rigid handcuffs was met with enthusiasm. "Officers believed rigid handcuffs to be the best thing since sliced bread"(HMIC, 1995: p 18). Baker and Waddon (1998) asked officers of the North Wales Police to rate the effectiveness of rigid handcuffs. Of the officers surveyed, 39.8 % indicated that they believed rigid handcuffs to be effective and 54.2 % very effective. In all, 94 % of those surveyed supported their use. The new rigid handcuffs were certainly looked upon with greater favour than the old chain - linked handcuffs. There were reasons for this. The old chain – linked handcuffs were adequate for securing the person who had been arrested but they were hard to apply during a struggle (Brown, 1994). Therefore, the person arrested had to be physically overcome; they had to be compliant before being handcuffed. However, officers were often assaulted during the time when chain linked handcuffs were used (Brown, 1994). In comparison, the rigid handcuffs were not only able to secure compliant prisoners, but like the figure of eight handcuffs could also be used as a means of gaining compliance. When the rigid handcuffs were applied to the correct place on the wrist (the ball and socket joint between the wrist and the metacarpals), it was possible for them to be used in a manner that forced people to the floor, making it easy to cuff the other arm. The rigid handcuffs allow the officer a degree of control over the arm and the body of whoever was being arrested. Officer 16 stated:

Officer 16: "A thousand times better than the old cuffs. I always found the old cuffs in any sort of violent situation very difficult to ... get on to somebody with both wrists, whereas these are a little bit easier. You certainly get more control over a prisoner and people seem to be more compliant with them. If you got one cuff on the old ones it was a pull and push situation. Where with these, if people are still fighting you can bring them down with one cuff on, without going overboard. You can affect the arrest and you can bring them to the floor for the safety of both of you really. So they seem to have a few advantages over the old ones certainly."

These officers favoured rigid handcuffs because they were perceived to afford the opportunity to actively control as well as secure someone, where the old chain – linked ones only passively secured.

During the observation of officer safety training, the officers appeared to be very skilled at cuffing. They were very comfortable with the techniques being taught probably because they used their rigid handcuffs on a regular basis on the street. This was a stark contrast to how uncomfortable they appeared to be with many of their open hand techniques, especially arm - locks and wrist - locks. In fact, the rigid handcuffs were popular with officers because it was perceived that they could be used to perform similar tasks to a wrist – lock: the difference was that the techniques used for handcuffing were easier to learn and simpler to use.

There are some disadvantages associated with the rigid handcuffs. Rigid handcuffs are not effective as a means of safely handcuffing two people together. Furthermore, it has a simple locking mechanism that is opened by a universal key (a key that fits all locks), which is relatively easy to pick. If the officer attaches one end of the rigid handcuff to the wrist of the person being arrested but fails to gain control, then the person being arrested can pull the handcuff free and use it as a weapon against the officer. When the rigid handcuffs are not applied to the proper place on the wrist, there is the possibility of injury that may result in a complaint made against the officer. Officer 21 expressed some concerns about the use of rigid handcuffs.

Officer 21: “The only problem is if you ever let go, then they end up with a weapon. If you don’t gain control for whatever reason they end up with a weapon on their wrist. So, that is a significant risk.... They rise up their hand here [slide from the wrist joint onto the forearm] and then obviously you can cause injuries to the bone; breakages, chips and stuff like that... I’ve needed to arrest more than one person and you can’t handcuff two people together with rigid handcuffs. Well you can when you have got no other option but if one pulls they are going to cause injury to the other: whereas you can do this with the old handcuffs without causing much of a problem.”

While these officers were aware of the potential problems involved in the use of rigid handcuffs, this did not dampen their enthusiasm for this particular piece of officer safety equipment.

(8.3): Protective body armour.

Protective body armour has been available to law enforcement officers in the US for more than twenty years and has been linked to a dramatic reduction in officer homicides (Geller and Scott, 1992; Quinet, Bordua and Lassiter, 1997; US, Department of Justice, 1998). In the US, the 1960s and early 1970s were marked by a steady increase in the rate of officers being shot and killed, which only decreased after body armour went on the market in 1972. Since then, there has been a general decrease in the number of law enforcement officers shot and killed in the line of duty. The International Association of Police Chiefs (IAPC) and the Dupont Corporation, the manufacturer of Kevlar, have provided further evidence regarding the effectiveness of body armour. Between 1972 and 1992 the lives of approximately 1448 law enforcement officers were saved because they were wearing body armour (Geller and Scott, 1992). This relationship between the use of body armour and officer safety has garnered the support of the US law enforcement community.

However, US enthusiasm for the effectiveness of protective body armour has generally not been shared by the police services in England and Wales. The following statement made by HMIC demonstrated this lack of enthusiasm:

“... forces may conclude that the supply of personal protective vests may be unnecessary if the issue of a baton and CS spray offers an equally effective means of defence.”

(HMIC, 1997: 13)

Most Chief Constables provide some sort of body armour for their officers, but even with the great improvements made to health and safety over the last twelve years there are still few, if any, constabularies that make it compulsory for officers to wear protective body armour when they are on duty. The decision about when and where body armour should be worn was a matter of discretion for each individual officer (HMIC, 1997).

There are generally two types of protective body armour used by the police in England and Wales. Covert body armour is light and flexible enough to be worn under the uniform. It is believed to afford protection against sharp implements such as knives, but only negligible protection against firearms. In contrast, overt body armour is heavier and has to be worn on the outside of the uniform. It was designed to afford police officers more ballistic protection as well as protection against sharp implements. Baker and Waddon (1998) sought the opinion of police officers serving in the North Wales Police regarding the introduction of body armour. The survey indicated that 94 % of responding officers favoured the introduction of some form of body armour whether covert (42 %), overt (16 %) or both covert and overt (36 %). Despite officers favouring the lighter covert armour, the North Wales Police issued overt body armour to its officers (Appendix 1). Therefore, it was the way that these police officers perceived overt body armour that will now be considered.

The majority of police officers interviewed believed that overt body armour provided them with adequate protection. They believed that it was effective against knife attacks and that it offered them some protection against firearms. This type of armour was also seen as an effective means of protection in situations with potentially less lethal consequences associated with “blunt trauma” (such as punches, kicks and blunt edged weapons). A study conducted in the US also indicated body armour offered protection to officers during vehicular accidents (US Department of Justice, 1998). The following officers described the protective capability of overt body armour.

Officer 7: “I think it’s good for protection against falling over, climbing walls and fences, or else when you get pushed over a kerb. It’s going to protect you in those sorts of situations. Also it can stop you getting crushed by a big crowd and direct strikes [punches] onto it aren’t really going to do much more than push you back.”

Officer 21: “Officers who have been struck, punched or kicked when they have been dealing with somebody on the floor have said ‘I knew I was kicked but I had no injuries’. So ... in any violent situation they do give that little bit of extra protection.”

The protection afforded police officers by body armour of any kind is dependent on them wearing it constantly. A recent issue of the "Police Review" discussed two incidents that demonstrated the importance of wearing protective body armour. The first was concerned with the tragic death of Detective Constable (DC) Steven Oake.

"DC Oake died during a raid on a house in Manchester. The officer, who was not wearing body armour, was stabbed in the chest after a struggle with a terrorist suspect."

(Orr-Munro, 2003: p 7)

The second incident reported in the "Police Review" was concerned with a knife attack on PCs Louise Tait and Ian Upperton who interrupted their assailant during a break-in.

"He... pulled a knife from his pocket, slashing PC Upperton across the forehead. PC Tait suffered cut and bruises... to her face. According to the force, both were wearing stab-proof vests."

(Police Review, 2003: p 13)

These unfortunate incidents demonstrated the importance of wearing protective body armour during all encounters with the public. Body armour protects the torso, which is the biggest and easiest target for an assailant to strike. The torso contains most of the body's vital organs and any puncture wound in this area would cause serious harm. While body armour offers no protection for the arms and face the protection afforded to the torso gives the wearer a distinct advantage over the non-wearer when it comes to surviving a knife attack. This is important because the types of weapon used most in committing homicide in the UK are sharp instruments, especially knives (Brookman and Maguire, 2003). Therefore, as a means of protection, body armour has a considerable advantage over the other officer safety equipment.

It is a means of protection that is not used to strike a person. Therefore, its protective capability is not reliant on incapacitating attackers. It just passively rests over the torso covering the vital organs with protective Kevlar. Officer 15 described how body armour afforded protection during an incident where a crowd was crushing officers.

Officer 15: “It saved me and many other officers from injury during the farmers’ dispute when a number of us guarded a door to a factory. The entrance was at the end of an ally - way surrounded by three high walls. We were basically trapped in a cul - de - sac being pressed against the high walls with no way of escaping. There was a time during this incident where my feet were actually off the floor and I’m sure that without the vest I would have suffered serious injury to my ribs. Again the day was saved by the use of CS when an officer sprayed over the heads of the crowd targeting the people at the back who then stopped pushing which enabled us to break free.”

While this officer perceived the day being saved by CS spray dispersing the crowd, it was his body armour that saved him from injury. Without body armour the officer may have suffered injuries to the ribs regardless of the crowd being dispersed by CS spray.

While batons and especially CS spray were the more popular choice of officer safety equipment it is very hard to utilise such equipment in a defensive manner when surprised by an assailant. In short, the ability to use equipment such as this depends on the officer being prepared for trouble and/or having quick reflexes. However, the protection afforded by body armour is not dependent on preparation or the speed of reflexes. As long as it was always worn, it would afford constant and consistent protection, even when the officer was taken unawares. It is the passive coverage of the body that gives body armour the advantage over equipment such as batons and CS spray, which need to be actively employed. Thankfully, unexpected attacks on police officers are rare but when they occur they often result in a higher proportion of serious injuries (Brown, 1994). Officer 10 explained the need to be prepared for surprise attacks by constantly wearing body armour.

Officer 10: “There was a lad I worked with who was stabbed a few years ago. So I’m quite aware that it can happen anytime of day. That happened during the morning shift just after he came on, which is not the time that you would expect it. So you can’t predict when something like that is going to happen. You can’t say ‘Oh I’ll only wear it on Friday night’. Either you are going to wear it all the time or not bother at all.”

Many police officers were aware of the importance of wearing body armour during encounters with the public. Despite this, few police officers actually did. Instead, their body armour was often left hanging in the locker room or in their patrol car, only to be used when they predicted it was needed. While officer 10 advocated the constant wearing of body armour he freely admitted that this was not the case in practice.

Officer 10: "I usually wear it all the time. Although sometimes when I'm just popping out to get a statement or something like that, I don't bother. Even then you don't know what you are going to come across on your travels so I carry it in the car or whatever. I notice that quite a few others don't. I've seen people that don't wear them all the time."

The problem that most of these police officers have with wearing overt body armour was that it is uncomfortable. Initially, it was too stiff to be comfortable to wear. While it became more flexible with use, the general opinion was that it restricted the movement of the wearer, which may be more of a problem for overweight officers. It was suggested that at times it restricts movement to the degree that it becomes a problem for the officer to reach his/her officer safety equipment. This was emphasised by Officer 20:

Officer 20: "I know this may sound wrong because I'm an instructor but I don't wear body armour myself purely because I'm not comfortable with it. It doesn't fit comfortably to me. I've got a large torso and short arms so I can't even reach my side handled baton when I've got my body armour on. I tend to find the CASCO will then tuck in underneath the actual body armour itself so that it is not accessible. It's the same for the CS and the cuffs as well... I feel I've got much more control of my movement... without wearing it."

Many complained that it rose up obstructing their throat when they sat down in the patrol car, which made it hard to breathe: the implication being that the body armour did not fit their body shape. It was possible that many of these police officers had not had their overt body armour fitted in the appropriate manner. Ill - fitting body armour could also be the explanation for concerns raised about back pain. It was believed that back pain is caused or exacerbated by wearing overt body armour. This is especially a concern for taller officers. It

is apparent that further research is needed regarding the long - term health effects of wearing overt body armour.

A common complaint was that body armour added extra weight that made it hard to stand up after sitting down. Many officers suggested that wearing overt body armour along with the rest of their equipment added approximately one stone of extra weight for them to carry around. They indicated that this was problematic during incidents where they had to chase someone. The extra weight slows them down. Running under these circumstances could be strenuous even for officers who are physically fit. The following quotations emphasised this point:

Officer 7: “While it protects you if you are in a fighting situation, if the offender runs away you’ve really got no chance of getting them. If you’ve not got them in the first five yards then you have lost them.”

Officer 11: “It is rather cumbersome and does cause a hindrance in some situations. If you try to run after some bloke you end up just walking quickly.”

In a struggle between a police officer wearing overt body armour, and an assailant with a similar fitness level, it would be the officer who became exhausted first.

Officer 6: “The disadvantage is the weight. It adds nearly a stone and a half with the baton and the cuffs and the jacket, making me nearly 16 stone. I mean some of the bigger lads it weighs even more on. So you are going to tire a lot quicker than if you didn’t have it. If you are fighting on the street you are going to tire a lot quicker than them.”

Many of these police officers found overt body armour extremely uncomfortable during hot summer days. They indicated that it was in summer that they were least likely to wear their body armour. Basically, it was too hot and it made them perspire so they neglected to put it on.

Officer 15: “I think the protective vests that we are issued are very good and I find them comfortable but they are also very hot

especially in the summer. So during summer I often carry it in the car and only put it on when I feel it is appropriate to do so.”

Not only did these police officers neglect to wear their body armour, but they also failed to check its integrity. The panels of Kevlar degrade when exposed to moisture. So if an officer has been wearing his/her armour, then perspiration may moisten the panels over time reducing its protective effectiveness. The majority of officers observed during officer safety training freely admitted they never stripped down their body armour to inspect the Kevlar panels to check for signs of degradation.

Many of these police officers put their daily comfort before the safety provided by overt body armour. This should not be too surprising considering that assaults on police officers are rare occurrences (HMIC, 1997b). Furthermore, serious assaults and fatalities are even less likely to occur (Ingleton, 1997). This makes daily comfort and ease of movement far more salient than the protection afforded by body armour during isolated violent incidents. It was not that police officers do not want the protection afforded by body armour during violent incidents. They just do not want to wear their armour all of the time. The problem, of course, is that some police officers may find themselves in violent situations where the protection afforded by their body armour could save them from serious harm, but their body armour is hanging in their locker back at the police station because it was uncomfortable and they thought that wearing it was unnecessary.

(8.4): Police batons.

The extendible side handled baton (PR – 24) is a relatively large baton some 35 centimetres long when closed and 60 centimetres when extended (Appendix 4). It consists of “... an aluminium frame with a shaft made of either polycarbonate plastic or aluminium ... The PR - 24 is exceptionally versatile. Officers may be trained to use 38 or more different blocking and striking techniques” (Meacher, 1998). According to Geller and Scott (1992), the PR – 24 was first marketed in 1974 and by 1987 approximately 54 % of law enforcement agencies in the US approved its use. Geller and Scott indicated that the PR – 24 has often been associated with karate training, although they

did not explain why. However, there is a resemblance between the PR – 24 and the “Tonfa” (Appendices 18). The “Tonfa” is a karate weapon adapted from an agrarian tool for grinding rice and turned into a weapon of self - defence by the indigenous population of Okinawa. The “Tonfa” was one of the many farm implements used for a weapon as a response to the policy prohibiting Okinawans from possessing swords when the Japanese occupied Okinawa (Random, 1978).

While the PR - 24 had been used in the US for some considerable time it was not considered for use by the police services of England and Wales until 1992, when the search for the replacement for the traditional truncheon started in earnest (Kock, Kemp and Rix, 1993). After a trial period, the PR – 24 was finally authorised for use by the Home Secretary in 1994 (HMIC, 1995). The result of the trial period reported by Kock, Kemp and Rix, (1993) indicated that police officers armed with the PR – 24 were less likely to be assaulted than those armed with the truncheon, although this must be measured against what was already a decline in assaults against officers. Furthermore, there was no difference in injury levels between officers armed with the PR – 24 and the truncheon. It was possible that the PR – 24 deterred would - be assailants but when an assault occurred it afforded no more protection than the truncheon.

There is little doubt regarding how officers perceived this addition to their officer safety equipment. Support was almost unanimous for the PR - 24 from the officers involved in the trials (Kock, Kemp and Rix, 1993). They believed that it offered them more protection than the truncheon and that it increased their confidence in their ability to deal with situations involving conflict (Kock, Kemp and Rix, 1993; HMIC, 1995; HMIC, 1997). The confidence in the PR - 24 had to be understood in the context of comparison with the truncheon.

“Few had ever drawn their truncheon, and several considered it sufficiently ineffective not to carry it. Those who had drawn their truncheon reported that they had done so only when they had felt under considerable threat of personal injury, and that it offered them little defence against a determined assailant.”

(Kock, Kemp and Rix, 1993: p 21)

The potential versatility of defensive and offensive techniques that the PR - 24 offered was perceived to be more advantageous to officer safety than the old truncheon, which could only be used to strike assailants (Brown, 1994).

Alternatively, extendible friction - lock batons (CASCO) were also introduced as a replacement for the truncheon (Appendix 3). According to Meacher (1998), this style of baton weighs approximately 561 grams and extends from 13 cm to 39 cm when it is opened or “racked”. To close the CASCO it should be held perpendicular to the ground and struck against the floor. The CASCO is made of hollow gun – metal with a small metal knob at the end of the shaft and is designed to send shock waves along the limb creating a temporary motor dysfunction that reduces the mobility of the person struck, making it easier for the officer to gain control of a non – compliant suspect. Meacher indicated that 23 constabularies adopted the PR – 24, either in its rigid or extendable form, as their alternative to the truncheon, and 19 adopted the CASCO as their baton of choice. While the majority of constabularies authorised the use of either the PR – 24 or the CASCO, they were not necessarily mutually exclusive. A few constabularies allow the individual officer to choose which baton they carry and there are also some types of policing where operational and safety matters make it inappropriate to carry the PR – 24. For example, the PR – 24 is too noticeable to be used by detectives during plainclothes work and it is shaped in a manner that could injure a motorcycle officer during a fall from his/her machine. Police officers undertaking this type of work are often issued with, and trained to use, a CASCO even when the rest of the constabulary is issued with the PR – 24.

Initially the North Wales Police adopted the PR – 24 as the replacement for the old truncheon while allowing a limited number of officers the CASCO because it is more appropriate for certain types of policing. A survey of the North Wales Police conducted by Baker and Waddon (1998) found the attitude of police officers towards the PR - 24 to be generally positive. When asked to rate the effectiveness of the PR – 24 in assisting them with their duties, 17.7 % replied very effective, 44.1 % replied effective, 23.6 % replied a little effective. Around 85 % of police officers considered the PR – 24 in a favourable manner, but this did not last. As time went on, more officers were exposed to the CASCO. Officer safety instructors taught detectives to use the CASCO.

Officers who had been seconded to plainclothes operations returned to uniform after having been trained in the use of the CASCO, while there were also officers who had transferred from constabularies using the CASCO, to the North Wales Police. As this occurred, support for the use of the CASCO grew. In late 2000, Richard Brunstrom (the future Chief Constable) who was at the time the Assistant Chief Constable allowed the officers of the North Wales Police the choice of being armed with either the PR – 24 or the CASCO.

With the North Wales constabulary being one of the few to authorise the use of both the PR – 24 and the CASCO, it was possible that this research may answer a question raised by the previous studies conducted by Kock, Kemp and Rix (1993) and HMIC (1995). The initial evidence suggested that:

“Officers who were using batons, whether on permanent issue or on trial, staunchly defended the type issued to them, be it the [PR – 24] or the [CASCO]. Whether this was a genuine belief that one was better than the other or simply that either is better than the truncheon has not been assessed.”

(HMIC, 1995: p 18)

The officers of the North Wales Police interviewed during this study considered both batons to be better than the old truncheon but indicated a preference for the CASCO over the PR – 24. The statement by Officer 5 expressed the general view of these officers.

Officer 5: “I think we’ve come an awful long way in the last ten years. I mean, from having literally just a piece of thin cheap wood, because all we had was the old truncheon to the equipment I’m wearing now. I don’t know, there may be a better form of baton than the PR – 24...I would prefer to have a CASCO, which I believe we can have now.”

Many of these officers favoured the CASCO over the PR – 24 to the extent that most of those interviewed had already changed, or were considering changing, to the CASCO. They felt more confident about carrying the CASCO when attending violent situations.

Officer 11: “There is a lot carrying CASCOs now and I think that if it’s from a confidence point of view then I don’t see a problem. They’re not going around hitting people willy nilly, but if they feel

more confident then they can become more effective in what they do.”

The PR - 24 is rather awkward to carry and in some circumstances may be uncomfortable for the officer wearing it. Officer 8 stated:

Officer 8: “It’s a bit awkward getting in cars with this [PR – 24]. It makes me sit in a funny position, which doesn’t help my back.”

The PR - 24 is a versatile weapon that can be used to fend off attacks with numerous defensive blocking techniques. However, these officers felt uncertain about their ability to utilise these blocks during a violent incident. For them the defensive versatility of the PR - 24 is considered a disadvantage. There were too many techniques to remember and too little time spent practising, for these officers to feel confident enough to try these techniques in a violent situation. These officers consider the PR - 24 to be too light to stop any attack. Smith and Alpert (2000) indicated that many US law enforcement officers considered the PR - 24 to be an ineffective weapon because it lacked striking power. The weight of the PR – 24 is only a contributing factor to the inability of the officer to strike the target with enough power for it to be effective. Officers using the PR – 24 have the same problems with the basic movements that helped to generate power that were evident when they were trying to use UDT techniques. Their strikes and blocks with the PR – 24 are ineffective because they fail to maintain a stable stance and this lack of balance makes it impossible to realise the full potential of the techniques. Officer 2 summed up the opinion of many of his colleagues when he stated a clear dislike of equipment considered to be defensive rather than offensive.

Officer 2: “It’s useless ... I don’t like it. It’s a defensive piece of equipment and unless you train more often than we do you are not going to be very proficient in defending yourself. So I don’t like it. I’ve got no confidence in the side - handled baton at all. The insert on the front portion was quite light and when they impact with the body it doesn’t have the desired effect because it’s not very heavy. It’s more of a defensive tool than an attacking tool.”

Alternatively, these officers indicated a preference for the CASCO because it was a weapon that could be used in an offensive manner. It took less time to learn the few striking techniques associated with the CASCO than it did the PR- 24 (Kock, Kemp, Rix 1993; Geller and Scott, 1992). They believed the CASCO to be more powerful than the PR – 24 even on occasions when they failed to execute the striking technique in the proper manner. In comparison to the PR- 24 the CASCO is more compact and easier to carry.

Officer 4: “The CASCO is more of an attacking tool. It’s heavier than the baton [PR – 24] and would certainly have more of an effect if you hit someone in the leg with that. The CASCO is a heavy metal baton so even if you didn’t use it properly, or hard, you would still have the desired effect of hurting someone on the leg if you used it.”

Officer 6: “The advantage of the CASCO is that it’s small, it’s compact, it’s lighter, and if you hit somebody with a CASCO then they will probably stay hit. It would hurt. It would have the due effect.”

Therefore, these officers favoured the CASCO over the PR – 24 because it could be used in an offensive manner.

(8.5): The general perception of officer safety.

The majority of these officers were relatively happy about the officer safety equipment made available to them. They saw no point in adding anything new to what they perceived to be a heavy equipment - belt. Furthermore, extra officer safety equipment could just confuse matters in emotionally - charged violent situations.

Officer 18: “I don’t think there’s a lot more that they are going to be able to do because there’s only a certain amount that officers can carry. I don’t think they can really equip you with a lot more unless they are looking to take some of the weight out.”

Officer: 20 “The problem is you could have too much on the belt and you’d be all fingers and thumbs about it. You’d be reaching for one thing and you’d be pulling out a can opener. You will excuse the way I’ve put it, but I think if we keep the main issue as officer safety. Provided we are covered on that the rest of it will fall into

place. We will keep the rest to a minimum to keep it less confusing and more practical.”

However, there were two issues regarding officer safety that were of major concern to these officers. The first was the old concern about an increase in human resources being one of the few ways to truly improve officer safety.

Officer 15: “I believe that the most important issue regarding officer safety at this moment in time is to provide more police officers for us to work with. I work out of Bethesda on what is primarily a rural beat. I work on my own in a station that is supposed to be covered by four other officers and a sergeant. So, at the moment, one officer serves a village of 6000 people. I spend most of my time patrolling and it would be nice to know that I could summon emergency back up that came from the same town that I was patrolling in rather than all the way from Bangor or Caernarfon.”

However, Christopher and Noaks (1990) suggested that while officers believed that an increase in human resources would improve safety, there was no evidence to support that assertion.

The second concern was in regard to the frequency of officer safety training. Most of these officers believed that their officer safety skills would benefit from an increase in the time spent training, especially where the more complex UDT and baton skills were concerned. Many officers indicated a preference for officer safety training to be held twice a year rather than annually. More frequent training would mean that they would be less likely to forget what they had been taught. Most of them understood the problems that biannual officer safety training would cause logistically and that this would mean more officers taken away from their duty. However, they still considered this as appropriate.

Officer 12: “I think we could do with more training. I’m not sure if it can be improved as such but I believe we could do more of it. More training perhaps once every six months, but the staffing implications I understand as well and you have got to balance one with the other.”

It is not just officer safety that suffers when training is infrequent, there is also the possibility that the public will suffer. The following quotation indicates

that the frequency of officer safety training had an effect on the number of complaints received about the use of the baton.

“The effectiveness of frequent refresher training in reducing complaints is striking in relation to all batons... but the reduction in the number of complaints in response to more frequent training is most significant with respect to the extendable side handled baton.”
(Meacher, 1998; p 6)

If more frequent officer safety training will lead to fewer complaints about the use of batons (Meacher, 1998), it is reasonable to assume that more frequent training will also reduce complaints regarding other types of force used during arrest.

(8.6): Discussion.

The majority of these police officers considered “offence to be the best form of defence” when dealing with matters of their own personal safety. They favoured techniques and equipment that could be employed in an actively offensive manner over those that had a primarily passive defensive role. The UDT techniques of preference were strikes as opposed to arm - locks and wrist – locks. Furthermore, there was virtually no consideration of the blocking techniques taught to them. The officer safety equipment that was favoured by these officers also followed a similar pattern. They preferred equipment that was ostensibly offensive in its application. For example, they preferred the primarily offensive CASCO to the more defensive PR – 24. The ability to use rigid handcuffs to gain compliance by the offensive application of pressure to the wrist was preferred to the old chain - linked handcuffs that only had containment to offer. And despite its protective reputation the purely defensive protective vest was often left in the locker room because these officers preferred comfort to safety.

There were a number of reasons why these police officers favoured offensive UDT and officer safety equipment over the more defensive ones. The defensive techniques and equipment were usually far more complex, they were hard to learn and even harder to commit to memory. In contrast, offensive techniques and equipment were simple to learn and remember. They appeared to the

officers to be more natural. Most of the equipment that could be used in a defensive manner was large and uncomfortable to wear on a daily basis, while the more popular equipment that could be used offensively was compact and easy to carry.

Surprisingly, there was little moral consideration given to the use of any officer safety technique unless it was perceived to be unpopular with the public. The officers in this study were aware of the importance placed on the public perception of their actions and even indicated that they would avoid using techniques or equipment, which appeared brutal to onlookers. It was the fear of a complaint being made by members of the public against an officer that mediated this perception of a particular technique or piece of equipment. A technique could be perceived as effective but may not be favoured by the officer if it is believed to be too brutal for public consumption.

Taking this into consideration there were many factors that mediated how these police officers perceived their officer safety options, not all of which were strictly concerned with officer safety. However, the preference for offence rather than defence can be understood in the context of fear and uncertainty. To the police officer, the outcome of any assault on their person is uncertain and the preference for an offensive form of defence reflects a belief in the need to take control of the situation. By taking control of the situation, the officer can perceive certainty in an uncertain situation, thereby reducing the level of fear experienced. Hence, any offensive measure could be considered as a way of ending the conflict and bringing relief from the fear that comes with the perception of uncertainty. By stopping an attack with an offensive technique, the uncertainty surrounding the outcome of a physical struggle is negated before it becomes a problem. The outcome of the conflict becomes more certain in the eyes of the officer, and fear melts away with the officer's knowledge that his or her continued survival is, at least for the moment, ensured. This is why these officers differentiated between what they believed to be an effective means of defence and what they believed was not. This did not mean they were always correct in their assessment. The evidence suggested that the protective vest is the most effective means of protection against assaults, but it was not considered by these officers to be a favoured means of protection.

CHAPTER 9

HOW POLICE OFFICERS PERCEIVE CS SPRAY

Having considered how these officers perceived their training in UDT as well as officer safety equipment such as the overt protective body armour, rigid handcuffs, the CASCO and the PR – 24, consideration will now be given to their perception of CS spray. Many claims were made about how CS spray supposedly afforded protection for police officers. Most were made by the Home Office who repeatedly indicated their support for CS spray, suggesting that it protected police officers from harm. Home Office Minister Charles Clarke interpreted the data for assaults on the police in the following manner. “Assaults on officers have gone down where CS spray is in use ... it will continue to be one of the tools available to police officers to ensure their safety” (Clarke, 2000: p 1). However, as discussed earlier (Chapter 1, 1.7), the evidence to support such an assertion was questionable (Buttle, 2003; Rappert, 2002a; Rappert 2002b; Tyler and King 2000). The street trials of CS spray conducted by Kock and Rix (1996) were the most comprehensive study of how effective CS spray was regarding the safety it afforded officers. Kock and Rix were unable to provide valid evidence to support CS spray as an effective means of defence against assault. Lord Williams of Mostyn described the ambiguity of the Kock and Rix study in regard to this matter in the House of Lords.

“During operational trials of CS spray in 16 police forces between March and August 1996, it was found that no clear conclusion could be drawn from the data about the effect of carrying CS spray on assault rates.”

(Hansard, 3/9/98)

While there was little valid evidence to suggest that CS spray was a better means of defence than any other option available to officers, there could be no denying the evidence for its popularity. During the trials of CS spray Kock and Rix found that:

“Almost without exception, police officers in trial sites believe that all officers should be issued with an effective aerosol incapacitant. The clear majority of ... officers believe the CS spray to be effective.”

(Kock and Rix, 1996: p 26)

There was general support for CS spray by the police throughout the forces of England and Wales (Kock and Rix, 1992: HMIC, 1997). It appeared that CS spray was adopted not as an effective means of protection, because there was no evidence to suggest that it was, but as a way of raising morale due to its popularity with the officers. This was supported by the following statement: “Her Majesty’s Inspector found it is commonly agreed within the service that the issue of new equipment has increased officer confidence and improved morale” (HMIC, 1997: p 15).

This chapter will be concerned with how the North Wales Police officers who were interviewed perceived CS spray. This will not just establish the popularity of CS spray with these officers but also explore the reasons why these officers perceived CS spray in such a manner.

(9.0): The popular choice for officer safety.

The general attitude towards CS spray by the average officer serving in the North Wales Police, appeared to reflect that of their colleagues throughout England and Wales. Baker and Waddon (1998) reported that officers serving in the North Wales Police expressed a high degree of support for CS spray. When asked how they viewed the introduction of CS spray, 78 % supported its introduction, 3.2 % did not support its introduction and 18.9 % were unsure. According to Baker and Waddon there were 2398 members of the North Wales police at the time of the survey and 1396 replied, making the overall response rate 58.2 %. “Thus, while the results may not be totally generalisable to all members of the North Wales Police, they nevertheless represent the views and ideas of those who wished to make their views count.” (Baker and Waddon, 1998: p 6). Its popularity with the North Wales Police officers had also been expressed through their preference for the use of CS spray over the baton when using force. During 1999 there were 440 uses of force reported: 173 of these

involved the use of CS spray, with 39.3 % overall. In comparison, the baton was only used on 61 occasions, with an overall percentage of 13.9 % (Avery, 2000).

According to the officers interviewed in this study their initial enthusiasm for body armour and the PR - 24 had faded with time, unlike their support for CS spray. To these officers, CS spray was still considered to be an effective means of defence. Officer 21 explained:

Officer 21: "I don't know, for police officers, it's silly really. They're never happy are they? They have been crying out for it for ages [for officer safety equipment] and then when we get it we are not particularly happy. That's a strange phenomenon because with a lot of the other equipment they say 'well I don't want that and I don't want that', but they say 'yes I'm quite happy to have that [CS spray] because it's effective.'"

Out of the 21 officers who were interviewed during this study, 13 perceived CS spray as the best option available to them for resolving violent encounters with the public. Even those officers who preferred to use one of the many other officer safety options available to them still expressed support for CS spray (20 in all). This was also reflected in conversations with officers during the observation of officer safety training. There was one exception to this. The coroner's officer did not support the use of CS spray largely because he saw his role as being communicative. He considered this role to be more similar to that of a bereavement councillor, a role in which there was little need for the use of force and little need for CS spray. He also indicated that his age and long service as a police officer gave him the experience to resolve any conflict verbally.

Many of those officers who expressed support for CS spray had never actually used it. Out of the 20 officers who considered CS spray in a favourable manner, only 9 officers had experience in its use. Out of these 9 officers, 6 had used CS spray no more than twice while the majority of uses could be attributed to 3 officers who had used it 16 times between them. This should not be surprising considering the evidence of previous studies. Kock and Rix (1996) indicated that 8 % of officers accounted for 80 % of occasions where CS spray was used. The same pattern was evident in the research conducted on

assaults against police officers. Philips and Cochrane (1991) indicated that of the number of officers assaulted in their study, 194 were assaulted two or more times. This accounted for 36 % of all those assaulted. Moxey and McKenzie (1993) found that 7.5 % of operational officers in the division they studied accounted for 50.9 % of recorded assaults. This small group of 38 officers accounted for more than half of the recorded assaults against the local police officers. Christopher and Noaks (1990), who studied assaults on police officers in South Wales during 1988, also found a similar pattern of assaults against the police. They found that of the 770 reported assaults on officers, 41 % were assaulted more than once during that year. In a similar manner, complaints about police officers were also often over - represented by a small number of officers. The Christopher Commission (Independent Commission on the Los Angeles Police Department 1991) investigated the use of force in the aftermath of the Rodney King incident. The Commission identified a small number of officers who were over - represented in the statistics regarding complaints of excessive force (Toch, 1996). These same officers also appeared to use force during their encounters with citizens on a more regular basis than their colleagues (Toch, 1996; Worden, 1996). The reasons behind what appears to be a robust statistical phenomenon are beyond the scope of this study but are relevant to the use of CS spray by officers. If a small group of police officers use force on more occasions than their colleagues, it is probable that they will have received more complaints and will have been assaulted more regularly. Furthermore, they will have resorted to the use of their favoured means of dealing with violence, usually CS spray, far more often than their colleagues.

This raises the question of why the remaining 11 police officers favoured the use of CS spray without having used it. The transmission of what police officers considered “common sense knowledge” is achieved through the medium of police culture, or to be more precise story telling (Chan, 1996; Ericson, Baranek, and Chan, 1987). Chan states:

“Thus, cultural knowledge in the form of police stories presents officers with ready - made schemas and scripts that assist individual officers in particular situations to limit their search for information, organise information in terms of established categories, constitute a sensibility out of which a range of actions can flow, and provide

officers with a repertoire of reasonable accounts to legitimate their actions”

(Chan, 1996: p 114)

The popularity of CS spray with those officers who had never used it could partially be explained as a product of hearing wondrous tales about its effectiveness from their colleagues.

Officer 18: “I’ve never had occasion to use CS although I heard it’s very effective.”

While positive stories about the effectiveness of CS spray could have facilitated its popularity it is possible that stories about it being ineffective achieved the opposite. A division where some officers considered CS spray ineffective could spread negative feedback to colleagues who would become reluctant to use it. However, it was perceived in such a favourable manner by the officers interviewed, that even those who had previously been exposed to negative stories changed their opinion. This was especially the case when an officer with a negative attitude towards CS spray was present at an incident where it was used effectively. Officer 5 explained how he changed his mind about the effectiveness of CS spray when he transferred from the MET to the North Wales Constabulary.

Officer 5: “I’ve only been here about six months. I was in the MET before. We didn’t tend to use CS an awful lot down there. The two occasions that I was aware of it being used by people on my team in London it didn’t actually work but they were both high at the time, which may well be the reason or they may just have a reasonable immunity to it. It was sprayed. It hit them but it just did not have the effect of disabling them. They were able to carry on fighting and it didn’t even seem to reduce the aggression. So I’m told. I wasn’t there at the time but I was told that it didn’t seem to reduce their capability to fight at all... It’s almost like you have used up valuable time by spraying someone and it doesn’t work. Whereas, occasionally, where it has been used here the bloke was on the floor within seconds and disabled. I think it was probably bad luck on the part of the officers down there who used it they just happened to use it on the wrong persons. Up here I was quite impressed with how quick it worked.”

As Officer 5 explained it was possible his colleagues in the MET used CS spray on people who were immune to its effect. Kock and Rix (1996) indicated that in close to one in ten incidents, CS spray had no effect on those that were sprayed. There is evidence to suggest that drug users (this often includes alcohol use); people with psychiatric problems and people who are determined to resist the effects of a chemical incapacitant such as CS spray, can be immune to their effects (Dobry, 2000; Massina 1993). However, for Officer 5, one example of CS spray working appeared to cancel out the warnings of its failure from his old colleagues.

Despite its popularity with these police officers, they were aware of the disadvantages involved with CS spray use. They perceived the biggest problem with the use of CS spray to be cross - contamination. Cross - contamination occurs when people other than the target are exposed to the effects of CS spray. Some of these officers were concerned about the effect that CS spray had on innocent bystanders. Dobry (2000) indicated that 10 % of those who complained to the PCA about how the police used CS spray had not been targeted by the officer. Officer 5 indicated that cross - contamination of citizens was a concern:

Officer 5: "That's dependent on the situation really. If you are in an enclosed space with lots of other people it's not really appropriate, but whether you think of that in the heat of the moment is a different matter. It's the sort of situation where you spray first and you suddenly realise 'uh oh' you've sprayed half the population of Bangor at the same time."

While the fact that CS spray use was often indiscriminate could be considered a disadvantage, its ability to affect a wide area and a number of people could also be considered advantageous.

Conversation 7: "It's a horrible feeling when you get a whiff of it. CS spray is the most useful piece of equipment that we have got. I have used it on six people at once and it got me out of what would otherwise have been a very nasty situation."

While the cross - contamination of the public concerned these police officers, they were more concerned about the effect cross - contamination had on them.

There was some justification for this concern. Kock and Rix (1996) indicated that officers escaped cross – contamination on only 22 % of occasions when CS spray was used. This meant that officers were cross - contaminated on 78 % of occasions involving CS spray. Dobry (2000) observed that the number of officers who suffered from cross – contamination was higher at 53 % than the 10 % of citizens who complained about it. With the exception of one officer, all those interviewed for this study reported having experienced cross – contamination and many on more than one occasion. Even those that had never used CS spray had been cross - contaminated at some point, by being present when a colleague used CS spray or by coming into contact with prisoners after they have been sprayed.

Officer 3: Fortunately I've never had a direct hit, which is lucky but I've had the effects were I've got into vehicles with of others who have been sprayed. I've been handling people who have been sprayed and, of course, contaminated myself. It burns. It really burns. Certainly you can feel all the inside of your nose going, your eyes starting to water and it's ... 'why is it happening?' and then suddenly you think 'yeah that's the CS coming out.'"

Kock and Rix found that police officers recognised the problems associated with cross - contamination but considered this a small price to pay for their safety. The officers interviewed in this study also considered cross - contamination a small price to pay for their safety because it was uncomfortable but could be worked through in a manner that enabled them to continue their job. Officer 11 explained his experience of being cross – contaminated:

Officer 11: "It's not had a hugely disabling effect upon me. I've been able to continue. I wouldn't say fighting through it has made life a bit more comfortable but I've been able to continue doing what I'm doing, whether its conveying them to custody or dealing with them when they was in custody. I was actually in custody with someone else and somebody was brought in. At the time custody was bedlam and I was asked to deal with him. I took him to the exercise yard. I could feel it [CS spray] but it didn't stop me talking to him and reassuring him and calming him down."

They were not just willing to put up with the uncomfortable exposure to the CS irritant but they also considered that cross - contamination exemplified its effectiveness. Officer 7 explained that cross - contamination was a painful experience that demonstrated the effectiveness of CS spray. When asked what she thought about cross – contamination she stated:

Officer 7: “Not nice, but it made me even more impressed with it. It’s just like the stinging in the eyes and the feeling in your nose. You can’t describe it unless you’ve had it. You can’t describe how it feels. It’s like stinging but really intense. All you want to do is just rub your eyes and you’re not interested in anything else that’s going on. You can hear people talking but you can’t take in what they are saying. It’s great.”

It was not surprising that these police officers perceived CS spray as the best means of defence available to them when even the most notable disadvantage, cross – contamination, could be viewed as a lesson in its effectiveness. Furthermore, CS spray fitted the profile of factors associated with the popularity of other officer safety options (Chapter 8). This weapon is small, compact and comfortable to wear. It is perceived as easy to learn and easy to remember how to use. However, there were other reasons why CS spray was so popular with these officers. They believed it provided advantages beyond those afforded by other officer safety options.

(9.1): Using force from a distance.

CS spray was the first, and at the present time the only, weapon routinely carried by the police in England and Wales that could incapacitate a person from a distance. It afforded the officer the potential to stand at a distance of approximately 15 feet while retaining the potential to incapacitate (NPT, Personal Safety Programme). Many of the officers interviewed for this study claimed that it was the ability afforded by CS spray to defend them from a distance that gives this weapon the advantage over other officer safety equipment and tactics. In order to understand this, consideration must be given to how people react and behave when in close proximity to others.

Goffman (1963) defined interpersonal space as the physical distance established between two or more people during a face – to – face interaction.

People arranged themselves in ways that eased access to one another when performing social interactions (Goffman, 1963; Rivano – Fisher, 1987). Therefore, interpersonal distance could be considered one of the main regulators of behaviour during social interaction (Kendon, 1983; Schefflen and Ashcraft, 1976). Interpersonal distance creates the personal space around individuals. However, this is not always achieved consciously:

“Most of us probably have some awareness that there is a ‘proper’ distance to be kept between ourselves and others during various kinds of interaction. Although this distance appears normally to be regulated largely at the unconscious level, most of us have surely had it brought to the level of conscious awareness from time to time by the unpleasant phenomenon of the ‘person who stands too close.’”

(Ray, 1984: p 601)

Hall (1966) defined personal space as “... a small protective sphere or bubble that an organism maintains between itself and others” (p 119). Sommer (1969) considered personal space to be an invisible boundary that surrounds a person’s body into which intruders are unwelcome. Therefore, personal space is used to create a feeling of comfort and safety for the individual (Duke and Nowicki, 1972; Sommer, 1959). To some extent, personal space could be considered as a safety precaution or an expression of wariness about others (McBride, 1964; Ray, 1984), and wariness was considered an important aspect of safety by the officers interviewed for this study (Chapter 6, 6.5).

If personal space represents a safety zone that surrounded individuals, then intrusions by others can be perceived as a danger. “This line of reasoning is also consistent with the observation that half the officers murdered in the line of duty were within five feet of their assailants at the time of their deadly encounter” (FBI, 1989: p 4). Christopher and Noaks (1990) indicated that assaults on officers often occurred in close proximity to the assailant. Any intrusion into personal space can evoke tension and negative feelings in people, resulting in stress and physiological arousal (Hayduk, 1983; Winkel, Koppelaar and Vrij, 1988). According to Hayduk (1981), the closer the intrusion to the person’s body the more negative their feelings become. It appears that close proximity is often perceived as a sign of aggression. Furthermore, close

proximity of a potential aggressor often elicits a fear response from people. This is noticeable by the lengths that people go to avoid incursions on their personal space. Invasions of personal space often result in avoidance and withdrawal behaviours (Winkel et al, 1988). Baxter and Rozelle (1975) noted the following behaviour in their experiment involving a fake police officer who was instructed to invade the personal space of the participants in the study by standing “nose - to - nose” with them. They described the behavioural reaction of the participants in the following manner.

“A substantial increase in noticeable eye behaviours along with increasingly averted gaze occurs apparently in the absence of other major changes in facial expression. Small discrete head movements occur and head rotation and elevation [up and down] movements tend to increase. Arm and hand positions are adopted which tend to place them between the subject and the interviewer, with a particularly substantial increase in hand - at - crotch positioning. Brief rotating movements of the trunk tend to increase, while foot movements tend to decrease.”

(Baxter and Rozelle, 1975: p 49)

Winkel et al (1988) considered these behaviours to be reactions intended to reduce the tension evoked during transgression of personal space by restoring a comfortable distance if not physically then at least in the mind of the person feeling threatened.

The link between proximity and danger was not lost on NPT. The general guide to the personal safety programme specified three levels of interpersonal distance:

“The Intimate Zone: This refers to very close contact, from a point of touching to a distance of around a half of a metre [18 inches]. This space is normally reserved for intimate contact or fighting only.

The Personal Zone: This is the area from a half of a metre up to a distance of around 4 metres [18 inches to 13 feet]. It is in this zone that most verbal interaction takes place.

The Public Zone: This refers to that distance beyond 4 metres [13 feet]. It is difficult to communicate across this distance, but it is a much safer zone.”

(NPT, Guide to the Personal Safety Programme)

The guide warned that weapons could extend the distance wherein a person could be considered dangerous. In short, a person with a large stick does not need to be close to the police officer to hit him or her. The guide emphasised the importance of maintaining a reactionary gap. The reactionary gap is the space each officer should put between themselves and the suspect to allow time to react against surprise attacks. Officer safety training advocates the use of distance as a method of ensuring safety.

If close proximity to a potentially violent person is considered dangerous, then police officers can perceive safety to be a matter of greater distance between the officer and the citizen. The officers interviewed in this study indicated concern about using officer safety techniques and equipment that relied on being too close to the individual who was being arrested. Officer 21 explained the importance of remaining outside of the “fighting arc” during interactions with the public.

Officer 21: “Yeah, yeah we do that’s the problem with that. You have got to get in quite close and you are into their fighting arc again.”

The “fighting arc” is the ninety - degree space in front of a person’s body that extended for approximately an arm’s length that roughly corresponded with the intimate zone. For these officers, it was the perception of an increased risk of being struck that made it undesirable to have close proximity to those being arrested. Therefore, any officer safety technique or equipment that afforded protection at a distance would not be considered an effective means of protection. Officer 13 explained his reservations about using handcuffs while in close proximity to the person being arrested.

Officer 13: “I’d only like to use the handcuffs when you have got somebody under control because, like I said, you have got to go close up to them and that puts me in danger of getting hit while I’m trying to handcuff them. I mean you need to be in close contact to be hit by someone.”

Officer 4 made the point that the PR - 24 could be used to strike a person from further away because it is longer than the traditional truncheon. Therefore, it was considered the better weapon.

Officer 4: "The old truncheon was probably something like 12 inches long. So you had to get in closer for you to get any effect where the side - handled baton [PR - 24] is a lot longer. It will give you distance. The more reaction gap you have got, the more time you have got to react".

The reason CS spray was popular with these officers was partially that it could be used to incapacitate from a distance. It has the potential to strike at an attacker from a position where the attacker is unable to reply in kind because the officer was too far away. The following statements indicated that the perception of the safety afforded by CS spray is to some extent a matter of distance.

Officer 20: "From an officer safety point of view, you have got that distance between you and the subject so you are not having to get close as you would with the other police equipment."

Officer 10: "We shouldn't have to wade in and wrestle with them and get injured and that's what the spray does. Some situations you don't want to just wade in because you can get injured yourself and the spray is effective."

However, while distance from an attacker may be desirable for these officers it may not always be practical or possible. Police officers often narrow the distance between themselves and citizens to retain the initiative in their interactions (Van Der Steen and Koppelaar 1981; Koppelaar, Winkel and Van Der Steen, 1985). These officers considered verbal communication and physical separation the best way to resolve the majority of potentially violent situations, a low level strategy dependent on the officer being in close proximity to the person they were communicating with. This could be problematic to the officer because he or she would find it difficult to draw CS spray, or for that matter any other weapon, in time to use it if they were in close proximity to the assailant and were surprised by an attack. Morabito and

Doerner (1997) stated that "...time is of the essence when the officer is in close proximity to the suspect" (p 688) and that "...such close proximity, of course, renders [incapacitant sprays] virtually useless" (p 691). As Officer 10 explained:

Officer 10: "When you are wrestling with someone yourself, you're not really in a position to spray them. I suppose you could but if you are close up with someone it's not going to be easy to draw the spray and you are also going to be affected yourself. Also there is a minimum distance of three to four feet that you should have when you spray otherwise it could cause burns to the offender and possibly to yourself."

Officer 15 even suggested that attempting to draw a spray could actually put the officer at a disadvantage during a close quarters struggle.

Officer 15: "When I'm near to the persons involved I like to use my hands more than I do any of the equipment because if you have a piece of equipment in one hand you only have the other to grab him with, while he has two hands to do whatever he wants to you."

These officers perceived that the advantage of a long distance weapon such as CS spray may be negated somewhat when the officer is operating in close proximity to the assailant. This leaves the officer in the position where he/she would need to create space in order to draw and use CS spray, which could be achieved by retreating to the required distance or by pushing the assailant away. Officer 6 described an incident where he used a double handed push to create the distance needed to use CS spray.

Officer 6: "He's clenching his fists. He's punching at me so I pushed him back. I told him to 'stay back and don't be so silly.' Obviously, I decided to arrest him but he's fighting too much. He's coming towards me, I pushed him back. He had actually drawn his fist back to punch me: at that stage he was all hands and pushing and shoving. I'd pushed him back a couple of times, he's clenched his fist and he's gone to hit me but I've drawn the spray and I sprayed him. Albeit you aren't supposed to spray it at less than three feet but he was coming straight at me."

There is no guarantee that CS spray affords protection even when used with the full 15 feet between the officer and the assailant. During the observation of the North Wales Police officer safety training, two lines of officers (9 officers in each row) were instructed to stand opposite each other at a measured distance of 15 feet. One line of officers was instructed to spray the opposite line in the face and then the roles were reversed. Out of the first 9 there were only 2 hits to the face and 2 hits to the body, the rest missed completely. These were all to be two half second bursts of spray from practice canisters filled with water. In the second 9 there were 4 hits to the body and 5 misses. There were no hits to the face. These officers found it hard to hit the target (the face) even when it was stationary and when there was little pressure (compared to a real attack). During the observation it became apparent that 15 feet was a distance that could be walked at a brisk pace in about 4 seconds. It would probably take 1 or 2 seconds for an assailant to rush an officer from that distance. Officers appeared to be more accurate after pushing their target away because they were nearer to the target and they had already practiced targeting with the spray. However, that was only when they could get their CS spray out of its pouch in time, which was not often. In a true emergency situation they would have serious problems drawing the spray in time to protect themselves. If this gap between the officer and the assailant can be closed so quickly, then maintaining the appropriate distance needed to use CS spray may not be possible in many instances. This could explain why the PCA found that approximately 30 % of all complaints about CS spray occurred when it was used at a distance of less than 3 feet, which was below the minimum distance allowed (Dobry, 2000). This is problematic because Kock and Rix (1996) indicated that on 34 % of occasions it was 5 seconds before CS spray took effect and on 18 % of occasions it took from 6 to 15 seconds. This raised the possibility that in 72 % of these incidents the assailant could have reached the police officer before CS spray had taken effect. However, the majority of the officers interviewed for this study suggested that even when the effects of CS spray were not immediate they still caused the assailant to pause long enough for the officers to safely effect an arrest. Officer 10 described how CS spray stopped assailants by causing disorientation even before it took effect.

Officer 10: “A couple of seconds, they know immediately that they have been hit by it and they stop to try and find out ‘hang on what’s this’ and then it kicks in. Its very quick, a couple of seconds.”

Officer 5 indicated that the protection afforded by CS spray was often only as good as the number of colleagues present at the incident. Furthermore, the protection afforded by CS spray often depended on the strategy the attending officers decided on before they approached the incident, so long as there was time to formulate a strategy. As Officer 5 described:

Officer 5: “Really, more often than not there has been a few of us there, where a couple have got CS out and a couple have got batons out. If we have got time to discuss it beforehand and if there is just two of use one will say ‘I’ll have CS’ and the other ‘I’ll have the baton’ just in case one doesn’t work.”

(9.2): The “Velcro Effect”.

It has also been claimed that incapacitating sprays deter would - be assailants from attacking police officers. Much of this evidence concerns the use of pepper spray by law enforcement in the US where there is considerable anecdotal and empirical evidence supporting the deterrent capability of pepper spray (IAPC, 1995; Kaminski, Edwards and Johnson, 1998; Morgan, 1992). Much of this evidence suggested that on many occasions the presence of pepper spray would be enough to deter an assault on a law enforcement officer. Kaminski, et al (1998) named this the “Velcro effect” after an officer claimed that the reputation of pepper spray was such that it only needed the sound of the Velcro coming apart, as the spray was taken out of its pouch, for the person to become compliant. Basically the threat of its use was enough to ensure compliance. The same claim was made about the CS spray used in England and Wales. Kock and Rix (1996) found that out of 1269 incidents, there were 726 where CS spray was drawn and used, and 381 incidents where CS spray was drawn but not used. This suggested that in approximately 381 incidents it was only necessary to pull CS spray, that the threat of its use was all that was needed to gain compliance from many people. It appears that Kaminski et al’s Velcro effect also applies to the use of CS spray in England and Wales.

The Velcro effect associated with incapacitant sprays and deterrence has often been used to justify their adoption and continued use. However, in their work on incapacitant sprays, both Kaminski et al and Kock and Rix made no attempt to account for other factors that could have deterrent value for police officers. "They failed to examine whether this same deterrent effect was present when police officers drew their batons, took out their handcuffs or used verbal commands. It may be possible that CS spray is no more a deterrent than an officer shouting, 'Stop'" (Buttle, 2003: p 107).

Those officers interviewed for this study also believed CS spray deterred people from assaulting police officers; that there is a Velcro Effect. They believed that CS spray had gained the reputation of being painful to those who are exposed. This in turn made it probable that people aware of this reputation would become compliant, in order to avoid the pain of being sprayed, when it became apparent that the officer was about to use it.

Officer 3: "If somebody has been CS sprayed before, or seen the reaction of somebody who has been CS sprayed before, they are going to see and say 'no I don't want any of that' because the effects are quite dramatic initially. It certainly stops people in their tracks. So you might take it out and they suddenly say 'oh hang on I'm calming down, I don't want any of that stuff.' So the sheer effect of having it, can work without actually using it."

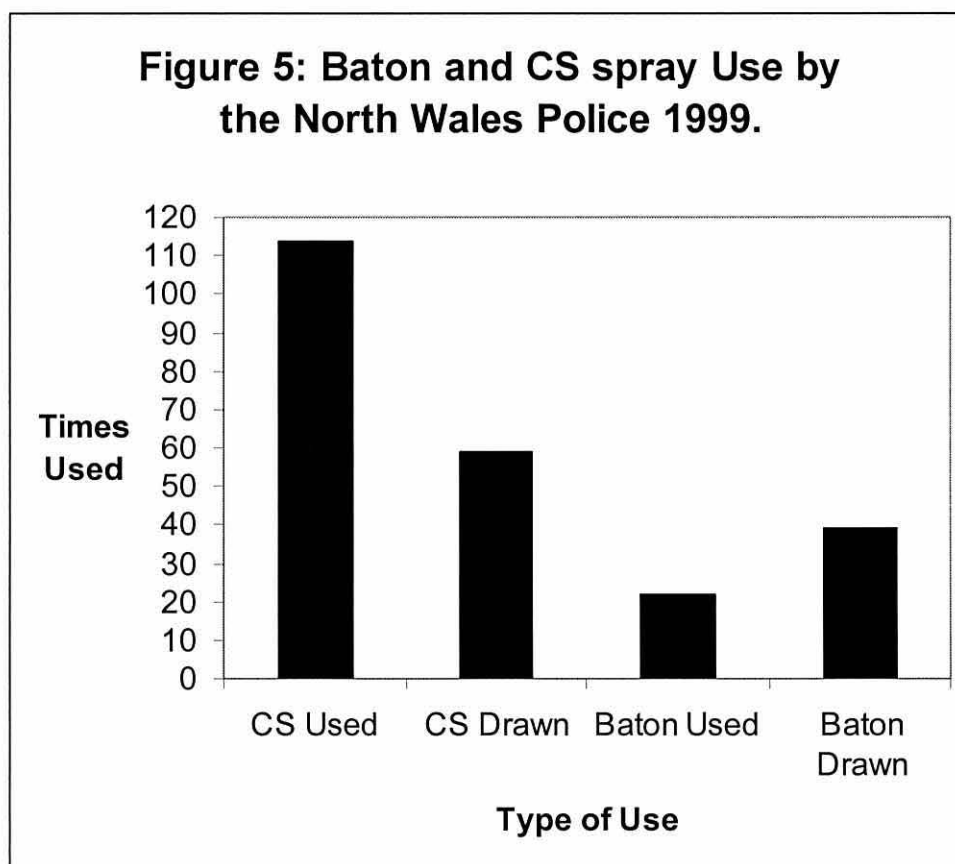
However, according to these officers, CS spray was not the only weapon available to them as a deterrent. They also believed that when they drew their batons people would reconsider their actions. Figure 5 incorporates data from the use of force monitoring for the North Wales Police during 1999 (Avery, 2000), to compare the number of occasions that CS spray was drawn and used with the number of times that batons were drawn and used but more importantly to compare times when CS spray and the batons were drawn but not used.

According to Figure 5, during 1999, CS spray was drawn but not used on 33.7 % of occasions and batons were drawn but not used on 63.9 % of occasions. Batons appeared to have been drawn but not used on approximately twice as many occasions as CS spray. This would appear to indicate that batons have a larger deterrent affect than CS spray. While the statistics in Figure 5 must be

considered with caution, they appear to indicate that CS spray is not the only weapon available to the police that deterred would - be assailants and that batons can fulfil a deterrent function also. Furthermore, it is possible that batons can be more of a deterrent than CS spray.

The statistics in Figure 5 do not distinguish between the two batons available to these officers. It could be possible that the officers of the North Wales Police were more likely to have used the PR - 24 during 1999, while at the time of the interviews the CASCO may have been taken up by many

Figure 5: Baton and CS Spray Use by the North Wales Police 1999.



officers. However, the officers who were interviewed for this study perceived both to be a deterrent. They believed that when they “racked” a CASCO or drew the PR - 24 it would cause a certain amount of fear in a potential assailant. Officer 18 mentioned that the rather conspicuous PR – 24 could be considered as a visible deterrent. However, it was when she drew it that the assailant thought better of his attack

Officer 18: “I do carry it [PR – 24] because I think it is more of a visible deterrent than it is an effective weapon. Yeah, I drew my baton the other day. On this occasion there was a fight situation and I’ve got a lad making towards me. Yeah, I drew my baton on that occasion and he straightaway put his fists up nicely offering me his wrists to cuff him. Yeah, I’ve pulled my baton but basically on seeing it he decided he wasn’t going for that and I put it away and cuffed him.”

These officers perceived the same deterrent effect with the CASCO. Officer 7 described how “racking” the CASCO often stopped would - be assailants in their tracks. She suggested that people would threaten violence until the CASCO was racked; until the implicit threat of a drawn weapon impressed upon the potential assailant that violence would be returned. According to Officer 7, it was not just the threat of the weapon that deterred the assailant but the assailant’s perception that the officer could handle herself and the equipment in a physical confrontation; the perception was that the officer was confident and ready to fight. Officer 7 believed that there was deterrent value in the adoption, by the officer, of a defensive stance that signalled confidence and preparedness to engage the potential assailant.

Officer 7: As soon as you rack it out it’s ‘wooh OK’, you can get an instant reaction because they see this [CASCO] and it’s what, five inches, if that, and you extend it out to that long. You, sort of, get in your stance to protect yourself for if they come at you. They think ‘they know what they are doing they can handle their equipment.’ So even though you might be five foot four it looks like you can handle yourself and they are less likely to try it on. So at least if anything did come you’d feel, OK, come on then take me. They always calm down when it’s pulled because they understand what’s going on. It’s like they will push it until that point and then they will go ‘OK fine’.”

It is not just weapons such as the baton and CS spray that act as a deterrent but also the police uniform. The authoritative effect of a uniform on the average citizen (such as a doctor's white coat) has been well documented by research conducted on obedience to authority, which suggested that a substantial proportion of people will obey instructions as long as they perceived that the commands come from a legitimate authority (Bickman, 1974; Hofling, Brozman, Dalrymple, Graves and Pierce, 1966; Milgram, 1974). A person wearing a police uniform is imbued with the legitimate authority of the state. This authority allows people wearing the uniform to exercise legal powers with the use of legitimate force (Reiner, 2000). Whether or not people comply with the instructions of officers during an incident depends on how they perceived the legitimacy of the police. Officer 3 believed that the level of respect for the uniform and what it symbolised was linked to the level of violence that police officers had to face.

Officer 3: "There is more open violence against us now than there was when I first started. I think there was far more respect for police officers when I started. People tended to look at you, realise that you were a bobby and wouldn't think of hitting you. Yes, bobby's got assaulted even then on the odd occasion, but they seem more prevalent these days. There's certainly a lesser amount of respect for the uniform than there used to be and consequently you are more likely to get assaulted these days, so there is more need for protective equipment."

While this officer believed that times had changed for the worst in comparison to the "halcyon days" of his early career, it is important to remember that the majority of incidents are still resolved by the mere presence of the attending police officer (Chapter 7, 7.1).

Officer 13: "First of all, what you get a lot of the time is that you just turn up: that sometimes is enough. Quite often just your presence will stop them from fighting and screaming at each other."

These officers believed their presence at an incident deterred violent behaviour. However, it is the uniform that makes the police officer visible to the people involved in the incident, and therefore it is the uniform that acts as the

deterrent. Without the uniform there is no way of identifying police officers when they arrived at the incident. They appear to be normal citizens intruding in the affairs of others. Without the uniform they are perceived as lacking the authority to intercede in the incident. Officer 7 described her confidence in the protection afforded by the deterrent effect of wearing a uniform by explaining the problems of not wearing one.

Officer 7: "It's fine, you can deal with it at the time if you are in uniform but I wouldn't do half the stuff I do in plain clothes. I've been walking down the streets at night in my normal clothes I'm off duty looking over my shoulder and worrying, but I wouldn't think twice about doing it in uniform. If you have got the uniform on, it protects you and it gives you a lot more confidence. You know there has been a couple of times where officers off duty have intervened and come off worse for it and it makes you think, well is it really worth it. I certainly wouldn't intervene in fighting, not while I was off duty at all."

That the uniform deterred violence against police officers was also noticed by Christopher and Noaks (1990) who interviewed assailants of police officers. Several of these assailants maintained that they would not have shown as much resistance if they were aware that the person they were fighting was a police officer.

There was no deterrent effect that could be attributed only to chemical incapacitants such as pepper and CS sprays. The "Velcro effect" attributed by Kaminski et al to these weapons, was also present whether police officers threatened to use any weapon or just turned up in their uniform. Therefore, the "Velcro effect" could be considered a part of a larger more generalised deterrent effect rather than an aspect of any single weapon. If it was not the incapacitant spray itself that deterred assailants as Kaminski et al suggested, then there must be factors common to all violent encounters between the police and the public that influence potential assailants to decide against assaulting a police officer.

In order to understand this more generalised deterrent effect against assaults on police officers, it is important to give some consideration to the work of classical theorists. Classical theorists emphasised the need for laws and punishment to act as a deterrent against criminal behaviour (Morrison, 1995;

Williams and McShane, 1999). Beccaria ([1764] 1996) indicated that certain prerequisites were needed to deter criminal behaviour by suggesting that punishment should be public, prompt, and certain. In short, to be deterred people needed to be clear about the consequences of criminal behaviour, they needed to understand that if they persisted in this behaviour, they would definitely be punished the moment they committed the crime. Of course, in practical terms this rarely occurs. According to Wilson (1996) the socially imposed consequences of committing a crime are characterised by ignorance of the consequences of criminal behaviour, a delay in punishing people for their behaviour and uncertainty about whether or not the offender would be caught in the first place. There is some doubt, and indeed great debate, over the deterrent value of punishment.

Another example of the importance placed on Beccaria's prerequisites for deterrence concerns patrolling by the police. The public and many police officers consider patrolling to be a deterrent against crime. Supposedly, the visible presence of a uniformed officer with the legal power to use legitimate force, clarified to potential offenders the certainty of prompt arrest for any misbehaviour. However, evidence suggests that police patrolling is an ineffective method of crime control (Audit Commission, 1996; Ekblom and Heal, 1982; Heal and Morris, 1985; Hough, 1985; Hough, 1996; Hough and Clarke 1980; Kelling, Pate, Dieckman, and Brown, 1974; Morris and Heal 1981; Wycoff, 1982). The problem is that visible police patrolling rarely brings officers into contact with criminal behaviour (Hough, 1985). Therefore, there is no certainty that the criminal will be caught when the crime is committed. When the crime is committed, the officer may need to travel some distance before arriving at the scene of the crime, making the officer's intervention far from prompt. And even on arrival, police discretion ensures the offender will not always be arrested, making it far from clear to offenders what the consequences of their actions will be.

While police patrols appear to have failed as a deterrent to crime, the same cannot be said about the ability of police officers to deter assaults on their persons. When the police officer approaches those engaged in aggressive acts, wearing a uniform that symbolises the legitimate authority to arrest, it becomes clear to those involved that they will certainly be promptly arrested by the

officer if they do not desist. Therefore, the uniform that identifies the person as a police officer symbolises the authority of the person wearing it and is in many instances a sufficient deterrent against assaults on police officers. However, some people can clearly perceive the threat of arrest as imminent but are uncertain if the officer will succeed, or are certain that they can evade capture. For these people the authority symbolised by the uniform may not be sufficient to stop them from resisting arrest. It is also possible that it is not clear to some people that they are about to be arrested. For example, they may be approached by a plain clothes officer or they may simply fail to notice the officer's approach.

The officers interviewed for this study suggested that threatening to use a baton or CS spray was often enough to deter would - be assailants. When these officers considered their safety to be at risk they would adopt a "ready" stance and draw their baton or CS spray. They would pause in this ready position and shout warnings such as "CS spray" or instructions such as "stand back" at the attacker. By standing in a ready stance with their weapons drawn they clearly demonstrate the resolve to fight the assailants if they fail to comply. The stance demonstrates that the officer is a trained professional who could certainly overcome the assailant with the prompt use of whichever weapon was drawn.

According to Baum (1994), if the desired effect is to coerce someone to stop behaving in a certain manner, it is important to leave that person with alternative behaviours to use instead. By shouting instructions to attackers about what they needed to do in order to comply, the officer made it clear to them what the behavioural alternative was. Another important aspect of this deterrent effect is the pause between adopting the defensive posture and actually using the weapon. While shouting instructions may inform assailants of alternative behaviours, it is the pause between drawing the weapon and using it that allows assailants to take up these alternatives. In short, the assailants need time to decide that it is better to comply with the officer's commands. If the officer attacked straight away there would be no opportunity for the assailant to back down. Thus, it is the ability to make would - be assailants believe that they would lose a fight with the officer that is the deterrent, not a specific weapon.

(9.3): Using force in the panopticon age.

The film of the beating of Rodney King by the LAPD (Chapter 1, 1.4) highlighted the power of the videotape recorder as a means of providing accountability to members of the public who have been victims of police brutality or excessive force. Recently, a similar although less publicised incident occurred in the UK. Police Constable Keith Empsall of the West Yorkshire Police was found guilty of assaulting a member of the public on the strength of video evidence.

“The officer was unaware that he was being filmed as he appeared to punch Christopher Wilson, 27, three times in the face. The court heard that a student who lived opposite, Mark Goodwin, 22, had started filming after his girlfriend told him there was a fracas outside.”

(Wainwright, 2002: p 1)

It is not often that a witness to police misconduct happens to have a video camera handy to film the incident. Therefore, the opportunity to perform this type of civic duty is rare indeed. In contrast, Closed Circuit Television Cameras (CCTV) seemed to be numerous.

Many public spaces in Britain have come under the surveillance of CCTV and few people go about their business without being observed by these cameras on a daily basis (Norris and Armstrong, 1999). According to Norris and Armstrong (1999), there were no CCTV systems operating in Britain until 1961 when London transport first installed cameras in one of its stations. In 1967, CCTV was first commercially marketed by the company Photoscan as a means of deterring and apprehending shoplifters and for the next twenty years it was used primarily as a means of security in the retail sector (Beck and Willis, 1995). During the late 1970s and early 1980s, CCTV gradually extended from monitoring customers in private establishments to monitoring private citizens on public streets. By the 1990s it had become “... the crime prevention initiative of the century” (Norris and Armstrong, 1999: p 54). According to Goodwin, Johnstone and Williams (1998), during 1995 the Home Office supported the use of CCTV to the extent that 78 % of the crime prevention budget was spent putting CCTV into public places. During the last

decade the use of CCTV has grown from a handful of schemes to nearly every city and town centre being monitored (Fyfe and Bannister, 1996; Gadher, 1999; Goodwin, et al, 1998; Norris, Moran and Armstrong, 1996). Gadher (1999) suggested there were more people watched by cameras in Britain than in many other countries, in proportion to the population.

Lyon (1994) suggested that the use of CCTV as a method of surveillance resembles Bentham's idea of the panopticon prison. This was a prison where inmates could be observed at all times from a central tower allowing constant and all - embracing surveillance of the prison population by a few guards. In a similar manner, CCTV operators occupy a small room in front of television screens observing a vast number of people. Foucault (1977) viewed the panopticon as a means of social control. He suggested that those with the knowledge that they were being observed would conform because they were aware that those watching would force them to comply if they did not. However, it is important to remember that Bentham considered it a virtue of the panopticon that it also exposed the prison guards to surveillance. The guards in the panopticon prison occupied a central tower from which they could observe the prisoners in every cell. Semple (1993) indicated that the central tower allowed judges, magistrates and the public to safely inspect prison conditions and the treatment of the prisoners by the guards. The all - encompassing surveillance that was central to the concept of the panopticon provided a means of social control of the guards as well as the prisoners.

Goold (2003) suggests that because of widespread coverage of public places by CCTV, police officers, like Bentham's prison guards, would be unable to avoid the gaze of the public. He believes that CCTV has the potential to change how policing is organised, as well as changing the practices and attitudes of individual police officers. "For example, does knowing that they are being watched by CCTV influence officers' decisions to use force when making arrests?" (Goold, 2003: p 192). During his studies, he found that two thirds of the police officers admitted that the introduction of CCTV forced them to be more careful when using force. Goold found that despite there being no evidence to support the notion that the introduction of CCTV led to an increase in complaints against officers, they were still concerned about video footage being used by the PCA to substantiate complaints against them or their

colleagues. This concern had been sparked by an accusation made about a colleague, where CCTV footage showed the officer using a baton to affect an unlawful arrest.

Indeed, the PCA were well aware that the introduction of CCTV gave protection against the arbitrary abuse of police power.

“The biggest change in the past 10 years has been the universal provision of CCTV recordings. Prior to the introduction of CCTV there was no evidence to corroborate the complainant’s version of events. Now CCTV provides a means of finding out exactly what happened. CCTV is not infallible and very often it lacks sound or clarity but it is still a very valuable evidential tool.”

(Graham, 2002: p 5)

There seems to have been an increase in the number of complaints of unlawful arrest where the PCA used CCTV to substantiate the complaint. The following quotes are examples of such incidents:

“In September 1999 two shopkeepers in Brighton were detaining a man. Sussex Police were called to arrest him for shoplifting ... A second struggle occurred whilst the officers were trying to place the man into the back of the van. Batons were drawn. CCTV captured the officers striking the man ... One ex – officer was charged in court for common assault, one officer was demoted, and one received a written warning.”

(Graham, 2002: p5)

“Dunn, 34, who was based at Wimbledon police station, was found guilty of common assault on February 7, after CCTV footage showed him kicking Mr Hughes as he was held down by three officers... Mr Hughes said... ‘Had it not been for the CCTV, the incident would never have been picked up and no – one would have believed me’.”

(This is Local London, 2003)

While the public may consider CCTV to be an ever - watchful electronic police officer, to some extent the police may perceive it as a means to monitor police behaviour. While it is possible for police officers to avoid CCTV cameras (Ericson and Haggerty, 1997; Norris and Armstrong, 1999), they will often have to go to great lengths to do so (Ericson and Haggerty, 1997). Therefore, it

is possible that the advent of CCTV has made policing more visible (Goold, 2003).

The officers of the North Wales Police work in a predominantly rural area and in some places CCTV systems are not available. For the duration of this study CCTV had been used to monitor the main shopping centre of Bangor. However, the more rural towns and villages were yet to have their own cameras. While it was possible for these officers to walk the rural streets of North Wales without always being under the watchful eye of a CCTV system, they were still concerned about how it would look if using force were caught on tape. Therefore, many of these officers emphasised the need to appear professional when using force. One trainer explained the role played by officer safety training when it came to the presentation of a professional image. He explained that prior to officer safety training all the officers who arrived at the scene of an incident would try to affect the arrest, which looked excessive and inept to watching members of the public.

Officer 21: "If we can make people professional in their approach. Get away from the old days when you used to have five or six bobbies on one offender which looked awful. Sometimes you would hear 'I've got a cuff on here' and 'hang on that's my arm', and it was the wrong arm. What we are trying to promote is that we look more professional when two officers can restrain somebody and restrain them properly. The others then are doing what we call cover by making sure no one else gets involved."

These officers indicated that special care was needed where the batons were concerned. Officer 14 explained that because the PR – 24 was not a very effective weapon it would often take more than one strike to incapacitate, which under the watchful eye of a CCTV camera would look excessive. He explained that it would be far better to use an effective weapon that incapacitated with the first strike.

Officer 14: "I was in a situation with another officer where during a fight he had hit the person who was attacking him 3 to 4 times with the side - handled baton to no effect. So I went over and hit him once with my CASCO and that was all that was needed. Can you imagine how an officer striking a person 3 to 4 times with a side - handled baton would look on video in comparison to one strike with the CASCO? The public would consider it very excessive."

Even the CASCO, which was perceived to be the more effective baton than the PR – 24, could be considered a liability compared with CS spray. Both the CASCO and the PR – 24 were considered a higher level of force than CS spray because of the potential damage these batons could inflict. Many of these officers believed the CASCO capable of breaking bones when striking the wrong area. However, the majority of these officers believed CS spray to be a lesser use of force because, unlike the batons, it left no bruising, which made it harder to substantiate complaints about police officers who used excessive force.

Officer 8: “At the end of the day, CS spray is better because it’s a bit of discomfort for fifteen minutes and then that’s it. You hit someone with a baton and they go to court and they’ve got bruises all over them or whatever. You know, it doesn’t look as good.”

To these officers, no bruising meant no evidence of excessive force and subsequently less chance of substantiating a complaint. Physical evidence such as this is often cited as evidence for the excessive use of force by police officers. For example:

“... complainants alleged some injury was caused to them resulting from the use of excessive force by a police officer. Such injuries included soreness, bruising and, in two cases, the injury alleged was a cut to the head caused by a blow with a baton.

(PCA, 2000: p 1)

For these officers what constituted acceptable force would be determined by the perceived risk of a complaint being made against them. So the temporary nature of the symptoms of exposure to CS spray was what made it so popular. It left no bruising. Therefore, CS spray would be considered to be a more benign use of force because the consequences were invisible. In comparison to the baton, the actual use of CS spray could be considered less visible, whether the onlooker was at the scene of the incident or peering through a CCTV camera. When a police officer used CS spray it appeared less brutal than the baton. The arresting officer repeatedly “clubbing” a suspect into submission could be very visible to onlookers. It appeared far more draconian than when a

suspect fell to the ground after a police officer standing some distance away pressed a button on a canister (Buttle, 2003). However, the perception of CS spray's clinical efficiency and the invisible consequences of its use were not necessarily indicative of a lower level of force. By their own admission, these officers find CS spray to be very painful when they have been cross - contaminated. Furthermore, could pain be considered a measure of the level of force used by officers and could exposure to CS spray be more painful than being struck by a baton? In part, CS spray was popular with these officers because it was considered to lessen the risk of complaints about excessive force, although there was no evidence to suggest that it did.

(9.4): Discussion.

The police officers interviewed for this study indicated overwhelming support for CS spray. They believed it afforded them the best protection available, despite there being no reliable evidence that it offered them any more protection than any other officer safety tactic or equipment. This support for CS spray was so deep - rooted that even those who had never used it considered it to be an effective means of defence. Stories of its perceived effectiveness were spread via the usual method: canteen culture. Officers were not unrealistic about its potential to fail as a means of protection and the most mentioned disadvantage regarding the use of CS spray was cross – contamination. However, the ability to incapacitate more than one person at a time was also considered an advantage. Furthermore, the fact that nearly all of these officers had been cross – contaminated only reinforced how painfully effective it was, which also persuaded officers who had never used it that it was effective. When the biggest disadvantage to using CS spray was perceived as an advantage and also as a reminder that it works, it is hardly surprising that these officers were willing to ignore the pain of cross - contamination in favour of its use.

In part CS spray owes its popularity with these officers to a number of characteristics that it shares with other popular officer safety tactics and equipment. It is small, compact and comfortable to carry. Furthermore, it is easy to learn and to remember how to use. However, what truly made CS spray

different from all the other officer safety options is the perception that it has an impact on distance, deterrence and accountability.

Being close to an agitated violent person during an incident might be frightening for the attending officer, therefore, any weapon or tactic that maintains distance between the two would reduce the officer's fear of the situation. It is possible, indeed advisable, for CS spray to be used at a distance from the assailant. These officers believed that CS Spray allowed them to incapacitate someone from a distance sufficient to put them beyond the reach of the assailant. Whether maintaining distance is practical when the majority of interactions between the police and the public are conducted at a conversational distance is doubtful. It is probable that sudden attacks would overwhelm the officer before it is possible to draw the spray.

It has been suggested, by Kaminski et al (1998), that it is only necessary to pull CS spray because the threat of its use is all that is needed to gain compliance from many people. Kaminski et al called this the "Velcro effect", inferring that deterrence was linked to incapacitant sprays. This is not so. It is not just CS spray that deters assailants but also the PR – 24, the CASCO and even the officer's uniform. It is Beccaria's prerequisites for deterrence (clarity, certainty and promptness) that stop assailants in their tracks, not the reputation of CS spray. When officers take up a stance and threaten to use any kind of force, it becomes clear to assailants that if they do not stop their aggressive behaviour they will become involved in a fight that they are certain to lose.

These officers consider CS spray to be a use of force that is less visible than others. Unlike batons it leaves no bruises with the symptoms of exposure to CS spray generally disappearing after approximately fifteen minutes. When CS spray is used, it appears less brutal to onlookers than the baton because there is no clubbing motion of the officer's arm as the baton strikes the target. Instead, a police officer standing some distance away presses a button on a canister and the person targeted falls down. These officers considered CS spray to be a lower level of force than the batons because its use appears to be less brutal and certainly the consequences of its use are less visible. Therefore, CS spray was popular with these officers because in comparison to the batons, there would be less evidence that force was used, which would protect them from complaints.

CHAPTER 10

THE FUTURE OF OFFICER SAFETY

The main question posed by this study was one of legitimacy. To be more specific, why did a controversial weapon such as CS spray become so popular with the police that they supported its continued deployment, even in the face of negative media coverage, which threatened police legitimacy? It was found that even in a supposedly peaceful rural constabulary, police officers perceived CS spray to be the most effective response to violent assaults against their person. Furthermore, the previous chapters have revealed a disturbing trend towards a more aggressive style of policing in rural constabularies and possibly in their urban counterparts. This final chapter will reiterate those findings. It will also draw upon the evidence gathered to discuss what can only be considered a shift from a mostly defensive policy for the police use of force, towards a policy that has gradually allowed police officers to exercise a more aggressive means of gaining compliance from those they arrest. The process of how the current precedence for officer safety over public safety came into being will be explored and possible means for redressing the balance in a manner more favourable to public safety will be proposed.

(10.0): The legitimacy of police weapons.

Where weapons are concerned, the rhetoric of policing by consent has always provided tension between police legitimacy and officer safety. The legitimacy of the police in England and Wales has always been tied into the traditional notion of an unarmed police force. This does not mean that historically the police had no recourse to cutlasses and firearms when encountering dangerous situations, but that they did not carry these weapons as a matter of routine (Emsley, 1996; Reiner, 2000; Waddington, 1999c). It was Peel's intention that his "new police" be unarmed because this unarmed status provided and propagated the benign image often associated with the rhetoric of policing by consent (Morgan and Newburn, 1997; Reiner, 2000). The idea was that police officers who would face dangerous criminals with only a small stick (truncheon) and handcuffs would gain the respect of the public for their

bravery and the sympathy of the public when they were hurt or killed (Ingleton, 1997). From this perspective, the authority of the police was legitimised through the public perception of police vulnerability. Not only was their legitimacy dependent on the appearance of vulnerability, but also their heroic status with the public, which Banton (1964) described as sacred in character, because in the eyes of the public the police were treated as both good and dangerous.

The police were not unaware of their own vulnerability and there were many calls for better means of protection on the part of frontline police officers, most of which involved the routine arming of the police with firearms (e.g. Emsley, 1996). However, until recently, calls for better protection had been ignored. Better protection would make the police seem less vulnerable in the eyes of the public. It was possible that better protection for the police would make the public feel more vulnerable. If the public felt vulnerable when interacting with the police then they may also have felt resentment towards the police rather than respect. Police officers would not be considered as brave defenders of the public, but cowardly purveyors of violence. Hence, police legitimacy would break down because the public perceived the police to be as problematic as the criminals that the police were supposed to catch. This may mean that the public could withdraw their support for the police, which would make effective policing extremely difficult and dangerous for the officers involved (Parkinson, 2001). Traditionally, the police in England and Wales were only ever routinely issued with a truncheon and handcuffs (Emsley, 1996; HMIC, 1995; Ingleton, 1997; Reiner, 2000; Waddington, 1999c). This was indicative of the belief that the best protection afforded police officers was the trust and respect of the community. The provision of regular self - defence training and new officer safety equipment was not given any serious thought.

However, during the 1990s, assaults on police officers had risen to what was considered an unacceptable level. This caused enough concern about officer safety to reignite the debate about routinely arming the police with firearms (Derbyshire, 1995; McLaughlin, 1996). Many officers indicated that they did not want to carry guns, because they feared that criminals would reciprocate and policing would become more dangerous. They believed that the traditional image of the unarmed benign police officer discouraged the use of firearms by

criminals and elicited the support of the law abiding public. Therefore, some sort of compromise was needed that provided extra protection, but preserved this benign image of the police. While being a totally new weapon to the police in England and Wales, the supposedly non - lethal status of CS spray appeared to afford officers safety without seriously threatening the consent of the public. The rhetoric of policing by consent assumes that the public considers the deployment of new weapons to protect the police as unacceptable; any new weaponry, and especially firearms, will impact negatively on police legitimacy (Brearly and King, 1996; Jefferson, 1990; Johnston, 2000; Morgan and Newburn, 1997). This is an erroneous assumption. The public are self – absorbed: selfishly only interested in the things that most affect them. Weapons are not a problem for the law - abiding majority who rarely, came into contact with the police, and are either ignorant of, or ambivalent about the majority of policing matters. (e.g. Cooke et al, 2001; Kock et al, 1993; Kock and Rix, 1996). These people are less attached to the traditional benign image advocated by the rhetoric of policing by consent than has previously been believed (Waddington and Hamilton, 1997). They generally support the police being routinely armed with just about any weapon, as long as they perceive that this weapon protects the police and in so doing allows police officers greater freedom to protect the public by upholding the law. The majority of the law - abiding public believe that law enforcement is more important than how the police use force. Furthermore, with the exception of firearms, this is a view shared for the most part by the police. For the public, legitimacy has less to do with the weapons used by the police and more to do with how effectively they protect the public from crime, and often trivial crimes at that.

There were members of the public who did not support the routine arming of the police with firearms or CS spray. These were members of the public who had practical “face to face” experience with the police; experience that was often not to their liking (Cooke et al, 2001). To these people their treatment at the hands of the police was more salient than the ability of the police to uphold the law. This included people who had been exposed to CS spray and people who cared for, or were at least friends with, someone who had been sprayed. This supports the notion that the image of the police is often tarnished by contact with the public (Carter, 1985; Correia, et al; 1996; Sims and Myhill,

2001; Yeo and Bud, 2000). Furthermore, there were people in politics or caring professions that had contact with those that were sprayed. These people were far from ambivalent about CS spray; concerns for the wellbeing of those exposed made them more socially aware of the problems involved with CS spray use by the police. For these people, the deployment of CS spray had reduced the legitimate authority of the police.

Even the considerable negative media exposure appeared to have little effect on the public support for the use of CS spray. This was surprising in light of the negative effect that the Rodney King incident had on the legitimacy of the LAPD (Morrison, 1995). There were two good reasons for this. Firstly, the media coverage of CS spray was mostly concerned with public health, which was linked to the misuse of CS spray: if it was used properly there should be no health problems. Therefore, the misuse of CS spray appeared to be a matter of the police accidentally getting it wrong, rather than outright brutality. In comparison, the Rodney King incident appeared to be a matter of intentional police brutality, and could be seen as one of a long line of similar incidents (e.g. Davis, 1990; Morrison, 1995). Secondly, the alleged misuses of CS Spray often led to court cases and coroners' inquests, which provided the promise of accountability for aggrieved citizens. In contrast, the trial of the officers who beat Rodney King appeared to be engineered to favour their acquittal (Morrison, 1995). This gave the impression that the LAPD, much like Jamaican police officers, could brutalise members of the public with impunity. In short, well publicised incidents where the police allegedly misused CS spray appeared to have minimal effect on the public's trust in the legitimacy of police authority. The public perceived that police officers involved in these incidents had made mistakes for which they were accountable. While some members of the public considered these incidents to be dubious they still perceived that both the police and the criminal justice system were there to protect the public. It is only in cases of continued brutality with impunity that the legitimacy of the police can be seriously fractured. Furthermore, total public support for the deployment of CS spray is not needed to legitimise this weapon. According to Reiner (2000) all that is needed is for the majority of the public to offer grudging support, rather than public consensus, for the legitimacy of police authority to be upheld. This closely resembles Weber's, (1978) assertion that

for legitimacy to be upheld, it is only necessary for subordinates to consider it desirable or at least bearable to obey authority.

Of course, the legitimacy of the North Wales police must be seen in a rural context. In the small village of Tregarth the legitimacy of the rural police appears to be dependent on the public perception of their ability to effectively uphold the law. The residents resent the lack of attention that they receive from the police who they claim rarely, if ever, drive through the village. This is not surprising considering Yarwood's (2001) assertion that the need for rural officers to police vast areas of countryside often leads to infrequent patrols. Furthermore, response times for answering emergency calls often take longer to arrive in rural areas than they would in urban areas (Lusher, 1999). This is exacerbated by the villagers' almost incessant need to involve the police in even the most trivial infraction against village life, which supports Young's (1993) suggestion that people living in rural areas have higher expectations of the police than the urban citizenry. These higher expectations may be due to the idea of the benign and friendly village constable who is often associated with the idyllically peaceful rural life (Yarwood, 2001). This is a constable that no longer exists and probably never existed, in any time or place, other than in the minds of those caught up in the "rural idyll". In fact it could be said that rural police officers suffer from the burden of policing the "rural idyll".

In rural areas there are higher demands on both human and monetary resources to police a more demanding public. Therefore police legitimacy is harder to maintain in the countryside than in the town. The villagers' pre-occupation with how effectively they are policed has consequences for their perception of police weapons and officer safety equipment. Weapons are generally perceived to be helpful to officers. If this new equipment provides for officer safety, then its use should also facilitate effective policing. It is when the police are perceived to fail in their duty to protect the public that police legitimacy is threatened. Under these circumstances, CS spray and officer safety equipment are perceived, at least by the residents of Tregarth, as a sign of cowardice. The police are considered to be afraid of the "criminals" that they are supposed to be protecting the public from. The assumption is then made that the police must be afraid or why would they need all that equipment?

(10.1): A culture of fear.

The risk of police officers becoming victims of violence has often been exaggerated. While the police are assaulted more frequently than people working in other occupations (Budd, 1999; Mayhew, 2002), it is still, in most cases, a rare occurrence (HMIC, 1997, HMIC, 2001). When assaults do occur, police officers are less likely to be seriously harmed or killed than workers from many other occupations (Guralnick, 1963; Ingleton, 1996; Reiner, 2000). As far as physical harm is concerned, policing is far from the most dangerous occupation.

Despite the minimal risk of harm, the police officers that took part in this study still perceive policing to be dangerous and the fear of violence is central to their occupational culture. This fear is exacerbated by the rural setting that is part of the North Wales policing experience. The HMIC (1995) made the point that rural police officers were concerned about the time it would take for their colleagues to back them up if they were attacked in an isolated rural setting. Furthermore, many of the officers in this study policed a number of extremely isolated and mountainous rural areas, which would hamper attempts by their colleagues to provide assistance if it was needed. It is possible that the rural policing experience may impact upon officers' fear of violence in a more forceful way than would an urban setting on officers policing a town or city. In short, the more isolated rural police officers may be more frightened of violent assaults than their urban counterparts.

As Reiner (2000) suggested, the fear inherent in front line policing is not merely a matter of correctly assessing the risk of danger. Where the officers in this study are concerned, it is a matter of individual perceptions interwoven with both the occupational culture of the police and the rural situation, which often results in exaggerated perceptions of danger. While violent assaults on police officers are not frequent, it would be a lucky officer that came to the end of his or her career without having been a victim of assault (Budd, 1999). At some level, officers appear to be aware that while being assaulted was rare, it was also inevitable. Therefore, these police officers live in anticipation of this rare but unpleasant occurrence, which causes uncertainty when interacting with the public. Every interaction with the public is considered by them to have the potential for violence and to guard against this, there is a need to be wary of

every encounter. As Tauber (1962) indicated, trouble could come from anywhere. They also perceive that specific types of people and situations are more dangerous than others (Skolnick, 1962). However, what these police officers perceive as dangerous does not correspond with statistical measures of risk. While police officers are mostly assaulted in alcohol - related incidents that occur outdoors (Christopher and Noaks, 1990; Moxey and McKenzie, 1993), these officers are actually more frightened of incidents that involve people with drug abuse and psychiatric problems, and situations that involve domestic disputes. These are often the type of people and situations that are considered to be highly unpredictable (Graef, 1990; Nash, 1999) and therefore there is less certainty of a peaceful outcome. It is the perception of uncertainty that is the underlying factor involved with police fear of assault.

Even the coping strategies employed by these police officers, to enable them to function in a fearful working environment, can be seen in the context of bringing certainty to the uncertain world. For those officers that have never been assaulted and have only heard tales of glory in the canteen, or tales of warning during training, when it actually happens it comes as quite a shock. Like those that have already faced physical violence, they now become acutely aware of its effect on their ability to be police officers. Being assaulted, even a minor assault, can often lead officers to question their decisions to arrest people and/or question their ability to successfully affect an arrest. It is not so much the physical, but the psychological trauma that concerns them the most. Being assaulted makes police officers uncertain of their abilities when previously there had only been certainty. The perception of certainty is central to the police officer's concept of safety. The officer's perception of certain safety allows for the prediction of a positive outcome to any encounter, which in turn propagates the officer's belief in their invulnerability to harm (Bonifacio, 1991). So any physical assault on an officer can also be considered an assault on their perception of invulnerability, an image that must be maintained if the officer is to continue to function effectively (Bonifacio, 1991).

This invulnerable self image was maintained by officers adopting two different styles of coping strategy. The first was the tendency to avoid unpleasant thoughts about vulnerability by reinterpreting information about vulnerability

in a more positive way, or at least by distancing themselves from disturbing thoughts about their vulnerability (Anderson, et al 2002; Anshal, 2000; Lazarus and Folkman, 1984). This was a strategy that restored the officers' faith in their invulnerability by refusing to acknowledge vulnerability, allowing the officer to concentrate on other aspects of his or her work (Anderson, et al, 2002). The second coping strategy did not avoid the possibility of danger, but approached it in a more direct fashion. The officer confronted the source of the danger in a rational manner, in the hope of gaining a better understanding of his or her vulnerability (Anshal, 2000; Dawe, 1993). Invulnerability was restored by planning a way to cope with similar situations that could occur in the future (Anshal, 2000; Dawe, 1993). This could include changing tactics or even complaining about a lack of safety options available, to people such as union representatives etc. These coping strategies may not be mutually exclusive: rather, they could interact in a more complex manner between different individuals over time. According to Anderson et al (2002) this is an interesting topic for further study, considering the dearth of literature regarding how officers cope with being assaulted.

Safety was extremely important to these police officers. They work in an occupation where they were expected by the public to confront potentially violent situations with no recourse to retreat. No matter how frightened the officer they still had to confront potential violence on a daily basis. Moreover, if it was uncertainty that was at the heart of their fears about being harmed, then it must be certainty that was central to their perception of safety.

(10.2): Affording safety.

These police officers favoured equipment and tactics that they believed afforded them certain protection from violence. The majority of officers expressed similar views about what made certain tactics and equipment a more successful means of defence than others. However, this was to some extent dependent on how dangerous the officer perceived the incident to be.

To these officers, the safest way of resolving a potentially violent situation was to use a combination of verbal negotiating skills and physical separation of those involved in the incident (Bayley and Garofalo, 1989). Non - violent low level coercion such as this was perceived to remove the need for more violent

measures from the equation. It was preferable to separate those involved, calm the situation down, and persuade those being arrested to accompany the officers to the station. As long as the officers could control the situation in a manner that maintained this calm interaction between officers and those involved, then a peaceful resolution to the incident should be forthcoming. It was fear of violent interactions that appeared to make this type of low level coercion more favourable to these officers. They believed that violence begets violence. So to ensure their safety they believed they should avoid its use when possible.

This preference for using negotiation to gain compliance appeared to run counter to the argument that police officers were using CS spray to make easy arrests. However, McKenzie (2000) suggests that the police may be quicker to resort to CS spray when they believe their verbal communications are ignored. In short, non - violent low level coercion was only favoured when officers were dealing with incidents that had the potential for violence. Their perception changed when officers believed that the potential for violence had been realised. If they arrived at a violent incident, or a potentially violent incident became violent, then, with some reservations, these officers believed it best to resort to higher levels of force, which often involved the use of officer safety equipment and specifically CS spray.

The officer safety equipment considered during this study was CS spray, rigid handcuffs, friction lock baton (CASCO), expandable side – handled baton (PR-24), and overt body armour. Furthermore, the numerous types of unarmed defence tactics (UDT) were considered. These fell into roughly three categories: strikes (punches, kicks, knees and pushes), blocks (intercepting strikes with the forearm) and holds (arm-locks and wrist-locks).

These officers considered the new equipment and the officer safety programme to be better than previous provisions for their safety, which they rightly considered to be virtually non - existent. They indicated that their present equipment was adequate and that there was no need for new equipment, but that there was a need for the provision of faster “back up” from their colleagues, especially when attending incidents in isolated rural areas. It was not a lack of officer safety equipment that was a concern for officers of the North Wales Police, rather it was the rural nature of the area being policed that

was, in their view, the biggest safety issue. However, they did differentiate between the various officer safety equipment and tactics, and some were favoured over others. The backing for CS spray was almost universal amongst the officers in this study, which supported earlier studies (Baker and Waddon, 1998; Kock and Rix, 1996). Even those who had never used it offered their backing, because they had seen its effect, and often felt it, when CS spray was used by colleagues. For many, this second - hand experience of CS spray was proof enough of its effectiveness. The rigid handcuffs and the CASCO were also considered to be effective. However, the PR-24, protective body armour and UDT were not as popular with these officers. There was even variation in how these officers perceived the effectiveness of different types of UDT technique. While they believed that strikes were an effective means of protection, they were far from confident about blocks and holds. Kaminski and Martin (2000) found that US police officers had similar preferences.

There were a number of salient factors that affecting the officers' beliefs about the protection afforded them by their officer safety equipment. Most importantly, for these officers the defensive capability of their officer safety equipment and tactics was dependent on the perception of offensive capability. The officer safety equipment that was popular with these officers, such as CS spray and the CASCO, could only be used in an offensive way. Also, the few UDT techniques that were considered effective were mostly strikes; techniques that can only be used in an offensive manner. Even the rigid handcuffs were preferred because they could be used in an offensive manner to wrestle someone to the ground, whereas the old chain linked handcuffs could only be used to restrain. In comparison, officer safety equipment that could be utilized in a defensive way, such as the PR – 24 and body armour, were not considered to be as effective. Neither were the more defensive UDT techniques such as holds and blocking. Where the majority of these officers were concerned, the old adage “offence is the best form of defence” was definitely the best way of gaining compliance from those people willing to use violence against the police. This preference for offence over defence could be ascribed to an unethical preference for violence on the part of the police. However, this seemed unlikely. The reason why these officers preferred officer safety equipment and tactics that could only be used in an offensive manner was a

matter of being pragmatic. The defensive capabilities of the PR – 24 and the holds and blocks utilised by the UDT were hard to use and difficult to learn, whereas the more popular officer safety equipment and tactics that could only be used in an offensive manner were easy to use and easy to learn. While offensive officer safety equipment and tactics were generally easier to learn and use, many officers expressed concerns about their safety. Some officers considered the CASCO to be too dangerous to use and many of the UDT strikes were viewed with the same concern. This concern appeared to be motivated by fears that such equipment and techniques would elicit complaints from the public about the officers using them. These police officers often favoured equipment that was compact, comfortable to wear and easy to carry and disliked those that were not, such as the PR – 24 and the protective body armour. The fact that police officers rarely resorted to the use of force (e.g. Bayley and Garofalo, 1989) meant that for many, comfort was just as important as safety, and for some officers more important. It seems that comfort, ease of use and offensive capability are what police officers look for in their officer safety equipment.

CS spray was perceived to have all the advantages that made officer safety equipment effective to police officers, but there were also three other advantages attributed to the spray that made it appear even more effective. These advantages were that CS spray created distance between the officer and the assailant, that it deterred assaults on officers, and that it protected officers from complaints.

What these officers valued above all else was that CS spray was the first and, at the time of writing, only weapon routinely available to them, which could incapacitate from a distance. This allowed officers the reassurance of being able to stop a violent offender from a distance that was beyond the reach of the assailant's blows. It was the perception that violent incidents could be resolved from a safe distance that made CS sprays the safest option in the eyes of these officers. However, while distance did ensure safety, it was hard to maintain. Surprise attacks could result in the officer being overwhelmed before CS spray, or any other weapon, was drawn. Defence against this type of assault was important because it was during surprise attacks that assailants inflicted the most harm on police officers (Brown, 1992). When officers had been

overwhelmed by a surprise attack, officer safety equipment such as CS spray that depends on the officer's ability to draw and use it in an offensive manner did not protect the officer. Also the less popular protective body armour afforded the best protection during surprise attacks, as long as the officers were wearing it at the time of the assault. This supports earlier findings in the US (e.g. Geller and Scott, 1992; Quinet, et al 1997; US Department of Justice, 1998).

One of the major claims made in support of CS spray was that it reduced assaults on police officers: it was a deterrent (Kock and Rix, 1996). Certainly, the threat of being sprayed with CS deterred many people from behaving in a violent manner. These officers believed they only needed to draw their CS spray in order to stop an assailant, since the mere sight of the canister was enough to stop them in their tracks. This appeared to support the findings of Kaminski et al (1998), who indicated a similar deterrent effect in their studies of the police use of pepper spray in the US, which they named the "Velcro effect". However, this was not a phenomenon that could only be attributed to CS spray. The officers in this study also attributed the same deterrent feature to the CASCO and PR-24. They indicated that drawing either of these batons often resulted in the assailant desisting from an attack (Kock et al, 1993). Furthermore, they explained that in the majority of incidents the presence of a uniformed officer was all that was needed to deter violent behaviour (Bayley and Garofalo, 1989; Christopher and Noaks, 1990). It appears that this deterrent phenomenon has more to do with the assailant's perception of the officer than the weapon. If the officer appears to be a capable fighter who is ready to engage in violence, then the would-be assailant considers the probability that a painful arrest is imminent and becomes compliant. With this being the case, CS spray is probably no better a deterrent against assaults on the police than any other weapon officers have at their disposal.

These officers believe CS spray is a weapon that could be used to gain compliance during violent arrests, while also reducing the number of public complaints about how the police use force. The use of CS spray is considered to be a more benign use of force than the batons. It was indicated that, unlike the batons, CS spray left little if any bruising and therefore little if any evidence that police officers had used force. Furthermore, CS spray looks more

benign to onlookers. To these officers the rise and fall of the baton striking a person looked more brutal than a police officer pressing a button on a canister (Buttle, 2003).

Ironically, while these officers put their faith in the protection they believe CS spray affords them, there is no conclusive evidence to support this notion (Buttle, 2003; Rappert, 2002b). Conversely, there is some evidence to support claims that the introduction of the PR – 24 reduced assaults against police officers (Kock et al, 1993). However, the PR -24 was not believed to be an effective means of defence by these officers. There is considerable evidence from studies of US law enforcement that body armour is an effective means of protection against violent assaults (Geller and Scott, 1992; Quinet, et al 1997; US Department of Justice, 1998), but the officers in the present study often chose the comfort of not wearing it to the protection it afforded them when they did wear it. It appears that the perception of which weapons afford them the most safety does not correspond with the evidence from the research that had been conducted on this equipment. While there is a lack of evidence to substantiate claims about its effectiveness, the police officers in this study consider CS spray to be the ultimate expression of an officer safety programme that emphasises offensive over defence tactics as a means of affording protection.

(10.3): Officer safety training.

The officer safety programme is dependent on feedback from officers, so that instructors can be informed about appropriate adjustments to officer safety training (HMIC, 1997). The feedback is retrieved from incident report forms (IRF) that record information about incidents where officers used force. Furthermore, instructors seek feedback about what officers consider to be effective during officer safety training. While training driven by the opinions of officers may be good for police morale, there is the possibility that adjustments to training based on the perception of officers will not provide the most effective officer safety training. This is poignant considering the often erroneous perceptions demonstrated by these officers in regards to the equipment that afforded them the best protection, and their often mistaken assumptions about what was most dangerous to them. If complex defensive

techniques and equipment are removed in favour of offensive tactics because they are easy to learn and use although not very effective, then both officer safety and public safety would suffer. It would be unwise to totally ignore the opinions of officers. However, it would also be unwise to pander to the assumption that simplified officer safety, which emphasises the favoured techniques and equipment, would provide them with an effective means of protection. The more complex techniques and equipment also have a lot to offer.

The problem with teaching more complex officer safety techniques can be stated as follows: there is not enough time. The most consistent complaint made about officer safety training was that not enough was provided. These officers made it clear that they wanted to do their officer safety training more than once a year so that they would not forget the more complex techniques that they were taught. If more time was spent on training, then officers might gain confidence with the more complex and less popular methods of protection. It was noticeable that the only two officers who were confident enough to consider UDT as their primary means of defence had martial arts experience gained from regular, although not current, private training. It could be possible that their colleagues would also be more comfortable with more complex UDT with more frequent training. This supports Kaminski and Martin's (2000) findings that those US police officers with private martial arts training felt more able to use hand – to - hand techniques when the need arose. Furthermore, it is probable that police officers who train more often and on a regular basis would be less likely to make mistakes that lead to complaints about the use of force (Geller and Toch, 1996).

(10.4): The responsible regulation of force.

With the serious possibility that the public would, at least initially, support the routine deployment of virtually any weapon that the police saw fit to adopt, the responsibility for doing so landed firmly at the feet of the police themselves. The police should carefully and critically evaluate any weapons that they intend to adopt for future use (Buttle, 2003; Rappert, 2002b). However, their responsibility does not end there. Waddington (2000) indicated that the regulation of police discretion over how they use force often leads to more

peaceful outcomes. Therefore their greatest responsibility should be to provide a robust framework to regulate the weapons currently in use. The law demands that police officers should only apply reasonable force to affect an arrest. However, there is no framework of guidelines that explain what the law means by reasonable. The ACPO “Guidance for CS spray” is far too ambiguous to give officers a clear indication of when and how it should be used (Rappert, 2002a). Furthermore, similar criticism can be made about the colour - coded guidelines that highlight which areas of the body officers should hit without causing them much harm (with batons and UDT). There is still no explanation of what level of force is reasonable to use in any given situation.

With the guidelines being ambiguous about when and how police officers should use force, a definition of reasonable force could be attainable with the use of rules of engagement. Possibly the most successful and sophisticated rules of engagement are used by US law enforcement, and fall under the general heading of the continuum of force (Stetser, 2001). Any continuum of force may be considered as a linear hierarchy of options available to police officers that should be used as a response to any level of resistance offered by the person being arrested (Brown, 1994; McKenzie, 2000). Hence, the continuum of force acts as an operational definition that informs officers about what is considered reasonable when using force. There are a number of lessons to be learned from the continuum of force when considering the construction of rules of engagement for the use of force by police officers. Rules of engagement should:

Provide the police officer with a prescriptive definition of when it is reasonable to employ each level of force available to them. This should include the officer’s presence and verbal commands.

Provide the police officer with a prescriptive definition of when it is not reasonable to employ each level of force available to them.

- Ensure that the operational definition of each level of force is made in a clear and explicit manner.

Ensure that officer’s access to each level of force is dependent on the physical actions of the person being arrested. The level of force used by the officer

should not exceed the level of resistance employed by the person being arrested.

Provide the means for officers to justify their actions in a court of law against unfounded allegations that they have misused force.

Be made available to the public, so that they could be used in a court of law to substantiate valid allegations that the police misused force.

Be taught to police officers with the emphasis placed on the de-escalation of force.

The conflict resolution model forms the rules of engagement currently used by the police in England and Wales. The conflict resolution model successfully provides justification, in court, for the way officers use force. It provides protection from the complaints process. However, as far as rules of engagement go, it fails on just about every level. It fails to provide the promise of accountability for members of the public. Furthermore, the conflict resolution model fails to provide, in a clear and prescriptive manner, an operational definition of reasonable force. Failing to provide an operational definition of reasonable force means that there are frontline police officers presently patrolling England and Wales, carrying CS spray with no clear instructions about how and when it should be used. This failure to provide a means of regulating police discretion when they use force puts police officers and the public at risk. At the time of writing, the use of reasonable force is as ambiguous as it has always been. However, the present level of police weaponry exceeds previous levels, which necessitates the regulation of police discretion on this matter with the use of more robust rules of engagement, such as a continuum of force.

(10.5): The problem with the officer safety programme.

There is little doubt that more has been done to improve officer safety during the last fourteen years than has ever been achieved in the previous two hundred years. Taking this into consideration, the fact that the officer safety programme exists is an achievement in itself. However, while the officer safety programme has provided officers with a more secure working environment where safety

against violence is concerned, it has, for the most part, failed to achieve its full potential.

The officer safety programme has failed provide officers with the skills to adequately defend themselves in many violent situations. This does not mean that the training of present day officers has been a waste of time. They are, in fact, more able to defend themselves than the untrained officers of the past, it is just that their training could and should be more effective. In short, while there are now trained police officers patrolling the streets, they can by no means be considered highly skilled when it comes to using force. From Geller and Toch's (1996) perspective only highly skilled officers can be competent users of force. A highly skilled police officer is confident in his or her ability to fend off violent aggressors with their use of defensive tactics. They are confident that their self defence training will afford them a good chance of avoiding injury or death on the occasions when they need protection. The highly skilled competent police officer's resultant faith in his or her ability to defend against a violent attack reduces the common fears associated with the uncertainty of policing (Bonifacio, 1991).

The most important criticism levelled at the officer safety programme is in regard to its failure to seriously consider and provide safety for the public. There are provisions for the safety of citizens built into the officer safety programme but the real problem is of a more fundamental nature. The failure of the officer safety programme to transform a largely untrained police into highly skilled users of force not only attests to limited protection for police officers, but also to inadequate protection to the public. Officer safety and public safety are not mutually exclusive. According to Geller and Toch (1996) highly skilled police officers are in a better position to protect themselves while using lower levels of force than unskilled police officers. The skilled police officer has more techniques to choose from, is more confident in their use and therefore when using force will be less likely to make mistakes that the unskilled fearful officer would. In short, police officers can be trained to a highly skilled level that will, for the most part, ensure that they employ the appropriate restraint when using force. "The development of boxers, diplomats, combat soldiers, and trial lawyers demonstrates that maintaining one's temper under stressful and confrontational conditions is a skill that can be taught"

(Fyfe, 1996: p 165). Therefore, the highly skilled police officer is more capable of protecting his or her self as well as those they arrest.

However, training in the use of force will not guarantee that officers will become highly skilled. According to Fyfe (1996), it is important that officer safety training is continuous if officers are to become skilled. Furthermore, continuity, in itself, is inadequate without frequent training. What is truly needed is frequent practise to reinforce the techniques that produce a highly skilled police officer. Even when these conditions are met, the production of highly skilled police officers as described by Geller and Toch (1996) is not guaranteed. The content of the training programme is also important. It is possible that teaching officers how to use force, if done incorrectly, could lead to police officers who are more likely to harm the people they arrest. Sadly, this appears to be the case with the officer safety programme currently used to train the police of England and Wales.

Rather than producing what Geller and Toch (1996) consider to be highly skilled officers, confident users of a wide range of different techniques ensuring the safety of the police and public, the officer safety programme currently taught in England and Wales appears to have had the opposite effect. Officers who undergo training in the officer safety programme are not confident with the use of the more intricate defensive techniques that would ensure lower levels of force were used during arrests. This lack of confidence in any intricate defensive technique is due to the fact that officers do not undergo officer safety training frequently enough to master the techniques that would provide the potential for lower levels of force to be employed during arrests. This problem is compounded by the way in which the officer safety programme refines its training from the feedback of police officers (e.g. HMIC, 1997). With little time to learn the more intricate defensive techniques, the feedback supplied to the officer safety programme consistently advocates the exclusive teaching of the more simple to learn offensive techniques. As time has progressed, the emphasis on defence has been eroded by officer feedback and replaced with a largely offensive officer safety programme.

The problem with this offensive approach to officer safety training is that police officers who are taught offensive techniques will not react to violent assaults but take offensive action to pre-empt violence. It is notable that police

officers consider CS spray affords them the best means of protection (Baker and Waddon, 1998; Kock and Rix, 1996). CS spray has no defensive function that can be used to fend off attacks; it can only be sprayed at a person in an offensive manner. Therefore, in order for CS spray to protect officers it must be used before the attack occurs: to respond during an attack would almost certainly be too late. This study indicates that officers are ready to use CS spray in a pre - emptive manner and have often done so, supporting McKenzie's (2000) assertion that CS spray is often deployed early in interactions between the police and the public. However, this is not just a matter of CS spray; even the other safety options favoured by these officers have greater offensive than defensive potential and would require a pre - emptive attitude toward the use of force if they were to be effective. What makes CS spray so popular with police officers, in part, is that it can be used from a distance and therefore deployed even earlier than the other offensive officer safety options available to the police. It appears that an officer safety programme that emphasises offensive defence may, in reality, promote a more aggressive style of policing.

There is considerable evidence to suggest that even aggressive styles of policing can be held in check if restrictive policies and regulations are formulated to control the use of force (Binder et al, 1982; Binder and Fridell, 1984; Blumberg, 1989; Fyfe, 1979; Fyfe, 1988; Geller and Scott, 1992; Meyer, 1980; Sherman and Cohn, 1986; Walker, 1993). However, any attempt to restrict the actions of police officers trained to use a more offensive use of force in a pre - emptive manner has been blocked at every turn. When it was noticeable that the more restrictive CS spray guidelines were often violated by police officers, they were changed and made more ambiguous to allow for the expanding remit of CS spray use (Rapport, 2002). Furthermore, the descriptive continuum of force was never really given much in the way of consideration by the British police (McKenzie, 2000). Instead, the ambiguous conflict resolution model was quickly adopted as a way of justifying the officer's actions after the fact. Why was this? The idea of an officer safety programme is to reduce the police officers fear of being assaulted by providing them with an effective means of defence. However, the police are not just frightened of being assaulted; they also fear complaints (Bayley and Bittner, 1984; Loader and

Mulcahy, 2003). This concern means that policy was shaped in a way that sustained the ambiguity that surrounds the use of force as a means of protecting police officers from complaints. It seems that the largest failing of the officer safety programme is that it only functions as a way of protecting the police against the public, when it should also be protecting the public against the police.

Not only are the police employing a more offensive approach as to how they arrest people but it has also been ensured that the regulations and rules of engagement cannot be used to validate complaints made by the public about the misuse of force. This raises a very important question. Is a more offensive style of policing, one that is more reliant on pre-emptive tactics when using force, actually legal?

(10.6): The European Convention on Human Rights.

The legitimate use of force by the police was traditionally derived from British common law and was later made statutory in Section 3 of the Criminal Law Act 1967. It states:

“A person may use force as is reasonable in the circumstances in the prevention of crime, or in effecting or assisting in the lawful arrest of offenders or suspected offenders or of persons unlawfully at large.”

This statutory formulation of the common law adheres to the doctrine of reasonable force. However, the reasonable standard is subjective and therefore open to interpretation, which makes the use of this standard ambiguous (Alpert and Smith, 1994). Basically, one person’s idea of the amount of force that is reasonable to use in any given circumstance may not always correspond with the beliefs of others. Therefore, the reasonable use of force encompasses a considerable range of behaviours that may be considered as acceptable, at least by some, even if they are extremely violent. Reed (1996) suggests that while the statutory reasonable standard allows for the use of purely defensive and minimalist force, it also allows for the possibility that any level of force can be used if it is believed to be reasonable by the person using it.

The officer safety programme tailored its training and policies with the doctrine of reasonable force in mind. There appeared to be a political will to preserve the ambiguity associated with the doctrine of reasonable force. This was achieved by ensuring that the guidelines and rules of engagement remained as ambiguous as the statutory reasonable standard for the use of force. This was necessary considering the emerging emphasis that officers placed on equipment and techniques that were ostensibly offensive in capability. By placing the officer safety programme within the doctrine of reasonable force it is possible to maintain a largely offensive and pre-emptive use of force that has a legitimate claim to being lawful. However, the problem with an officer safety programme based on the doctrine of reasonable force is that the reasonable standard no longer applies.

According to Neyroud and Beckley (2001), the inclusion of the European Convention on Human Rights (ECHR) in British law through the implementation of the Human Rights Act 1998, signifies a major shift in paradigm for the police. This is especially the case where the use of force is concerned. In regards to the right to life, article 2 of the Human Rights Act 1998 states:

“1. Everyone's right to life shall be protected by law. No one shall be deprived of his life intentionally save in the execution of a sentence of a court following his conviction of a crime for which this penalty is provided by law.

2. Deprivation of life shall not be regarded as inflicted in contravention of this article when it results from the use of force which is no more than absolutely necessary:

(a) in defence of any person from unlawful violence;

(b) in order to effect a lawful arrest or to prevent escape of a person lawfully detained;

(c) in action lawfully taken for the purpose of quelling a riot or insurrection.”

This has changed how the police should use force in a fundamental way by placing emphasis on using force that is absolutely necessary rather than reasonable in the circumstances. While the term absolutely necessary is still

ambiguous, "...necessity is a more demanding requirement than the 'reasonableness' test that British law has applied to police powers such as the use of force" (Neyroud and Beckley, 2001: p 66). In short, the use of force in Britain is now situated within a legal framework based on the doctrine of minimum force. If force can only be used when absolutely necessary then it must be used as a proportionate response to the behaviour of those being arrested rather than as a means of preventing behaviour from becoming violent. This indicates that the behaviour of police officers who employ pre-emptive tactics when arresting people is illegal. Furthermore, the legality of the officer safety programme can be called into question because it instructs police officers in, and facilitates the use of, offensive defence, which is not in line with the doctrine of minimum force.

(10.7): The ideal officer safety programme.

As it stands, the officer safety programme advocates an offensive style of policing that has no legitimacy in law. From Weber's (1978) perspective this will not be a problem as long as people are willing to accept the authority of the police institution. Police legitimacy seems to have survived the negative media coverage of the deployment of CS spray and for now the illegality of the offensive use of force appears to have been overlooked even in rural areas where expectations of the police have often been higher than urban constabularies (Yarwood, 2001; Young, 1993). However, the Rodney King incident demonstrated that the illegal use of force over long periods of time can have serious consequences (Davis 1990; Morrison, 1995). Furthermore, the eventual degradation of police authority can cause difficulties when the police try to enforce the law (Parkinson, 2001). In the extreme, the continued use of pre-emptive force, such as occurred in Jamaica, can lead to a catastrophic breakdown in the relationship between the police and the public that results in the majority of encounters between the two becoming increasingly violent (Calathes, 1990; Chevigny, 1995). This raises the possibility that an offensive and largely pre-emptive style of policing could have the undesired effect of making life more dangerous for police officers and citizens alike. Taking this into consideration, an officer safety programme that affords better protection for police officers, but is not offensive or reliant on pre-empting perceived

threats must be considered desirable. There needs to be an officer safety programme that reflects the doctrine of minimum force.

As a starting point, it must be acknowledged that any officer safety initiative is the result of the fears and concerns that police officers hold about becoming victims of lethal or/and non-lethal violence. Fear is a powerful emotion that can cloud an officer's judgement increasing the probability that mistakes will be made during crucial decisions involving the use of force (Scharf and Binder, 1983). Furthermore, officer safety training can serve to further exacerbate the fears of trainees by overemphasising the dangers involved in policing, which can have the effect of increasing pre-emptive uses of force (Adams, 2001; Fyfe, 1996; Geller and Scott; 1992). It is not just a matter of the police officer's quality of life but also a matter of public safety that the goal of officer safety training should be to reduce the officer's fears about becoming a victim of violence. Fyfe (1996) suggests that officer safety training should treat the dangers of police work as real but manageable. He indicates that the dangers must be balanced by the constant and firm delivery of the message that violence against police officers is a rare occurrence. This reassurance will go some way to ensure that police officers only apply force when absolutely necessary.

Successfully offering reassurance to police officers by explaining that they are unlikely to be harmed during encounters with the public becomes a more complex issue when policing occurs in the rural context. Many rural constabularies cover wide geographical areas (HMIC, 1995) and the sense of isolation that many police officers feel when patrolling in remote areas adds considerably to their fear of becoming victims of violence. These fears can only really be addressed by the provision of adequate human resources to rural constabularies.

The doctrine of minimum force requires that police officers are trained to a level where they become highly skilled users of force (Geller and Toch, 1996). Currently, police officers are trained to a level where they are confident enough to use one or two offensive methods for gaining compliance from those they are arresting. However, a wider range of the more complex defensive means of using force needs to be part of the police officer's repertoire for them to have a skill base large enough to use force at a standard needed to comply

with the doctrine of minimum force. In short, police officers need alternatives to heavier uses of force in order to comply with the standard of using only that force which is absolutely necessary (Neyroud and Beckley, 2001). Therefore, any officer safety training will need to spend considerable time practicing communication skills and unarmed physical control tactics (Geller and Scott, 1992). The quantity and regularity of training needed to produce police officers highly skilled in the use of force is at present a mystery, and is a topic that should be seriously considered for future research. What is obvious is that officer safety training conducted once a year over a period of two days is nowhere near enough to ensure the level of skill currently needed. It is likely that, to produce such an officer, training would need to be as frequent as once a week or at least once a month. It is also likely that officer safety training, which was run on a regular basis, would be criticised for removing much needed police officers from active duty. However, regular training sessions would only need to last for one or two hours rather than two days. Therefore, these much needed police officers would not be away from their duties for long. It is not just those being trained but also the instructors who would be unavailable for active duty if officer safety training was running on a regular basis. This problem could be resolved by using different instructors to teach in weekly shifts for a specified number of hours so that they could spend the majority of their time policing. If officer safety training was to adopt this regular approach to training it would be structured in a similar way to martial arts training. It must be noted that police officers with a martial arts background are more confident users of unarmed defence tactics (Kaminski and Martin, 2000), which indicates that officer safety training structured along the lines of martial arts training would provide adequate time and regularity of training to eventually produce highly skilled police officers.

Officer safety training is driven by the feedback obtained from the opinions of police officers and, for the most part, incidents where the use of force has been recorded, with the intention of selecting for further training those techniques that officers find effective (HMIC, 1997). Collecting feedback from police officers who are highly skilled users of force would provide important information that could be used to inform future training. However, most of these officers are far from highly skilled in the use of force, so the feedback

provided is of limited value. Feedback from unskilled officers informs officer safety training in a way that prevents the learning of techniques that would enable them to become highly skilled users of force. In short, an officer safety programme that relies on feedback from the unskilled to inform training is unlikely to produce highly skilled police officers. This is a case of “the blind leading the blind”. Therefore, the way that this feedback is analysed, or at least the way it is understood, needs to be changed. The analysis of the feedback emphasises the identification of the means by which officers most frequently use force. Basically they use the more offensive methods because they are easy to learn and remember and from this it is concluded that these are the methods that should be emphasised in training. However, there is an alternative and more appropriate conclusion; if officers are unable to use the more complex defensive methods at their disposal, then more emphasis should be placed on teaching these methods. If feedback was utilised in such a manner, this could provide officers with more confidence in the complex defensive techniques and go some way towards ensuring that the doctrine of minimum force is adhered to when force is used.

Neither a law that makes pre - emptive uses of force illegal (e.g. Waegal, 1981), or training that provides officers with the expertise to utilise force in a more defensive manner, will succeed in reducing levels of coercion in line with the doctrine of minimum force, without the aid of the appropriate rules of engagement. The conflict resolution model currently used by the police is too ambiguous to provide the appropriate instructions for the use of force at the minimum standard. However, the continuum of force was originally formulated with the doctrine of minimum force in mind and it does have the potential to provide officers with the appropriate instructions on how to use force that is only absolutely necessary (Graves and Conner, 1992; Klinger, 1995; Garner et al, 1995). Another important criticism of the conflict resolution model is that it is biased towards the justification of police behaviour when the use of force becomes a legal matter. This is not always the case where the continuum of force is concerned. Not only does the continuum of force provide the police with justification for using force within a legal framework but if it is made available to the public it can also be used to substantiate complaints about the misuse of force (Brown, 1993; McKenzie, 2000). By discarding the

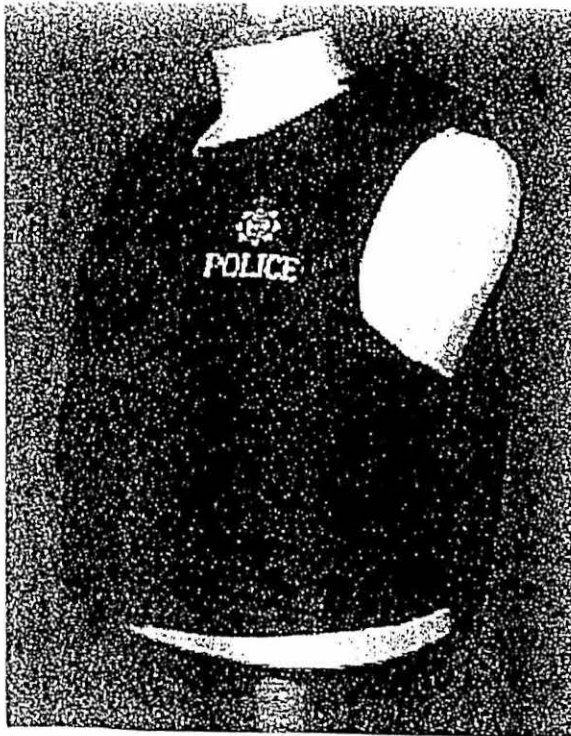
conflict resolution model and replacing it with the continuum of force, not only will there be rules of engagement that are in line with the legal requirements of the Human Rights Act 1998, but there will also be a promise of accountability that will go some way towards redressing the balance between the rights of the police and the rights of those they arrest.

The aforementioned improvements to the officer safety programme may be considered by some as being too expensive and time - consuming for practical implementation. However, since the implementation of the Human Rights Act 1998, the shift toward a more offensive style of policing where force can be utilised in a pre - emptive manner can now be considered illegal. So surely it would be wise to spend this money and time changing the emphasis of the officer safety programme toward promoting more defensive tactics that are more in line with the doctrine of minimum force. Finally, McKenzie (2000) makes the point that operational decisions are made by the police without deference to any public body. Basically, the public have very little, if any, influence over how the police train and arm their officers. Not too put to fine a point on it, the responsibility for promoting and utilising legal force is solely in the hands of the police.

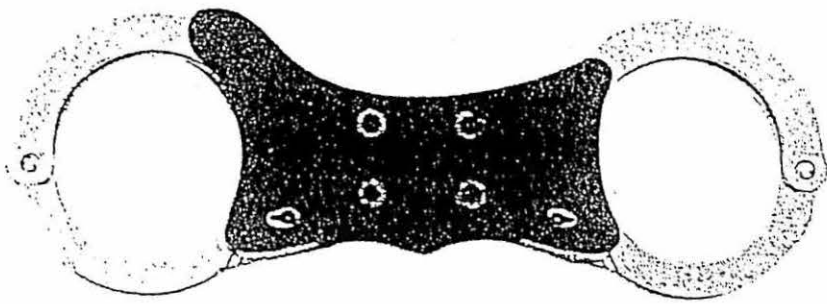
GLOSSARY

ACPO	Association of Chief Police Officers
BCS	British Crime Survey
CASCO	Telescopic friction lock baton
DHSS	Department of Health and Social Security
DOS	Department of State (United States)
GP	General Practitioner
GSS	General Social Survey
HMIC	Her Majesty's Inspectorate of Constabulary
IAPC	International Association of Police Chiefs
IRF	Incident Report Forms
JCF	Jamaican Constabulary Force
JCH	Jamaican Council for Human Rights
JDF	Jamaican Defence Force
LA	Los Angeles
LAPD	Los Angeles Police Department
MET	Metropolitan Police
MIND	National Association for Mental Health
NGO	Non governmental organisation
NMP	Newham Monitoring Project
NPT	National Police Training
NWP	North Wales Police
PCA	Police Complaints Authority
PERF	Police Executive Research Forum
PR-24	Expandable side-handled baton
PSPB	Police Scientific Development Branch
UDT	Unarmed defence tactics
UN	United Nations
US	United States

APPENDIX 1

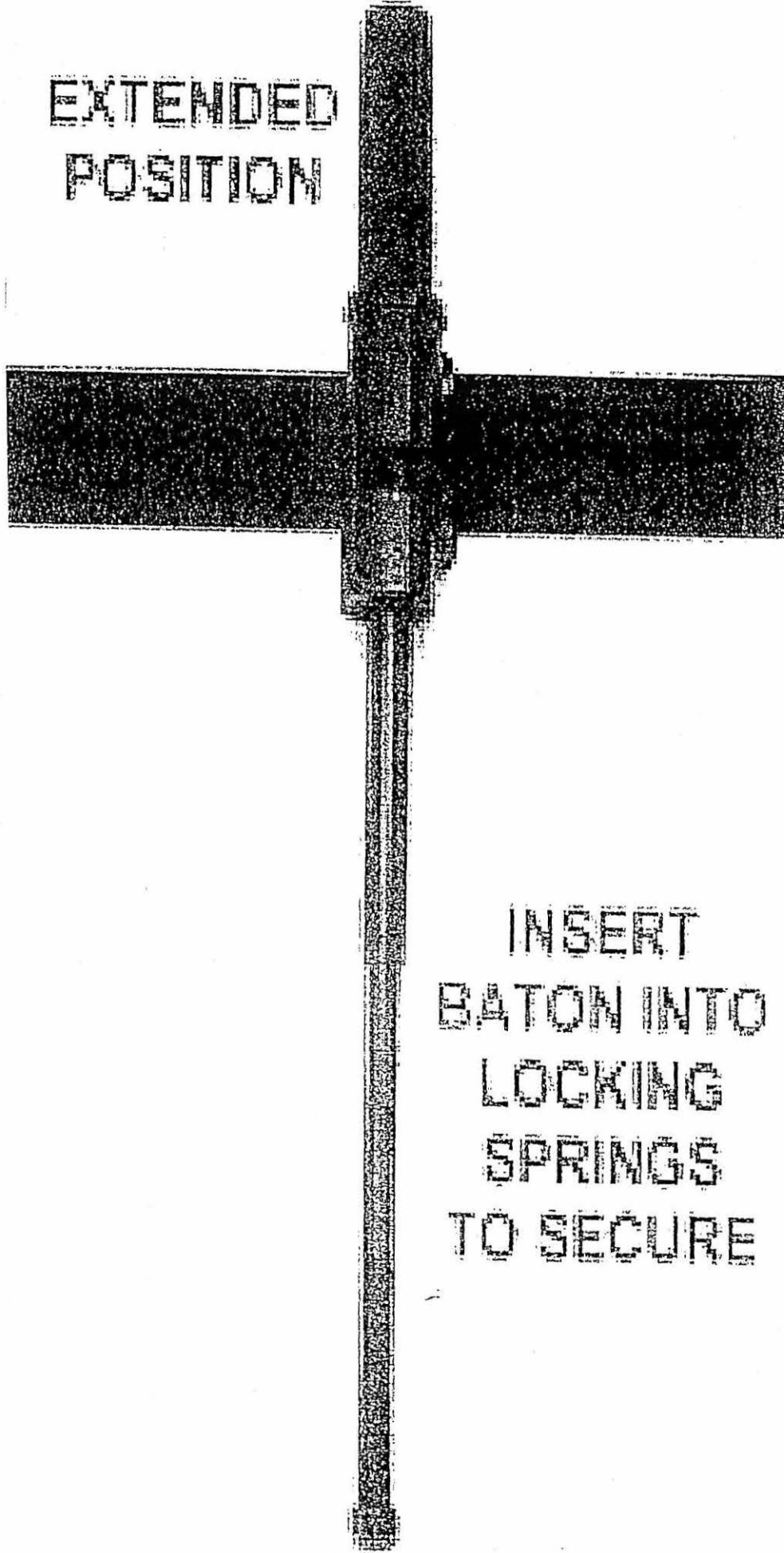


APPENDIX 2



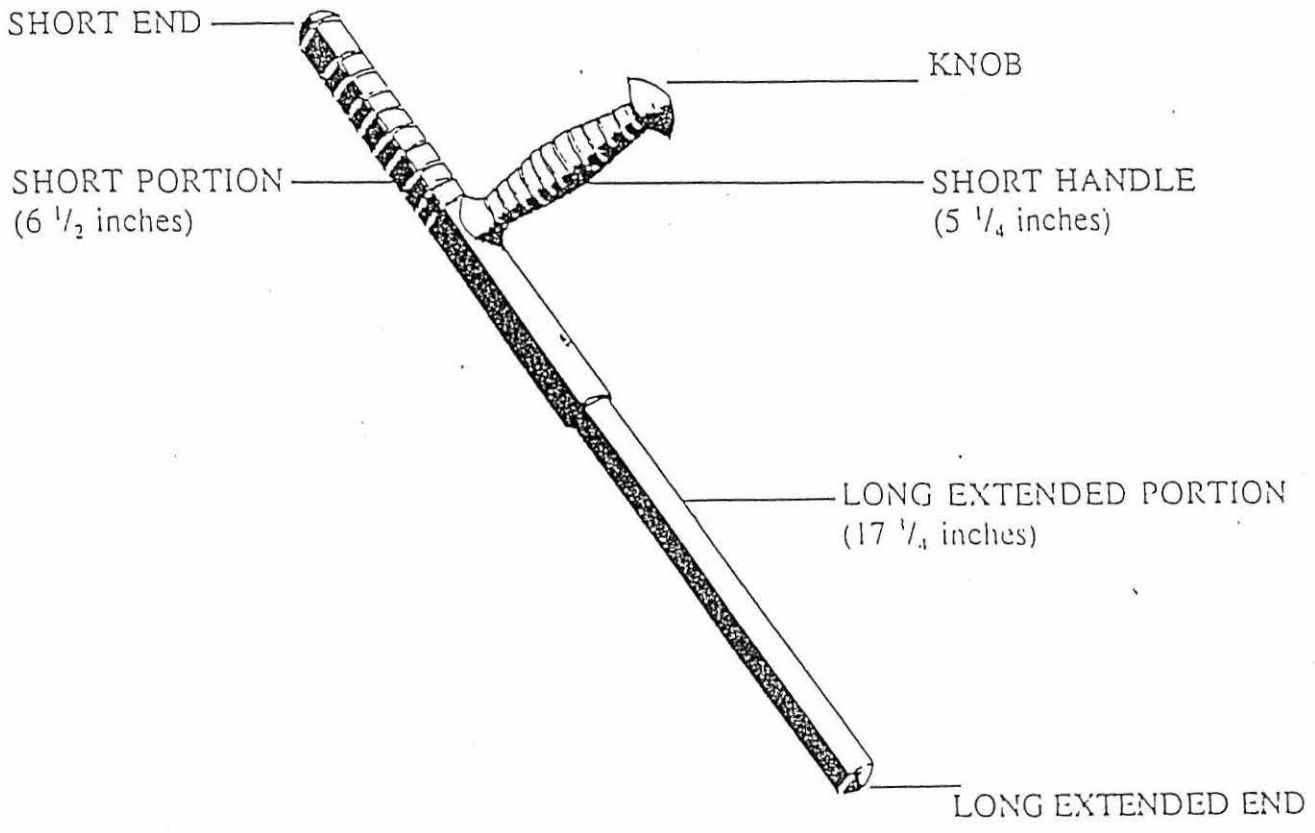
APPENDIX 3

EXTENDED
POSITION

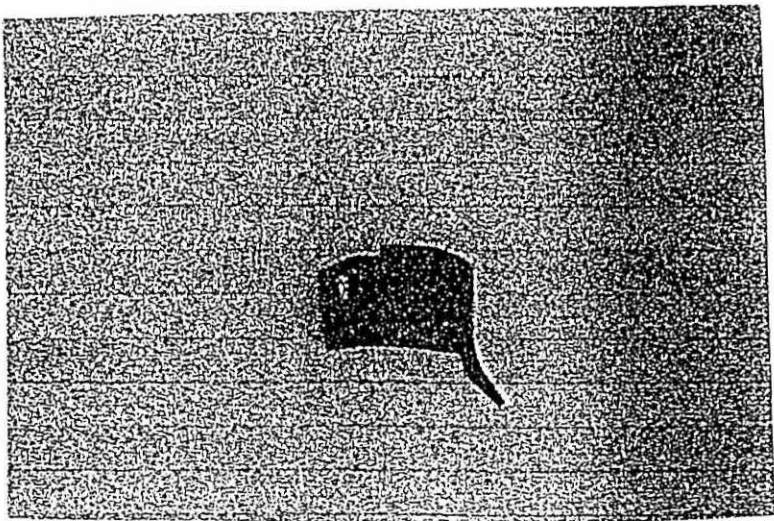
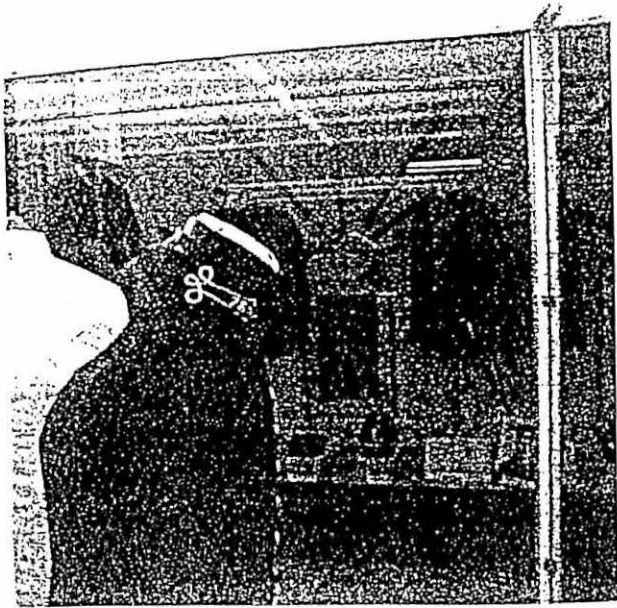


INSERT
BATON INTO
LOCKING
SPRINGS
TO SECURE

APPENDIX 4

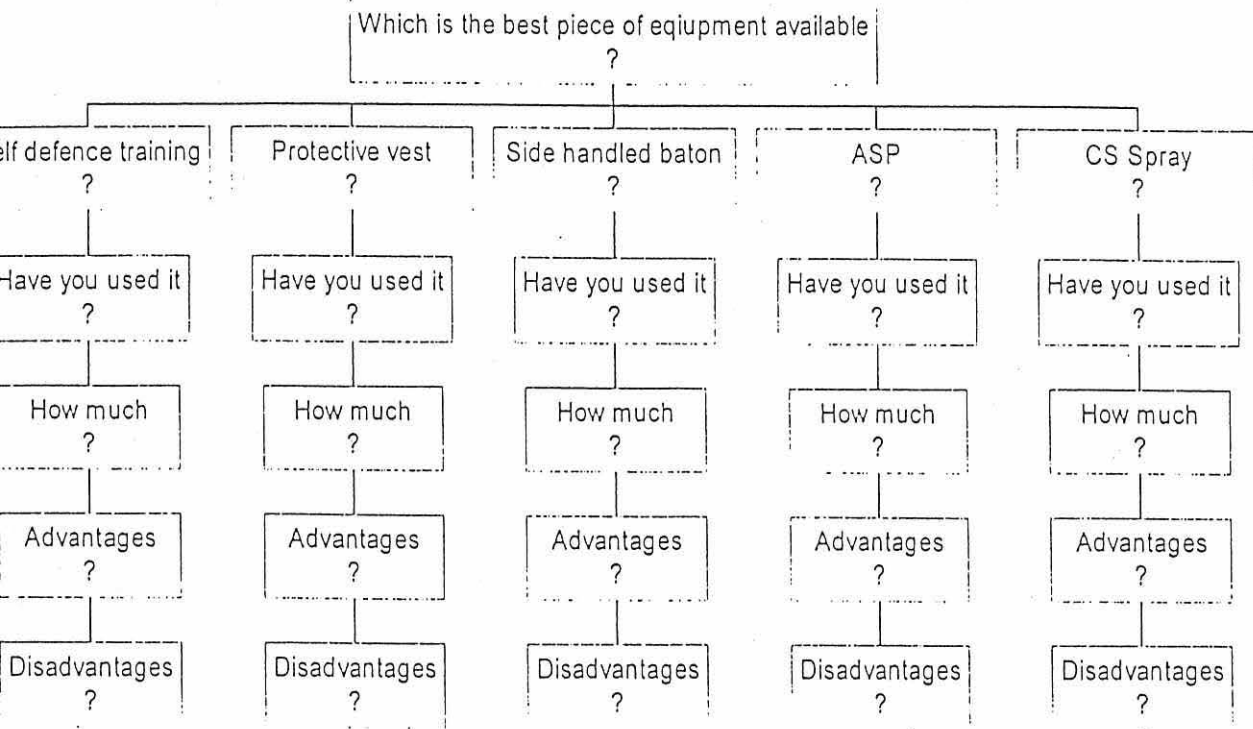


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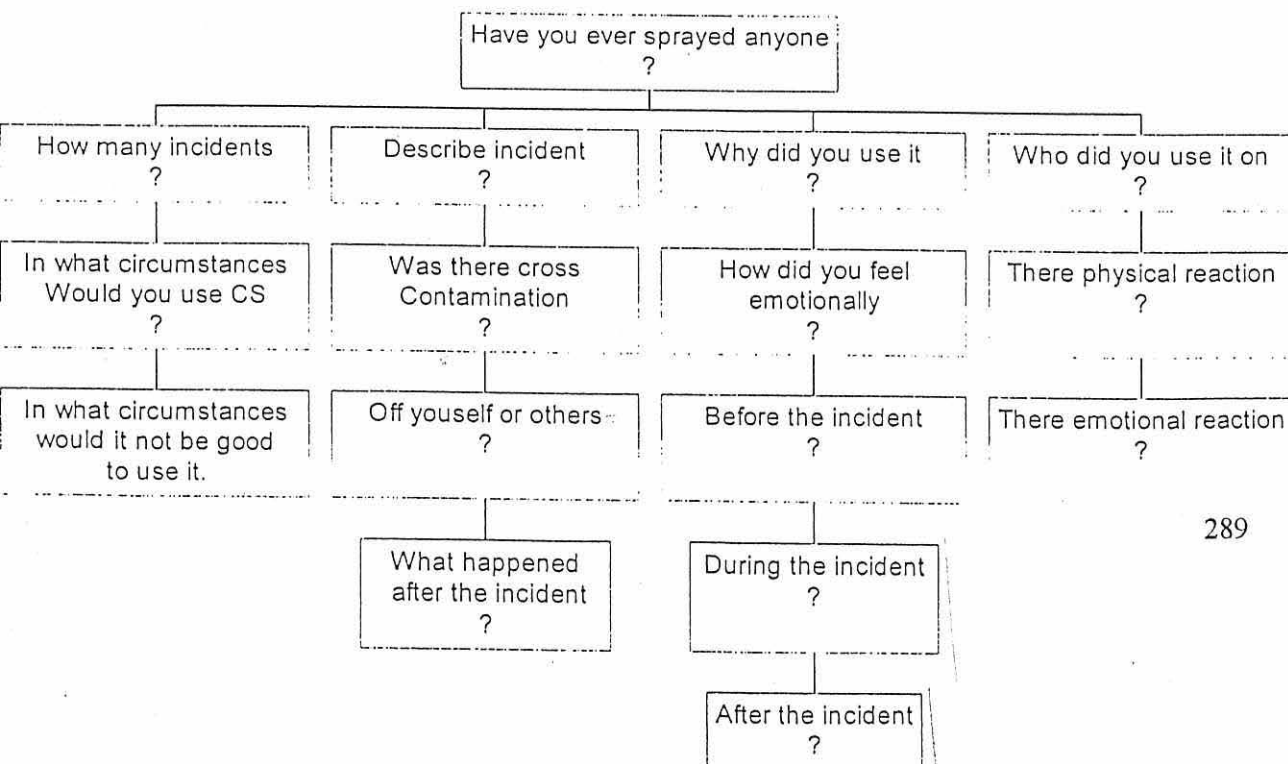


APPENDIX 6

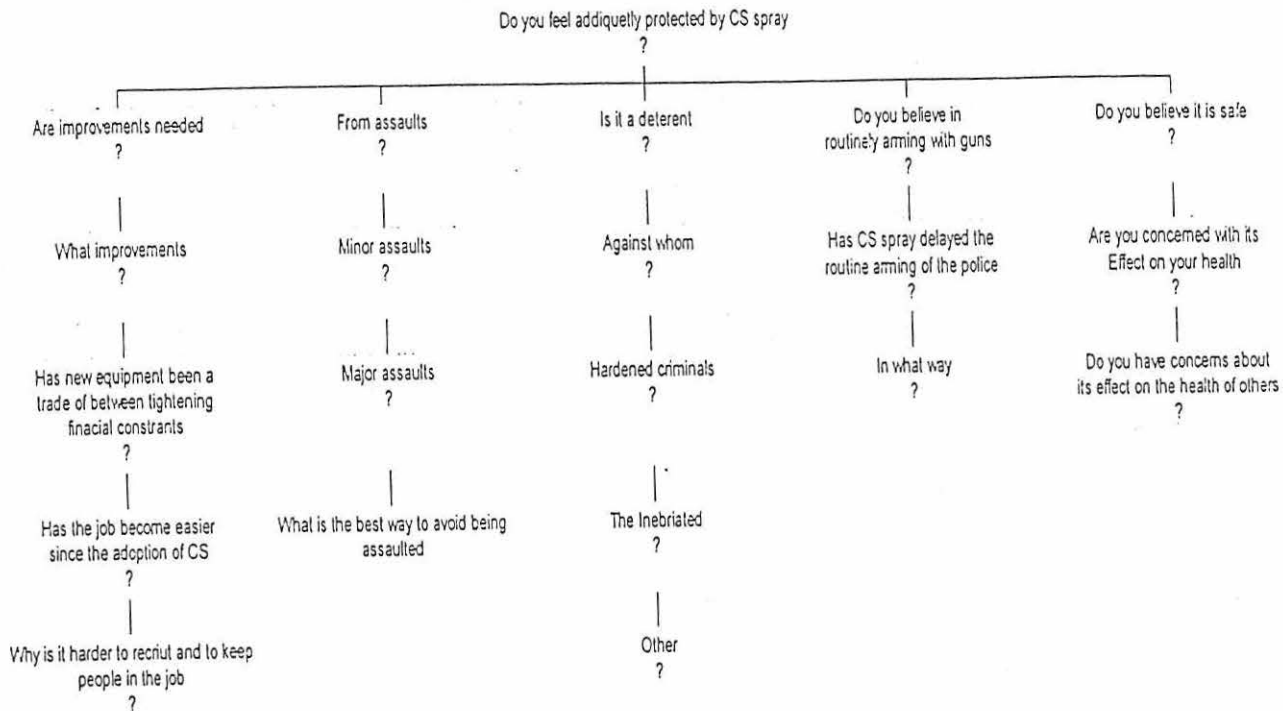
Available Equipment



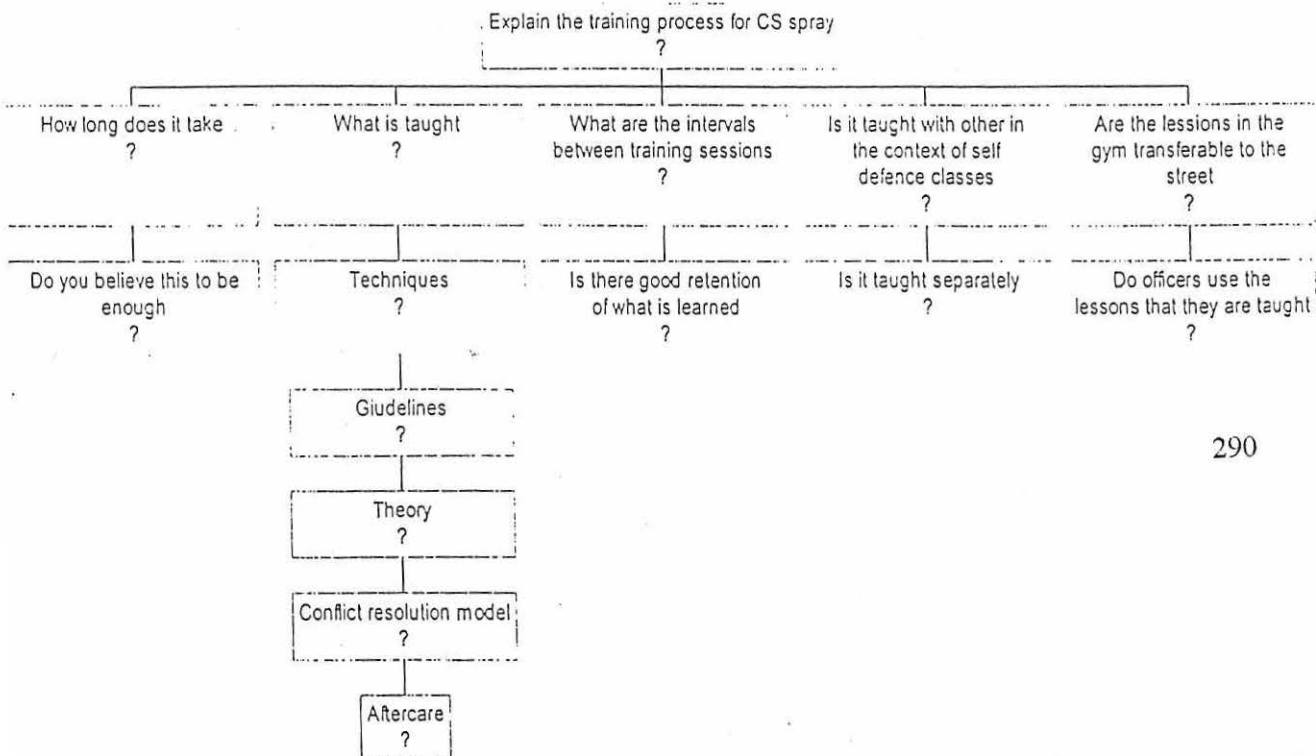
Incident



What CS Accomplishes



Training



APPENDIX 7

The Police Officers Interviewed

Interviews	Expressed Nationality	Age	Sex	Married	Perceived Role Within The Police	Rank
Officer 1	English	32	F	Yes	Operational police officer	Constable
Officer 2	English	33	M	Yes	Supervise uniformed officers	Sergeant
Officer 3	Welsh	46	M	Yes	Tutor for probationary constables	Constable
Officer 4	English	43	M	Yes	Tutor for probationary constables	Constable
Officer 5	European	34	M	Yes	Uniform relief duties	Constable
Officer 6	European	28	M	Yes	Constable	Constable
Officer 7	British	24	F	No	Town police officer	Constable
Officer 8	European	38	M	Yes	Uniformed officer	Constable
Officer 9	English	47	M	Yes	Organise general police duties	Sergeant
Officer 10	European	32	M	Yes	Uniformed constable	Constable
Officer 11	English	40	M	Yes	Beat officer	Constable
Officer 12	British	41	M	Yes	Coroners officer	Constable
Officer 13	Welsh	34	M	No	General patrol duties	Constable
Officer 14	Welsh	37	M	Yes	General police duties	Constable
Officer 15	Welsh	33	M	Yes	Constable	Constable
Officer 16	European	34	M	Yes	Uniformed sergeant	Sergeant
Officer 17	Welsh	41	M	Yes	Rural beat constable	Constable
Officer 18	British	33	F	No	Uniformed beat officer	Constable
Officer 19	Welsh	37	M	Yes	Community police officer at hospital	Constable
Officer 20	English	39	M	Yes	Defensive tactics and police cells	Sergeant
Officer 21	English	33	M	Yes	Uniform defensive tactics instructor	Sergeant

APPENDIX 8

Informed Consent

The objective of the study

This interview is being conducted as part of an ongoing study regarding the use of CS spray by the British police force. The intention is to examine the use of CS spray in order to gain a better understanding of the impact that this policy may have on policing and to consider its effect upon the relationship between the police and the public.

The interview

During the interview you will be asked a number of questions regarding your experience with CS spray and some of your life experiences that may be considered important to developing a greater understanding of this phenomenon. The interview will be taped to ensure accuracy, but if you have any objection to this then the interviewer will take notes instead. The duration of the interview may be largely dependent on your experience and the situation that the incident occurred in, however it should last approximately 1hr and no more than 2hrs.

Your rights as an interviewee

The information that is gained from the interview will be treated in the strictest confidence and no individual will be identified when the research is committed to paper, unless that is their wish. While it is important that you attempt to answer all of the questions that you are asked, you may at any time refuse to answer any question that you are not comfortable with. You are also free to request a rest period at any time during the interview and you are free to refuse to participate in the research at any time during the interview. Having been informed of your rights during the interviewing process I do hope that you will feel able to participate in this study and I thank you for any help that you feel able to provide.

I have read and understood the information given to me, and I agree to participate in this study.

Participants signature..... Date.....

Researchers signature Date.....

John Buttle Phone (01248) 383015 E- mail sop435@bangor.ac.uk

Name..... Male / Female Age.....

Ethnic Background..... Height..... Weight.....

Married/single Children.....

Rank.....

Role within the police force.....
.....

Have you ever taken part in a combat sports in your spare time. Yes / No

If so which ones At what level.....
..... How many hours a week do you train.....
.....

Do you consider yourself to be physically fit Yes / No

If so why (i.e. do you Play sports ? Which Ones? How many hours a week?)
.....
.....
.....
.....

Do you smoke Yes / no

How many a day.....

Do you suffer from any
illness.....

Do you have any allergies.....

APPENDIX 9

(1) The Best Way to Safely Control Situations from an Officers Perspective

	Verbal Communication	Physical Separation	Backup Present	Observation of the Situation
The Perceived Resolution of Potentially Violent Situations	20	14	10	2

Potentially violent situations in this case may be any contact between the police and the public.

	CS Spray	PR24 Baton	CASKO Baton	UDT Unarmed Tactics	Ridged Handcuffs	Verbal Communication
The Perceived Resolution of Violent Encounters	13	1	2	2	1	2

During the observation the majority of officers expressed support for CS spray as the best alternative available for gaining compliance from a violent person.

	It can be used at a distance	It is a less harmful option	It is a deterrent	It disperses violent crowds	It is easy to carry	It is a replacement for backup	It offers extra protection to small officers
Why is CS spray Popular	8	11	7	3	1	2	1

(2) The Support and Use of CS Spray

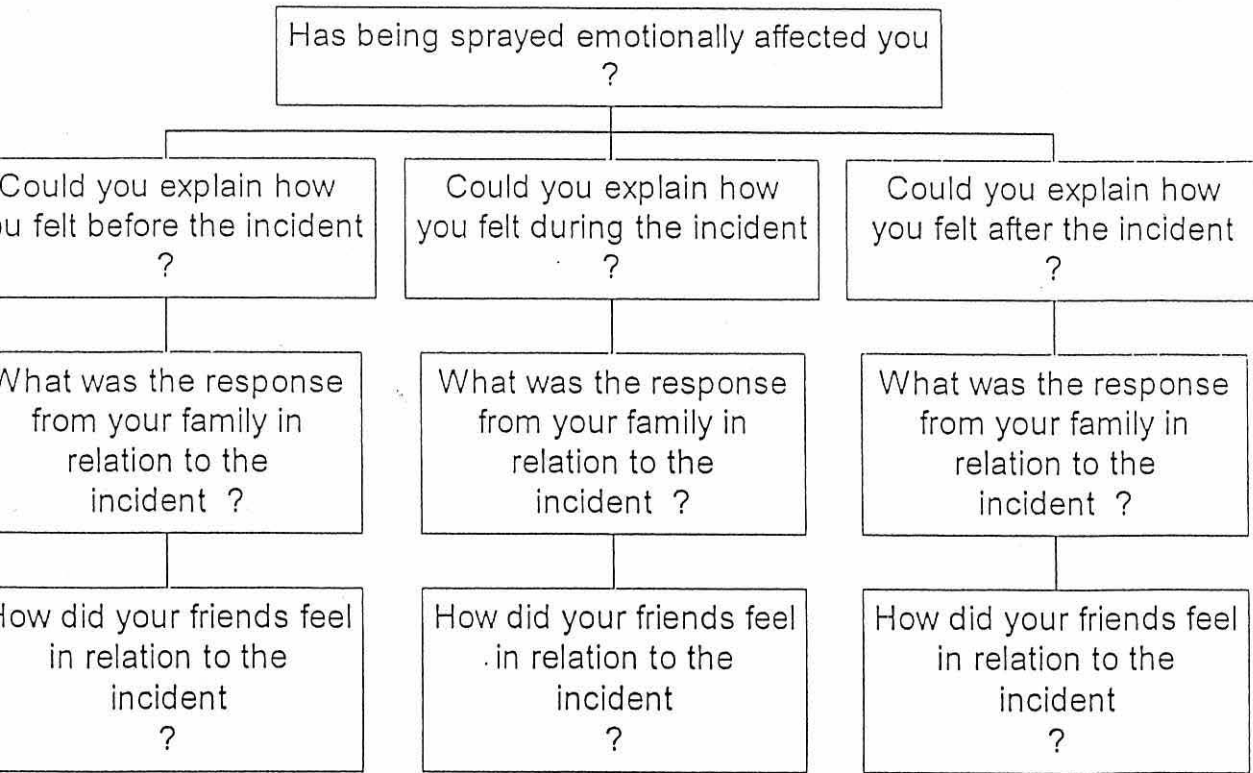
Officers interviewed	Officers who perceive CS spray as the best option for resolving violent encounters	Officers who have used CS Spray to resolve a violent encounter.	Officers who have been cross contaminated by CS spray	Why is CS spray not the first choice?	The perception of CS spray by those who favour other options
1	Favour CS	1	Yes		
2	Favour CS	2	Yes		
3	Favour CS	0	Yes		
4	Favour CS	1	Yes		
5	Favour CS	0	Yes		
6	UDT	1	Yes	Kick boxer	Second option CS
7	Favour CS	0	Yes		
8	Handcuffs	0	?	Not used to CS spray	CS spray is good
9	CASKO	0	Yes	Only carries a Baton.	CS Spray works
10	Favour CS	0	Yes		
11	UDT	0	Yes	Judo	Second option CS
12	Verbal Skill	0	?	Coroners Officer.	Totally against it
13	Favour CS	1	Yes		
14	CASKO	4	Yes	Stopped after Tregarth (Monitored)	CS spray is brilliant
15	Favour CS	2	?		
16	Favour CS	4/5	Yes		
17	Favour CS	6/7	Yes		
18	PR24	0	No	Just got back on the street	Heard that CS is good
19	Verbal Skill	0	No	Hospital beat	Last resort
20	Favour CS	0	Yes		
21	Favour CS	0	Yes		

(3) Perceptions of Danger

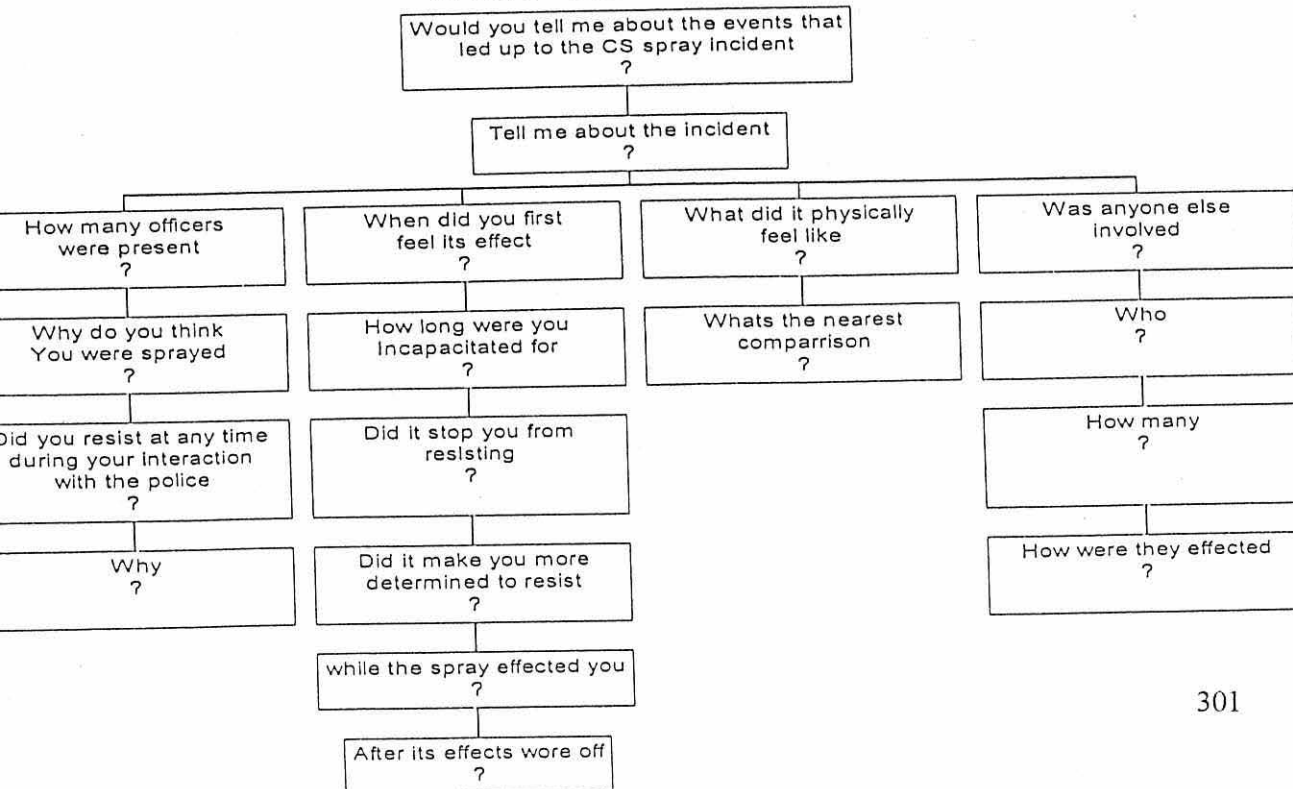
Officers Interviewed	Number of Assaults	Global Wariness	Specific Wariness	Coping Style
1	3			Avoidance
2		Global	Specific	
3	3		Specific	Approach
4	Numerous		Specific	Approach
5	6/7	Global	Specific	Approach
6	2		Specific	Approach
7	1		Specific	Approach
8	Numerous	Global	Specific	Approach
9			Specific	Avoidance
10		Global	Specific	
11	1	Global	Specific	Approach
12	Numerous		Specific	Avoidance
13	3		Specific	Avoidance
14	3	Global	Specific	
15			Specific	
16	2	Global	Specific	Avoidance
17	12	Global		Approach
18	5/6	Global	Specific	
19	1		Specific	Approach
20		Global		Avoidance
21			Specific	

APPENDIX 10

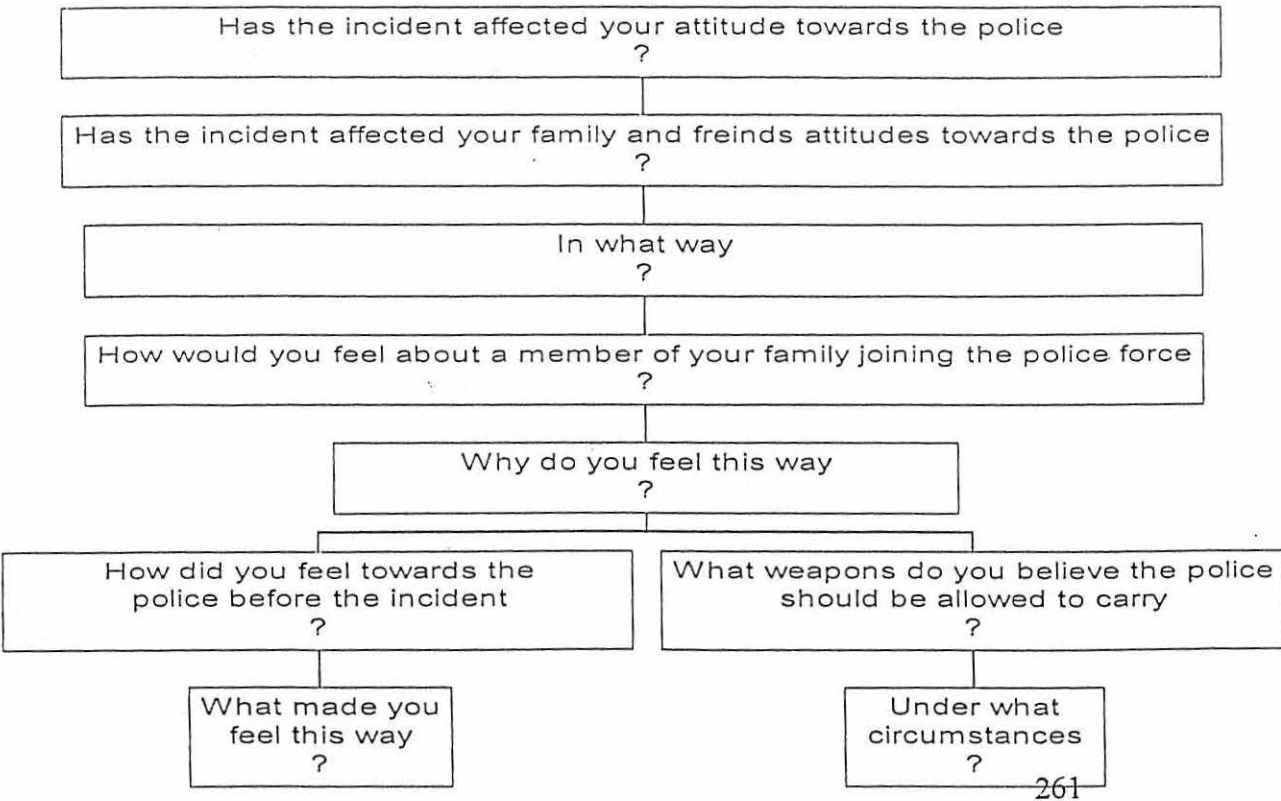
Emotions



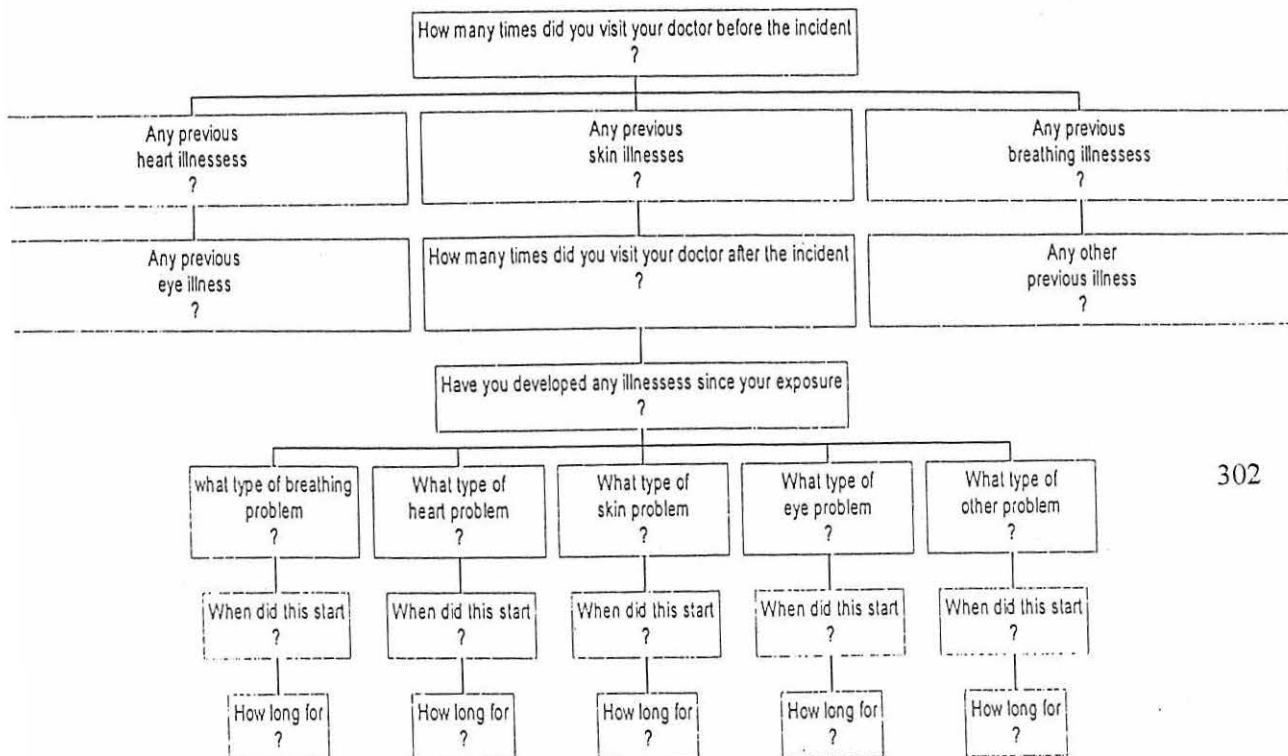
The Incident



Attitude to the police

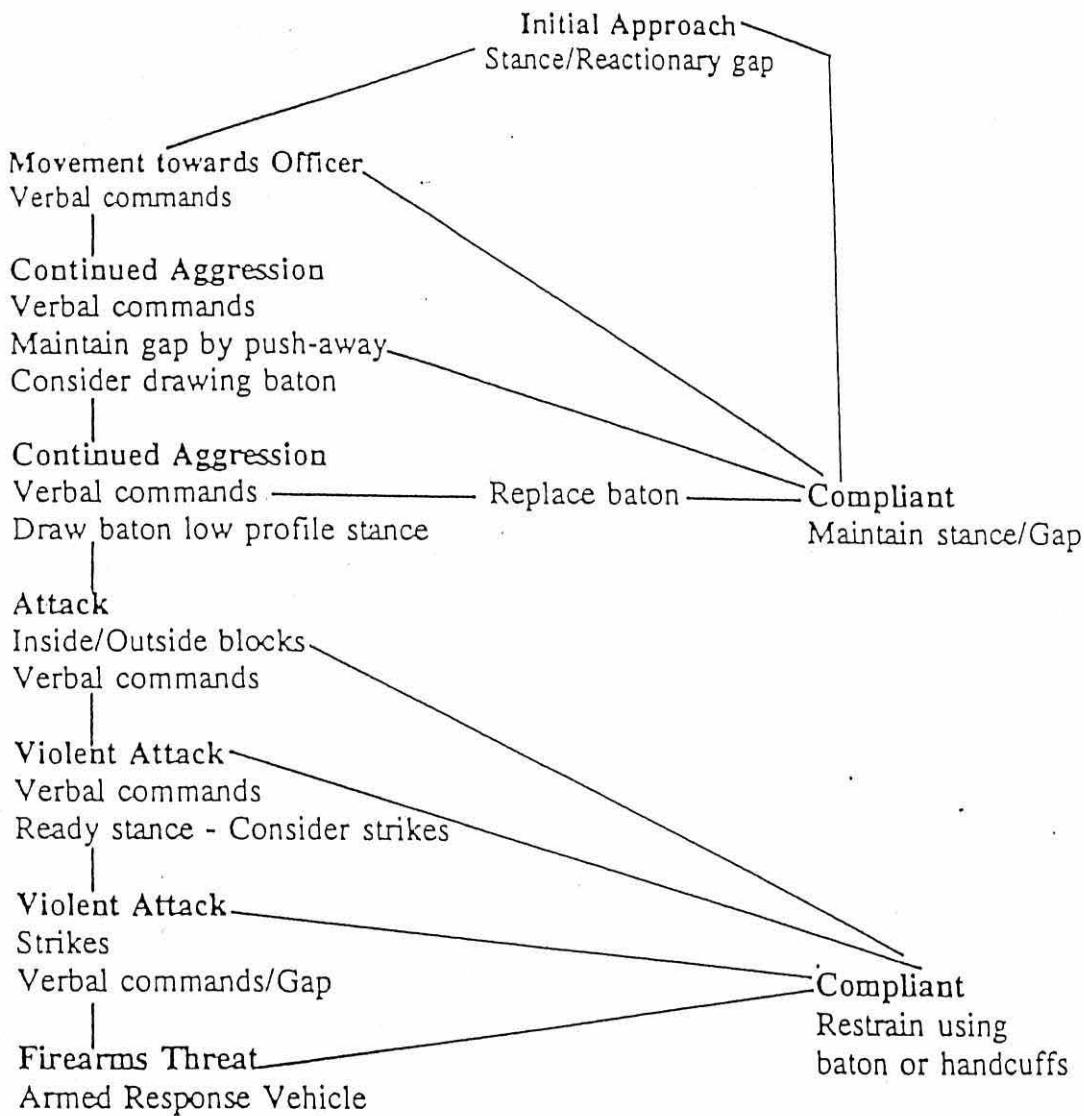


Health



APPENDIX 11

ESCALATION OF RESPONSE



Due to the varied circumstances that officers face, any of the stages in the escalation may be missed out. Using force in a defensive manner against the subject, even to include pre-emptive strikes, must always be based on an honesty held belief that police or others are in danger of imminent attack.

APPENDIX 12



APPENDIX 13



APPENDIX 14



APPENDIX 15



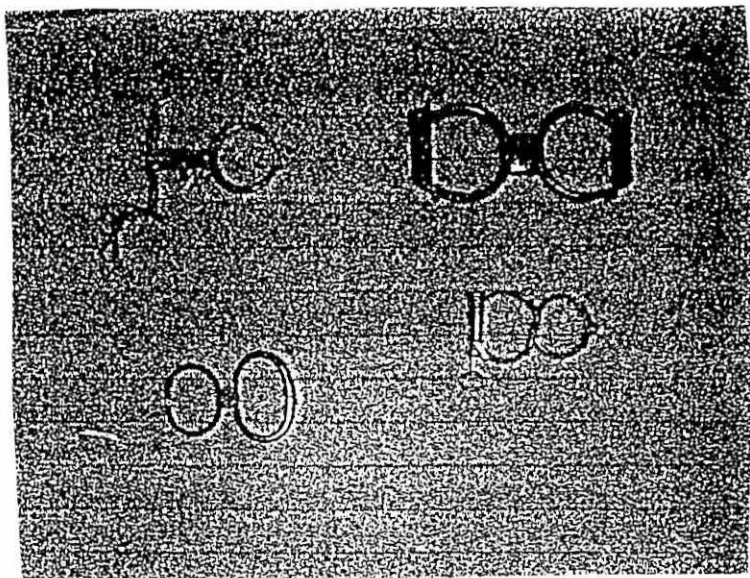
APPENDIX 16



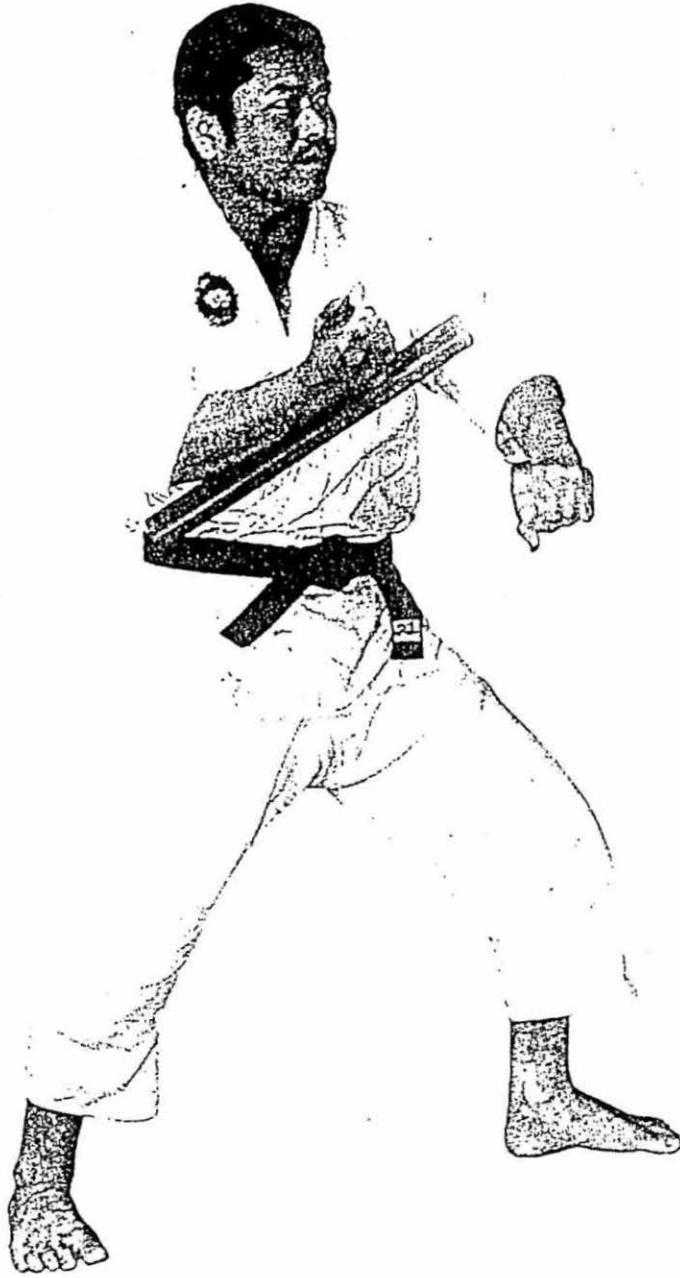
APPENDIX 17



APPENDIX 18



APPENDIX 19



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ENDNOTES

ⁱ The information regarding the North Wales police and the demographics of the North Wales area were obtained from the North Wales police internet site. North Wales Police: back in the heart of the community. Homepage <http://www.north-wales.police.uk>

ⁱⁱ The Police Executive Research Executive Forum was an organisation of police executives from across the US that was dedicated to improving policing through research and involvement in public policy.

ⁱⁱⁱ Ingleton's statistics for officers killed by criminal acts during the 1990's only included the years before 1994. He suggested that these figures could be extrapolated to 22/23 deaths by the year 2000. However, by using the HMIC Matrix of Indicators for Assaults on Police in England and Wales from 1994-2000, it was possible to combine these two and arrive at a more realistic figure.

^{iv} The reason why there was only potential for 150 per 100,000 serving officers being killed during 2000 was because the total number of serving officers were approximately 7000, much fewer than 100,000. It was not the authors intention to use these statistics as a projection of officer fatalities if the JCF were a larger police force but as a way of roughly demonstrating the difference in levels of police officers killed between Jamaica and England and Wales

^v The data used in the construction of this graph were taken from a table in Amnesty International (2001b) Jamaica-Killings and Violence by Police: How Many More Victims? AI Index: AMR 38/003/2001. The Sources that Amnesty International used to compile the table were from Chevigny, P. (1995) *The Edge of the Knife*. New York: New York Press and JCHR (1984) *Civilians Shot and Killed by the Police*. Jamaica Council for Human Rights. Kingston. The Data about fatal shootings of civilians by the police in England and Wales were obtained from the PCA Website <http://www.pca.gov.uk/firearm3.htm>

^{vi} National Police Training recently changed to its name to Centrex. However, for the purpose of this study the original name will be used.

^{vii} Much of the evidence for gaming theory came from the study of strategies used by animals when they fight. Evidence was also gathered from computer modelling of behaviour. Much of the evidence for gaming theory may not generalize to human populations. However, this does not mean that gaming theories of violent interaction were wrong. Humans were more intelligent than animals and their strategies for surviving violent encounters could work on similar principles while being more complex.

^{viii} The person interviewed for this case study was happy for his real name to be used but the researcher considered it appropriate to use a false name. For the sake of confidentiality all those that took part in this study will be given alternative labels.

^{ix} The account of the incident described in table 6 was constructed from interviews with the participant, observation of the CCTV footage of the incident and the of the police interview with Jim. Some of the view of the incident covered by the CCTV footage was obscured by a concrete post. However, what was obscured could be replaced by the accounts of Jim and/or the police.

^x The description in table 7 was constructed from media accounts of the incident and from interviews with members of the Tregarth community.

^{xii} Horn and Munafò (1997) indicated that the pituitary gland and the brain control the sensation of pain by producing endogenous chemicals called endorphins and enkephalins. The ability of morphine to control pain is due to its structural similarity to the bodies own naturally occurring opiate systems.

^{xiii} It is possible that police officers who adopted avoidance coping strategies would be reluctant to report many of the assaults they had experienced. This raises the possibility that assaults on police officers were under reported. It is possible that the present statistics regarding assaults on police officers were just the “tip of the iceberg”.

^{xiv} It is important to understand that not all officers submitted incident report forms when they used force and many officers are unaware of the correct procedure concerned with submitting

the form (Avery, 2000). The Use of force monitoring for 1999 is probably an underestimation of the use of force by officers. These statistics also fail to offer any indication of when backup arrived.